

PA DEPARTMENT OF AGRICULTURE
BUREAU OF FOOD SAFETY AND LABORATORY SERVICES
2301 N CAMERON STREET
HARRISBURG PA 17110
717-787-4315

WWW.EATSAFEPA.COM

APPLICATION PACKET FOR FOOD ESTABLISHMENTS

Manufacturing, Processing, Distribution, Warehousing, Wholesale

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Dear Food Establishment Applicant:

Enclosed are the necessary forms and applications for obtaining a Registration from the Pennsylvania Department of Agriculture. Please be advised that according to The Food Safety Act of 2010 (3 C.S. §§5721 – 5737), “...it shall be the duty of every person operating a food establishment within this Commonwealth to register...” A food establishment applicant may be a food processor/manufacturer, warehouse, distribution center or wholesaler.

The enclosed material must be fully completed, returned with all necessary accompanying documentation, and reviewed by the appropriate Food Sanitarian and/or Food Sanitarian Supervisor with the Bureau of Food Safety & Laboratory Services **prior to work begun in construction, remodeling, alteration of a facility, change in type of food operation, new ownership or the preparation/sale of foods from a food establishment AND at LEAST 60 days prior to opening.** Please note failure to provide all required information could delay your application approval.

Return all materials to your [Regional Office](#) (see below, as listed by county).

The Department of Agriculture, Regional Food Sanitarian and/or Supervisor, will review the application and notify you of its approval. If your application is disapproved, you will receive a written letter stating the reasons for the application disapproval. Applications can be resubmitted at any time. Please allow 4 – 6 weeks for processing. Once you receive your approval, notify your Food Sanitarian or [regional office](#) at least **ten (10) days prior** to operation to arrange a licensing inspection.

Sincerely,

The Bureau of Food Safety & Laboratory Services Staff

MAILING ADDRESSES:

**The Pennsylvania Department of Agriculture
Bureau of Food Safety and Laboratory Services
(..followed by the appropriate address below..)**

Region 1 (Clarion, Crawford, Elk, Erie, Forest, Jefferson, McKean, Mercer, Venango and Warren)
13410 DUNHAM RD, MEADVILLE PA 16335 814-332-6890 Fax: 814-333-1431

Region 2 (Cameron, Clinton, Columbia, Lycoming, Northumberland, Montour, Potter, Snyder, Tioga and Union)
542 COUNTY FARM RD, SUITE #102, MONTOURSVILLE PA 17754 570-433-2640 Fax: 570-433-4770

Region 3 (Bradford, Carbon, Lackawanna, Luzerne, Monroe, Pike, Sullivan, Susquehanna, Wayne and Wyoming)
RT 92 SOUTH, PO BOX C, TUNKHANNOCK PA 18657 570-836-2181 Fax: 570-836-6266

Region 4 (Allegheny, Armstrong, Beaver, Butler, Fayette, Greene, Indiana, Lawrence, Washington and Westmoreland)
226 DONOHOE RD, SUITE 101, GREENSBURG PA 15601 724-832-1073 Fax: 724-832-1013

Region 5 (Bedford, Blair, Cambria, Centre, Clearfield, Fulton, Huntingdon, Juniata, Mifflin and Somerset)
Martinsburg Commons 403 E. Christiana St. Martinsburg PA 16662 814-793-1849 Fax: 814-793-1869

Region 6A/6B (Adams, Cumberland, Dauphin, Franklin, Lebanon, Lancaster, Schuylkill, Perry and York)
ROOM 100, 2310 NORTH CAMERON ST., HARRISBURG PA 1711 717-346-3223 Fax: 717-346-3229

Region 7 (Berks, Bucks, Chester, Delaware, Lehigh, Montgomery, Northampton, Philadelphia)
1015 BRIDGE RD, COLLEGEVILLE PA 19426 610-489-1003 Fax: 610-489-6119

APPLICATION FOR A FOOD ESTABLISHMENT REGISTRATION

PLEASE COMPLETE ALL INFORMATION AND SUBMIT TO THE DEPARTMENT
This Application is intended for one Establishment Location only.

SECTION 1 -- PURPOSE OF THE APPLICATION

PART A: Please select the type of food establishment.

