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Passed on File.

Senate File 463
By DOUD (Kosek).

Passed Senate, Date.....
Vote: Ayes..... Nays.....
Passed House, Date
Vote: Ayes..... Nays.....
Approved

A BILL FOR

An Act to repeal chapter one hundred seventy-two (172), Code 1950, relating to the operation of frozen food locker plants within the state of Iowa, and inserting a new chapter in lieu thereof.

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. Chapter one hundred seventy-two (172), Code
2 1950, is hereby repealed and the following enacted in lieu
3 thereof:

1 Sec. 2. When used in this Act, unless the context
2 otherwise requires:

3 1. "Food" means all articles used for food, drink,
4 confectionery or condiment by man, whether simple, mixed or
5 compound and any substance used as a constituent in the
6 manufacture thereof.

7 2. "Locker" means the individual sections or compartments
8 of a capacity of not to exceed nine (9) cubic feet in the
9 locker room of a locker plant or branch locker plant.

10 3. "Locker Plant" means a location or establishment in
11 which space an individual locker is rented to individuals for
12 the storage of food at or below a temperature of forty-five

13 (45) degrees above zero (0) fahrenheit and having a chillroom,
14 and sharp freezing facilities and facilities for cutting,
15 preparing, wrapping, and packaging meats and meat products,
16 fruits and vegetables, and slaughter house accommodations.

17 4. "Branch Locker Plant" means any location or establishment
18 in which space an individual locker is rented to individuals
19 for the storage of food and at or below a temperature of
20 forty-five (45) degrees above zero (0) fahrenheit after
21 preparation for storage at a central plant.

22 5. "Processor" shall mean any individual, partnership,
23 corporation or any group or combine of persons engaging in the
24 business of cutting, and wrapping carcasses of fresh meat for
25 delivery to customers to be either frozen by them or frozen in
26 a sharp freezer owned by the individual, partnership,
27 corporation, or combine or collection of persons doing the
28 cutting and wrapping.

29 6. "Sharp Frozen" means the freezing of food in a room
30 in which the temperature is zero (0) degrees fahrenheit or
31 lower.

32 7. "Slaughter House" shall mean that portion of a locker
33 plant set aside and used by the operator of the locker plant
34 for the slaughtering of livestock for processing in his locker
35 plant, or for trade.

36 8. "Department" shall mean the department of agriculture.

1 Sec. 3. No person shall engage in the operation of a
2 frozen food locker plant or a branch food locker plant until

3 he has obtained a separate license from the department for each
4 such location or establishment. Neither shall he operate a
5 slaughter house either in connection with said locker plant or
6 as a custom slaughter until he has made application and received
7 a license from the department for such slaughtering activities.
8 Applications for such license or licenses shall be made upon
9 forms furnished by the department and shall contain the items
10 required by it as to ownership, management, location,
11 equipment and other data concerning the business for which
12 each license is desired.

13 Each application for license shall contain the following
14 information :

15 1. The name and address of the applicant.

16 2. The location of the plant for which the license is
17 sought and the type of operation on such location.

18 3. The size of the plant for which the license is sought
19 and the number of lockers operated or to be operated there.

20 4. The system of refrigeration used and capacity of the
21 refrigeration machinery.

1 Sec. 4. In case the license is sought for a slaughter house
2 or a custom slaughter the information contained in the
3 application shall be as follows :

4 1. The name and address of the applicant.

5 2. The location of the slaughter house for which the license
6 is sought and if a custom slaughterer his address and the
7 location where the custom slaughtering will be done.

8 3. The size of the slaughter house, its facilities, which
9 must include hot and cold running water, proper drainage facili-
10 ties, the size and number of holding pens for the keeping
11 of live animals, the type of construction of the floor which
12 must be of cement, tile or other suitable substance approved
13 by the department, but under no circumstances can be of wood,
14 the type of drainage, and whether said drainage is connected
15 to a private cesspool or septic tank, or town sewage system,
16 the nature and type of equipment to be used by the applicant
17 for slaughter purposes, and such other information
18 concerning the slaughter house as may be deemed necessary by
19 the department for sanitary purposes for the protection of the
20 public health.

21 4. Said application must also state if in case of a
22 custom slaughter the type of refrigeration to be used by said
23 custom slaughterer for the purpose of chilling the carcasses
24 of animals slaughtered, its size, and the capacity of the
25 refrigeration and machinery. Said information also to contain
26 the size of the chillroom.