APPLICATION FOR: Food Processor or Food Manufacturer Food Warehouse or Storage Site Distribution Center
 Re-packer Other Wholesale Food Operation: Please describe: _____

PART B:

PLEASE SELECT ANY THAT APPLY:

New Establishment Change of Ownership Remodel
 Change of Food or Operation Type Other, Describe _____

SECTION 2 -- ESTABLISHMENT INFORMATION

NAME OF ESTABLISHMENT (publically recognized name) _____

PHYSICAL ADDRESS OF ESTABLISHMENT:

Facility Street Number	City	State	Zip Code
County ()	Township/Borough ()		
Facility Phone Number ()	Facility Fax Number		
Cell Number or Alternate Phone Number	Email Address		

MAILING ADDRESS (If Other Than Above):

Name	Street Address	City/State	Zip Code
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RESPONSIBLE OFFICIAL AT THE FOOD FACILITY (if not the owner)
 NAME and TITLE _____

PROPRIETOR/OWNER TYPE: SOLE PROPRIETOR CORPORATION NON-PROFIT OR ASSOCIATION
 PARTNERSHIP LIMITED LIABILITY CO. (LLC) OR PARTNERSHIP (LLP)

LEGAL BUSINESS NAME (if different than the Facility Name): _____

LEGAL OWNER MAILING ADDRESS (If different than above mailing address):

Street Number ()	City ()	State	Zip Code
Owner Phone Number	Owner Fax Number	Owner E-Mail Address	



Please fill in the detailed information on owner / proprietorship on page 7 of this application.

SECTION 3 --WATER, SEWER, WASTE INFORMATION

Issuance of a Food Establishment Registration in no way implies that this Establishment is compliant with any other state or local rules relating to water, sewer, zoning or building codes of any kind. It is the applicant responsibility to assure they are compliant with all other state or local rules and regulations.

WATER: The Establishment is using: (Check which one applies)

A public / municipal water supply.
Water Supplier: _____

A non-municipal / private water supply (example: well water) regulated by DEP. These water supplies must be reviewed by DEP to determine if they are "public" water systems. DEP, Department of Environmental Protection, can be reached at 717-787-9633. Submit written documentation of DEP regulated public water supply, such as your assigned Public Water Supply (PWS) number. Change of owners must contact DEP to update information even if a PWS number exists for the facility.

A non-public water supply (one not regulated by DEP). A coliform and nitrate/nitrate test must be completed and current. A copy of the results **must be attached to this application**.

SEWER: The Establishment is using: (Check which one applies)

A municipal/ public sewage disposal system. Name of Sewage Authority: _____

OR

A non-public sewage disposal system (examples: Sand mounds, holding tanks). For on-lot sewage disposal systems, please contact the certified Sewage Enforcement Officer for your municipality and discuss if the current sewage disposal system is appropriate for your food establishment. This would not apply if the establishment is connected to an approved municipal supply, as listed above.

REFUSE:

The Food Establishment refuse collector is _____ (company name)

List any other Refuse or waste collection companies (ex: grease collection, food scraps etc...)

SECTION 4 -- ZONING AND OTHER CODES (Please check)

Issuance of a Food Establishment Registration in no way implies that this Establishment is compliant with any other state or local rules relating to water, sewer, zoning or building codes of any kind. It is the applicant responsibility to assure they are compliant with all other state or local rules and regulations.

I have verified that the Establishment is compliant with all Local Zoning and all Building Codes as required.

AND

A license to collect PA State sales tax has been obtained or applied for. For information on applying for a PA State sales tax license, contact the Pennsylvania Department of Revenue - (888) PATAXES or www.revenue.state.pa.us

OR

According to the PA Department of Revenue rules and regulations, I have determined that my business is exempt from collection of sales tax.

SECTION 5 -- ESTABLISHMENT INFORMATION

PART A:

DAYS OF OPERATION & TIME:

(If variable, please make a best guess at when you plan on operating/processing)

Monday Time _____
 Tuesday Time _____
 Wednesday Time _____
 Thursday Time _____

Friday Time _____
 Saturday Time _____
 Sunday Time _____

PART B:

TYPE OF ESTABLISHMENT (CLASSIFICATION)

WAREHOUSE / DISTRIBUTION CENTER

➤ **Type of storage** (Sub-classification): Dry Refrigerated Frozen

➤ **Describe the product(s) you will be holding/storing for distribution at this location:**

FOOD PROCESSOR / MANUFACTURER

➤ **Type of Operation** (Sub-Classification):

Acid/Acidified Foods Low Acid Canned Food (LACF) Alcoholic Beverages Aseptic Packaging
 Bakery Candy Cereal Egg Plant Fruits & Vegetables Grain Mill Honey Ice
 Jams/Jellies/Butters Juice/Cider Fishery/Seafood Snack foods Bottled Water (DEP)
 Bottled Water (Non-DEP) Beverages (Non-Alcoholic or Juice) Maple products
 Sprout Grower Milk & Milk products USDA inspected foods USDA exempt Meat/Poultry
 Multi-Type Ambient Foods Multi-Type Refrigerated Foods Multi-Type Frozen Foods
 Other: *Specify* _____

➤ **Describe the product(s) you will be manufacturing/processing at this location:**

PLANS REVIEW:

Although not required by Law, new Food Establishments that would like the Department to review and provide comments on plans for their establishment, may voluntarily submit a blue print – or hand-draw sketch – of the proposed food establishment layout and/or a listing of proposed equipment.

PART C

FOOD SAFETY SYSTEMS AVAILABLE

Check all applicable boxes to indicate the food safety plans or programs you will have implemented in the establishment:

HACCP HARPC ISO or other GFSI Allergen Control Recall Plan SSOPs GMPs
 Consumer Complaint Supply-Chain program Education/Training Written SOPs/ Recipes
 Pest Control: (*Company name*) _____ 3rd Party Audits: (*Company name*) _____
 Other Formal Food Safety Plans: *Specify* _____

HEALTH POLICY: Do you have an employee health policy? YES or NO

This is NOT an employee medical examination requirement. An employee health policy establishes how to handle ill employees, including you, who may be working in the food establishment. It is an understanding of when to exclude or restrict food handlers who are ill with certain symptoms. If NO is checked, prior to opening an employee health policy must be established, either in writing or verbal, and presented to every employee of the establishment.

ADDITIONAL INFORMATION

- Projected (%) Wholesale: _____ %
- Projected Interstate Commerce:
 - Incoming ingredients: _____ %
 - Shipped finished Products: _____ %
- Number of Employees: _____
- Establishment size (sq. ft.): _____

SECTION 6 -- ALL APPLICANTS READ & COMPLETE

ANTICIPATED OPENING / PRODUCTION START DATE: _____

This application and all other requested materials, as listed above, should be **submitted to your local Regional Office**, as listed on the cover letter. Please allow 3-4 weeks for processing of your application from the date of post marking. You may be contacted by your regional Food Sanitarian requesting further clarification or information. The Food Sanitarian will contact you with final approval OR you will be sent a letter via USPS with disapproval, including the reasons, of this application. Next, an on-site inspection will occur. This **must** happen prior to registration and opening.

The Applicant understands and agrees that this document is an application for Registration of a wholesale manufacturing / processing and/or warehouse / distribution food establishment operation. The applicant understands and agrees that only a “proprietor” of this operation may obtain the registration; and that a “proprietor” may be a person, partnership, association or corporation operating the food establishment within the Commonwealth of Pennsylvania. The applicant verifies that they are the “proprietor” of the food establishment that is the subject of this application as indicated on this application. *By signature on this application, the applicant verifies that all statements and information in this application is true and correct to the best of the applicant’s knowledge, information and belief; and makes these statements subject to the penalties of 18 Pa.C.S.A. § 4904, relating to unsworn falsification to authorities.*



DO NOT SEND ANY MONEY WITH THIS APPLICATION.

There are NO fees associated with this Application. Registration fees will be collected upon a compliant inspection.

Initial registrations and annual renewals are \$35.00 made payable to the “Commonwealth of PA”.