1 Sec. 5. Upon receipt of an application of license for a
2 new plant accompanied by the required fee, or an application
3 for an old plant in operation, or holding plant in
4 operation, or a slaughter house, or a custom slaughter house
5 permit, the department shall inspect within thirty (30) days
6 the plant or branch plants, the slaughter house or the custom
7 slaughter house, its equipment, the facilities, surrounding

8 premises, and if its operations, or purposed operations,
9 its facilities, and contemplated facilities, comply with the
10 provisions of the law and the authorized rules and regulations
11 of the department applicable to such plants, slaughter houses
12 and custom slaughter houses, the department shall issue such
13 license.

1 Sec. 6. The license fee for each plant or branch plant
2 shall be ten dollars (\$10.00) for two hundred (200) or less
3 individual lockers with an additional two dollars (\$2.00) for
4 each additional one hundred (100) individual lockers or major
5 fraction thereof in either a frozen food locker plant or a
6 branch frozen food locker plant.

7 The license for each slaughter house if connected with a
8 cold storage locker plant shall be one dollar (\$1.00), and the
9 license fee for a custom slaughter house shall be
10 fifty dollars (\$50.00) per year.

11 Each such license shall expire on December 31 of each
12 year, following the date of issue and no such license shall
13 be transferable.

1 Sec. 7. No individual or corporations licensed exclusively
2 under the provisions of chapter one hundred seventy-one (171)
3 and engaging in the storing of frozen foods for individual
4 consumption shall be exempt from the requirements of this Act.

1 Sec. 8. Any individual, partnership or corporation
2 engaged in the processing of fresh meats, as defined in this
3 Act shall before engaging in such business, obtain from the

4 department of agriculture of the state of Iowa, a license
5 authorizing the licensee to engage in such business, and the
6 application for such license shall obtain such information
7 as the department may require.

8 The license fee for each place of business in which
9 such processing is carried on shall be seventy-five dollars
10 (\$75.00) per year, and if the applicant operates more than one
11 place of business in which processing is done a separate license
12 for each place of business shall be required.

13 All fresh meats or cured meats prepared and wrapped by
14 a processor as defined in this Act, shall be wrapped in a
15 non-absorbent wrap, adapted to the frozen food industry.

1 Sec. 9. The floors, walls and ceilings of locker plants
2 and branch locker plants shall be of such construction and
3 finish that they can be conveniently maintained in a clean
4 and sanitary condition. Walls and ceilings of the processing
5 rooms of locker plants shall be well painted or finished in
6 some approved manner and shall be re-painted as often
7 as necessary. The lockers in any plant shall be so constructed
8 as to protect the contents from contamination, deterioration
9 or injury. In any new construction lockers with perforated
10 bottoms shall be provided with suitable unperforated liner
11 or tray.

1 Sec. 10. All rooms of a locker plant or branch locker
2 plant shall at all times be maintained in a clean and sanitary
3 condition. All equipment and utensils shall be clean when

4 put into use and shall be thoroughly cleaned after each day's
5 use and shall be so stored or protected as not to become
6 contaminated. Lockers shall be thoroughly cleaned before
7 they are leased or put into possession of any patron. The
8 premises and surroundings of any locker plant and branch
9 locker plant shall be maintained in a clean and sanitary
10 condition. The food stored shall be protected from filth,
11 flies, dust, dirt, insects, vermin and any other contamination
12 of any unclean or filthy practice in the handling thereof or
13 caring thereof. No food shall be stored in such condition or
14 in such manner as to cause injury to or deterioration of articles
15 of food in adjacent lockers. Waste or offal incident to the
16 cleaning, storing or preparation of any food for storage shall
17 be promptly removed from the premises and disposed of in a
18 sanitary manner.

19 No room or rooms used for the preparation, storage,
20 display or sale of food or for the processing of foods shall
21 be used as a living room or sleeping room nor shall dogs, cats,
22 or other domestic animals be permitted in such rooms.

1 Sec. 11. Locker plants shall have an ample water supply
2 readily available and the water that comes in contact with
3 any food product or the equipment shall be uncontaminated.
4 No cross-connections are permitted in plants in which there
5 are both contaminated and non-contaminated water systems.
6 All plants must comply with state plumbing code provisions.
7 Locker plants shall be provided with adequate toilets so

8 located as to be readily accessible to the employees and
9 equipped with adequate washing fixtures or facilities or
10 have such fixtures or facilities convenient thereto and shall
11 be supplied with water, single soap and single towel service.
12 The doors of all toilet rooms shall be full length and self-
13 closing and no toilet room shall open directly into any room
14 in which foods are prepared, processed, chilled, frozen or
15 stored. Toilet facilities and rooms shall be kept in a clean
16 and sanitary condition.