FILL IN AND SIGN THE APPROPRIATE BLOCK. (At least one ownership signature must be filled in)

INDIVIDUAL PERSON:

Signature

Legibly Print Name

Date

Date of Birth

PARTNERSHIP:

Signature-General Partner

Legibly Print Name

Date

Date of Birth

Signature-General Partner

Legibly Print Name

Date

Date of Birth

Corporation OR Association/Non-Profit Entity:

Name of Corporation or Non-Profit Entity

Name of current CEO/President

Date of Birth of CEO/President

Signature of Corporate / Association / Non-Profit Official

Date

Legibly Print Name

Official Title of Signatory

Limited Liability Company (LLC) or Limited Liability Partnership (LLP):

Name of LLC or LLP

Name of President/CEO

Date of Birth of President/CEO

Signature – Member

Date

Signature – Member

Date

Legibly Print Name

Legibly Print Name

OFFICIAL USE ONLY

REGISTRATION TYPE: Food Processor/Manufacturer/Co-Packer Food Warehouse/Distributor

STANDARDS FOR REVIEW: Chapter 57 / CFR's Specific CFR's applied _____

APPROVAL

PLANS APPROVED, DATE _____ APPLICANT CONTACTED, DATE _____ METHOD _____

DISAPPROVAL

PLANS DISAPPROVED, DATE _____ LETTER MAILED TO APPLICANT, DATE _____

Reasons for denial: _____

REVIEWING SANITARIAN _____

****REMINDER:** IN ALL CASES, A FACILITY RECORD MUST BE CREATED IN PAFOODSAFETY AND THE APPLICATION SCANNED AND ATTACHED TO THE FACILITY RECORD.

APPLICATION INSTRUCTIONS FOR FOOD ESTABLISHMENTS

FOOD PROCESSING, MANUFACTURING, WAREHOUSING, DISTRIBUTION, WHOLESALE

PREPLANNING

1. Review thoroughly a copy of the rules and regulations pertaining to the specific type of food establishment planned prior to and during preparation of plans. Applicable law is Title 3 of the Consolidated Statutes, Chapter 57, Subchapter B, Food Safety Act.
2. Discuss any unanswered questions regarding registration and requirements for plan review with your Regional Department of Agriculture representative.
3. **Complete an application for “Food Establishment Registration”** which is to be submitted at **least 60 days** prior to opening.
4. DO NOT begin construction, remodel or conversion of the establishment prior to submitting acceptable plans and prior to receiving approval of the submitted plans from the regional PA Department of Agriculture Food Sanitarian or Food Sanitarian Supervisor. New owners and change of ownerships are required to apply for a registration and gain approval *prior to* preparation and distribution of foods.
5. All local planning, zoning, building, fire etc., codes must be considered as well as requirements of the Department of Labor and Industry, Department of Environmental Protection, and the Liquor Control Board, if the establishment will also be regulated by these agencies. Issuance of a Food Establishment Registration in no way implies that the Establishment is compliant with any other state or local rules relating to water, sewer, zoning or building codes of any kind. It is the applicant responsibility to assure they are compliant with all other state or local rules and regulations.

SECTION 1:

PART A: Please select in this section which best describes your establishment.

PART B: Please select the box that best describes why you are filling out this application. Are you a new owner looking to get a new registration? Are you taking over an existing operating establishment (change of ownership)? Are you remodeling your registered establishment or significantly changing your business? Whichever best describes, please select. If none of these choices seems to describe why you are applying, select “other” and note why you are applying for a Food Establishment Registration.

SECTION 2:

This section will capture information about your establishment. Please fill in this section completely. The physical address of the food establishment should be the 911 address. PO Boxes cannot be used as a physical address, but can be captured as the mailing address.

Please select which best describes your owner type.

SECTION 3: Water, Sewer, Waste Information

This section will capture the information about the water supply you are using, your waste water disposal and your trash collection.

Water Supply: Please select the type of water supply you are using at the establishment. Building owners/operators may need to supply you this information if you are using their water supply. All water supplies are either PUBLIC or NON-PUBLIC.

Public or Municipal Water Supplies:

Public supplies are those regulated by DEP. Some 'wells' and/or non-municipal water supplies are additionally regulated by DEP as Public supplies. **You must contact DEP (717-783-2300) to determine if your water supply should be regulated by that Agency.** You may obtain your water from ANY DEP regulated water supply.

For Municipal- Public water sources, please list the name of the Public Water Supplier. For example: Pennsylvania American Water.

For Non-Municipal Public water supplies, please provide proof from DEP that your water supply has been approved as a Public supply, such as your assigned Public Water Supply (PWS) number.

Non-Public Water Supply:

If it has been determined that you are utilizing a NON-PUBLIC, NON- DEP regulated water supply please see below*.

*A non-public water system (one not regulated by DEP) shall be required to conform to the construction, maintenance, and operation requirements established for a transient non-community water system as defined in 25 Pa. Code Chapter 109. Those water systems will need to submit initial sampling of the water supply to include, all 3 sequential total coliform samples and one nitrate/nitrite to PDA prior to licensing or registration. Ongoing testing of the water supply for non-public systems (non-DEP regulated), shall continue with quarterly coliform and annual nitrate/nitrite testing. This water testing will most likely be provided by the owner of the physical property.

Please consider the following...

- Approval of the water supply shall be based on satisfactory compliance with the latest edition of the Public Water Supply Manual for Construction Standards and Title 25, Chapter 109 for Water Quality, Pennsylvania Department of Environmental Protection (DEP).

- If your establishment is on a well and determined to be 'public', it must be approved by DEP, Department of Environmental Protection (717-783-2300). Written documentation of approval must be provided.

Sewage Disposal: On the application, please check which applies.

If your establishment is utilizing a municipal sewage system, you need only supply the name of the sewage enforcement municipality.

For establishments NOT using a municipal/public sewer:

It is the responsibility of the owner/applicant of the Establishment to contact the local Sewer Enforcement Officer for their municipality to review whether or not the current on-lot sewage system is approved and adequate for the use of the establishment. Note: Approval of all sewage disposal systems will be based upon satisfactory compliance with Chapter 71 and 73 of this title, The Clean Streams Law, Act of June 22, 1937, P.L. 1987, as amended (35 P.S. §§691.1 et seq.) and/or as determined by the local governing sewage enforcement agency or local Sewer Enforcement Officer (SEO).

Refuse, Recyclables & Returnable: On the application, please check any that apply.

- If refuse is to be disposed of on site at the establishment the refuse company name need only be supplied. *Disposal of garbage and refuse shall conform to the Solid Waste Act, Act of July 31, 1968, P.L. 788 (No. 241), Section 6, (35P.S. Section 6006) and the regulation adopted pursuant thereto, Chapter 75 of this title (relating to Solid Waste Management).*
- If disposal is to take place off site, list the name of the collector and location of disposal site.

SECTION 4:

Please select whichever boxes may apply.

Zoning and Building Code information may need verified with the property or building owners. By signature on this application, you are confirming that you have contacted local authorities to review compliance with the applicable local codes.

Sales Tax License information can be obtained with the PA Department of Revenue at (888) PATAXES or www.revenue.state.pa.us. Please check which box best describes your tax situation.

SECTION 5: Establishment Information

PART A

This section will collect the days of the week and time in which the establishment is operating. Please list as best as possible your establishment operating days. If your operation times vary or fluctuate greatly, please make a best guess as which days of the weeks and times you plan on operating/processing.

PART B

Type of Establishment: This section addresses information regarding the classification and sub-classification of your establishment. Please indicate the type of establishment by checking the appropriate box and then the type of storage and or operations conducted at the establishment.

If the type of operation is not listed, check “other” and specify your operation using your own words. Please give more details about the products you will be manufacturing/ processing and or holding for distribution at this location.

Plan Review: Although not required by Law, New Food Establishments that would like the Department to review and provide comments on plans for their establishment may voluntarily submit a blue print – or hand-draw sketch – of the proposed food establishment layout and/or a listing of proposed equipment.

PART C

Food Safety Systems Available

Check all applicable boxes to indicate the food safety plans or programs you will have implemented in the establishment. Most of these plans are now required under the new current GMPs and HARPC Final Rule requirements as set forth in 21 CFR Part 117 as applicable.

To learn about the FDA’s new FSMA Preventive Controls Final Rule, visit www.fda.gov/fsma

Seafood and Juice food establishments must have training related to HACCP and have developed HACCP plans to be compliant with the regulations.

Information about Seafood HACCP: <http://www.fda.gov/Food/GuidanceRegulation/HACCP/ucm2006764.htm>

Information about Juice HACCP: <http://www.fda.gov/food/quidanceregulation/haccp/ucm2006803.htm>

Acronyms:

HACCP: Hazard Analysis and Critical Control Point
HARPC: Hazard Analysis and Risk-Based Preventive Controls
SSOP: Sanitation Standard Operating Procedures (Sanitation)

ISO : International Organization for Standardization
cGMP: Current Good Manufacturing Practices
GFSI : Global Food Safety Initiative.