1 Sec. 12. No locker operator shall employ or permit in
2 his employ any person suffering from any communicable disease,
3 including any communicable skin disease or with infected wounds,
4 and no person who is a carrier of a communicable disease shall
5 be employed in any capacity in a locker plant or branch locker
6 plants. No person shall work or be employed in or about a
7 locker plant or branch locker plants during which time as a
8 communicable disease exists in the home in which he resides
9 unless he has obtained a certificate from the state or local
10 board of health stating that no danger of public infection
11 will result from the employment of such person in such establish-
12 ment. Every person employed by a locker plant and engaged
13 in direct physical contact of food during its preparation,
14 processing, or storage, shall be clean in person, wear
15 clean washable outer garments and a suitable cap or
16 overhead covering, said garment to be used for that purpose
17 only. Only persons specifically designated by the operator

18 shall be permitted to touch food products with their hands
19 and the persons so designated shall keep their hands
20 scrupulously clean.

1 Sec. 13. The refrigeration system of a locker plant or
2 branch locker plant shall be equipped with accurate and reliable
3 controls for the automatic maintenance of uniform temperature
4 which is required in the various refrigerated rooms and shall
5 be of adequate capacity to provide under extreme conditions of
6 outside temperature and under peak load conditions in the
7 normal operation of said plant, the following temperature
8 in the several rooms, respectively :

9 1. Chillroom—Temperatures within two (2) degrees
10 fahrenheit plus or minus of thirty-four (34) degrees above
11 zero fahrenheit with a tolerance of ten (10) degrees fahrenheit
12 for a reasonable time after fresh food is put in for chilling.

13 2. Sharp freeze room—sharp freezing compartments.
14 Temperatures of ten (10) degrees below zero fahrenheit or
15 lower or temperatures of zero degrees fahrenheit or lower
16 when forced air circulation is employed with a tolerance
17 of ten (10) degrees fahrenheit for either type of installation
18 for a reasonable time after fresh food is put in for freezing.

19 3. Locker room—Temperatures of not to exceed ten (10)
20 degrees fahrenheit with a tolerance of five (5) degrees
21 fahrenheit higher.

22 The foregoing temperatures shall not be construed as
23 prohibiting such variations, as may occur during short period

24 of time incidental to defrosting, for experimental purposes,
25 the department, upon application in writing, may authorize
26 for a limited and prescribed period, the installation and use
27 of a refrigeration system or method which in the opinion of
28 the department shall result in improvement over present methods.

29 An accurate direct reading thermometer shall be provided
30 in the chillroom, in the sharp freeze room, or compartment.

31 The thermometer in the locker rooms shall be placed in a
32 position where it is readily observable by the patrons.

1 Sec. 14. No food shall be placed in a locker for storage
2 unless it has been sharp frozen. No food shall be placed in
3 a locker unless such food has been inspected by the operator.
4 Food which appears to be of questionable quality by the operator
5 shall be referred to the state dairy and food department or a
6 representative thereof. No food shall be placed in the locker
7 by the patron personally whether the same be in a frozen or
8 unfrozen state. No unwrapped meat or unwrapped unpacked
9 fruits or vegetables shall be placed in any locker. Only
10 paper suitable for the wrapping of meat that is to be frozen and
11 stored, shall be used. Each wrapped portion shall be marked or
12 stamped with the correct locker number and the date of wrapping.

13 All fresh carcass meats coming into the custody or
14 possession of the operator shall be identified with a suitable
15 tag or stamp and if not clean, shall be washed with cold water
16 or otherwise suitable cleaned, and shall then be placed in the
17 chillroom sufficiently long to lose body heat, unless previously

18 chilled and in no case less than twenty-four (24) hours before
19 removal to the cutting room. In applying marks directly to
20 meats or food products, the operator shall use only non-toxic
21 ink or other harmless substances. The same provisions as
22 applied to a slaughter house connected with a locker plant shall
23 also apply to a custom slaughterer, subject to such additional
24 rules and regulations as made or may be prescribed by the
25 department for public health and safety.

1 Sec. 15. No fish shall be stored in any locker unless
2 properly frozen and wrapped. All fish shall be so handled as
3 to protect equipment and other foods stored from fish flavors
4 and fish odors. All unfrozen fish coming into the custody or
5 possession of the operator shall be properly and promptly
6 washed with clean water and frozen, wrapped and marked with
7 the date and the patron's locker number.