Employee Health Policy: Even if the owner is the only employee please address how the establishment will handle ill employees, whether someone may work while ill and at what point restriction or exclusion of the person from the food establishment should take place. This policy does not need to be a written policy. This Employee Health question is asked to bring your attention to this very important issue. Your Sanitarian, as part of a routine inspection, will discuss your policy with you.

Additional Information

- Indicate the % of Wholesale activity engaged by the established business.
- An interstate commerce is established when a food from the establishment is shipped interstate OR any ingredients that will come into the establishment come in through interstate channels. Indicate the projected % of finished product that will be distributed interstate AND the projected % of ingredients that will be received via interstate.
- Provide the number of all employees at the establishment (including temporary and seasonal employees).
- Provide the establishment’s square footage size (Total).

SECTION 6:

Enter the Date the Establishment is anticipating opening or beginning production or when the legal change of ownership will occur.

Please read the remainder of this section and fill in the appropriate 'ownership' block with signatures.

There are NO fees associated with this Application. Registration fees will be collected upon a compliant inspection. Initial registrations and annual renewals are \$35.00 made payable to the "Commonwealth of PA".

ADDITIONAL INFORMATION:

The Food Safety Act of 2010 (3 C.S §§5721 - 5737) states ***"...it shall be the duty of every person operating a Food Establishment within this Commonwealth to register..."*** with the Department. Registration shall occur prior to the processing, distribution or sale of food, and food establishments ***may*** label their products with the approved abbreviation ***"Reg. Penna. Dept. Agr."***

❖ FDA REGISTRATION

Some food facilities are required to register with the U.S. Food and Drug Administration (FDA) under the 2002 Bioterrorism Act. Generally, if you manufacture, process, pack, or hold food for consumption in the US, then you meet FDA's definition of a "facility," and are required to register unless exempt under 21 CFR 1.226. To learn more about who must register their facilities with FDA under the Bioterrorism Act of 2002 visit FDA website at:

<http://www.fda.gov/Food/GuidanceRegulation/FoodFacilityRegistration/default.htm>

❖ FDA FOOD SAFETY MODERNIZATION ACT (FSMA)

The Food Safety Modernization Act (FSMA), which became law in 2011, requires facilities that manufacture, process, pack or hold human food and that must register with FDA under 2002 BT Act to ALSO follow the Preventive Controls Rule's new food safety requirements found in 21 CFR Part 117.

In broad terms, the FDA's new rule governing human food facilities (aka "the ***Preventive Controls Rule***" or "***PC Rule***") requires domestic and foreign food facilities to follow updated good manufacturing practices (***cGMPs***), and establish and implement a Hazard Analysis and Risk-Based Preventive Controls (***HARPC***) for human food.

The Preventive Controls for Human Food rule is now final and compliance date for some firms begin as early as September 2016.

For more information about the FDA's FSMA Preventive Controls Final Rule, visit:

www.fda.gov/fsma OR

<http://www.fda.gov/Food/GuidanceRegulation/FSMA/ucm334115.htm>



As Pennsylvania regulation, all PA Department of Agriculture (PDA) registered firms will be expected to comply with at least some portion of the Preventive Controls Rule regardless of FDA registration status, unless otherwise specifically exempted in the Rule.

❖ FDA FSMA TECHNICAL ASSISTANCE NETWORK (TAN)

The FDA Food Safety Modernization Act (FSMA) Technical Assistance Network is now operational and providing technical assistance to industry, regulators, academia, consumers and others regarding FSMA implementation.

The Technical Assistance Network will address questions related to the FSMA rules, FSMA programs, and implementation strategies after the rules are final. We encourage stakeholders to first visit FDA's FSMA webpage at www.fda.gov/fsma, which contains detailed information on all aspects of FSMA, including implementation. The webpage includes Frequently Asked Questions (**FAQ**) about FSMA by topic area. Inquiries may be submitted through a web form. The web form can be accessed at www.fda.gov/fsma Go to "Contact FDA about FSMA" and then Submit Inquiry.

❖ USDA FACILITIES

Please visit USDA at: www.fsis.usda.gov



Poultry growers who have 1000 or fewer birds will need to register with PDA under the Food Establishment Registration program. Producers of non-amenable meats who do not utilize the USDA meat inspection program voluntarily must register with PDA.