8 Before being frozen, vegetables shall be clean, blanched
9 and immediately thereafter cooled with cold water and packed
10 in suitable containers before freezing. Patrons preparing
11 their own vegetables and fruits for freezing must deliver
12 the same either in bulk or packaged to the locker operator for
13 inspection, sharp freezing and storage.

14 Before being frozen, fruits shall be cleaned or washed and
15 packed in suitable containers before freezing, approved by the
16 department and the locker operator.

1 Sec. 16. Any game or fish stored or handled shall only
2 be stored or handled in conformity with the game laws of the

3 state of Iowa, and the rules and regulations of the department
4 of conservation applicable thereto.

1 Sec. 17. Every operator of a locker plant or branch
2 locker plant shall keep an accurate record as set forth :

3 1. The name and address of the patron renting a locker
4 or storing food. (In the case of patrons renting lockers who
5 are directly or indirectly engaged in the selling of food-
6 stuffs for human consumption, such patrons shall declare this
7 fact to the operator and a suitable entry shall be made on the
8 records of the operator.)

9 2. Rental period of each locker rented, the charge there-
10 for, and the payments made thereon.

1 Sec. 18. No person shall be permitted access to another
2 patron's locker and contents without proper authorization.
3 Patrons shall not be permitted to handle meats or foods other
4 than their own, which are stored in the chillroom or are in
5 the process of preparation for freezing for storage.

1 Sec. 19. No food not for human consumption shall be
2 stored in the chillroom, aging room, sharp freeze room or
3 locker room of any locker plant or branch locker plant, except
4 such items of animal or vegetable matter as may have been
5 inspected and approved by the bureau of the United States
6 department of agriculture or representatives of the department
7 of agriculture of this state. Foods not intended for human
8 consumption shall bear a label or tag showing plainly and
9 conspicuously in letters not less than three-eighths ($\frac{3}{8}$)

10 of an inch in height the words "Not for human consumption."

11 No food not for human consumption, which has not been
12 inspected as hereinbefore provided and no hides or skins shall
13 be stored in any locker plant or branch locker plant unless
14 separate rooms with no opening passage leading into the
15 locker room, chillroom, aging room or sharp freezing room,
16 are provided with such storage.

1 Sec. 20. Every operator of a locker plant or branch
2 locker plant shall have a lien upon all property of every
3 kind in its possession for all locker rentals, processing,
4 handling or other charges due from the owner of such property.
5 Such lien may be secured and enforced in the same manner as
6 mechanic's liens are secured and enforced.

7 Operators of locker plants or branch locker plants
8 shall not be construed to be warehousemen or shall receipts
9 or other instruments issued by such persons in the ordinary
10 conduct of their business be construed to be warehouse
11 receipts relative to the laws applicable thereto.

1 Sec. 21. The Iowa department of agriculture shall make
2 and enforce reasonable rules and regulations necessary to
3 carry out provisions of this Act.

1 Sec. 22. The department, after notice of hearing, may
2 revoke the license issued to any locker plant or branch locker
3 plant, for failure to comply with provisions of this Act or
4 any lawful rule or regulation of the department hereunder.
5 Before revoking any license the department shall give the

6 licensee notice, whether personally or by registered mail,
7 and opportunity to be heard with respect thereto at a time
8 and place specified in such notice.

9 In the event any license is revoked the department may
10 permit the continued operation of the plant involved upon
11 such conditions or under such supervision as the department
12 may prescribe for a period of not to exceed six (6) months,
13 in order to enable patrons to remove any food stored therein,
14 but during such period no food shall be received or stored in
15 such plant.

16 Any patron of any locker plant storing food in his or
17 her locker without first presenting the same to the locker
18 operator for inspection and sharp freezing shall, in addition
19 to having such food seized and confiscated by the department,
20 be guilty of a misdemeanor and subject to the same fines and
21 penalty as a violation of this Act by a locker operator and
22 as hereinafter set forth.

23 The violation of any provisions of this Act pertaining
24 to a custom slaughterer shall be a misdemeanor and upon
25 conviction shall be punished as provided for hereinafter.

1 Sec. 23. Any person violating the provisions of this Act
2 or any lawful rule or regulation of the department hereunder,
3 shall be guilty of a misdemeanor and upon conviction thereof
4 shall be fined not less than twenty-five dollars (\$25.00) nor
5 more than one hundred dollars (\$100.00) or be imprisoned in
6 the county jail not to exceed thirty (30) days. Each violation

7 shall be a separate offense and subject said person to
8 separate penalties.