REFERENCES:

- ❖ To visit the PA Department of Agriculture's Food Manufacturing webpage:
<http://www.agriculture.pa.gov/Protect/FoodSafety/Processing%20Wholesale%20and%20Distribution/Pages/default.aspx#.VktReXbnuUk>
- ❖ To visit the webpage of the Pennsylvania Consolidated Statutes:
http://www.legis.state.pa.us/cfdocs/legis/LI/Public/cons_index.cfm
(The Food Safety Act (*known as Act 106*) can be found in Title 3 (*Agriculture*), Chapter 57 (*Food Protection*), Subchapter B (*Food Safety*) §§ 5721 – 5737).
- ❖ To Search the Code of Federal Regulations visit: <http://www.ecfr.gov/cji-bin/ECFR?page=browse>
(Most Food Regulations can be found in Title 21, USDA Meat & Poultry regulations in Title 9.)
- ❖ To view the PA Food Protection Act:
<https://govt.westlaw.com/pac/Browse/Home/Pennsylvania/UnofficialPurdonsPennsylvaniaStatutes?guid=NDF3DD650347311E08B5784ED7786DAFB&originationContext=documenttoc&transitionType=Default&contextData=%28sc.Default%29>
- ❖ To find the Code of Federal Regulations related to FSMA's new Preventive Controls for Human Food Final Rule (21 CFR 117-- cGMPs, Hazards Analysis, and Risk-Based Preventive Controls for Human Food):
<http://www.ecfr.gov/cji-bin/searchECFR?idno=21&q1=117&rqn1=PARTNBR&op2=and&q2=&rqn2=Part>

GUIDELINES FOR FOOD ESTABLISHMENT CONSTRUCTION SANITARY PRACTICES

FOOD MANUFACTURING / PROCESSING / WAREHOUSING / DISTRIBUTION/ WHOLESALE

The following document is not intended to be an all-inclusive list of rules for manufacturer/ processors, distributors and warehouses, but is intended to serve as a guideline and reference material.

The Food Safety Act (3 C.S §§5721 - 5737) sets forth the standard for food establishments manufacturing and processing food in Pennsylvania. It addresses prohibited acts, adulteration and mislabeling of foods among other things. The Department did not promulgate its own regulations, but instead invokes all of the Federal Acts, Code of Regulations (CFR's), relating to food. Therefore, there will be many references to the CFR's throughout this document.

As foods and their processing methods are unique and customized, the Good Manufacturing Practices CFR's governing processed/manufactured foods can be broad and non-specific; however there are specific food standards for some categories of food (see links on page 13 of this document).

Updated Current Good Manufacturing Practices (cGMPs)

The FDA Current Good Manufacturing Practice (GMP) requirements found in 21 CFR 110 has been revised as part of the FSMA new Preventive Controls rule and are now replaced by 21 CFR 117, subpart B. Both parts 110 and 117 will be cross referenced throughout this document. The revised GMPs will continue to support HACCP for Juice and Seafood as well as support the new Food Safety Plan required for other food processors. The new updates include:

- Clarifications on protections against cross-contact of food by allergens,
- Deletion of certain nonbinding provisions (language containing recommendations).
- Some previously nonbinding provisions are now modified to be binding provisions. One example is education/ training, in which management is now required to ensure that all employees who manufacture, process, pack or hold food are qualified to perform their assigned duties. These employees must have the necessary combination of education, training, and/or experience necessary to manufacture, process, pack, or hold clean and safe food. Individuals must receive training in the principles of food hygiene and food safety, including the importance of employee health and hygiene.

The present document will address the general construction, equipment and sanitation requirements as per the current and updated good manufacturing practices found in 21CFR Part 110 and Part 117, subpart B, and serving as guidelines to help food establishments be compliant with the regulations in order to ensure that food is manufactured/ processed and or stored under sanitary conditions.

❖ FLOORS

Key Points: smooth, impervious, trapped drains, no pooled water, sloped to drain as applicable.

The floors of all rooms in which food products are handled, processed, packaged, or stored; or in which food containers, utensils and/or equipment are washed, shall be constructed of concrete or other equally impervious and easily cleanable material; and shall be smooth, properly sloped so that there are no pools of standing water after flushing, and the joints between the floor and the walls are impervious, and shall be provided with trapped drains and kept in good repair.

Regulations on this area can be found in:

21 CFR 110.20(b)(4), 110.37(b)(4), 110.37(c)

21 CFR 117.20(b)(4), 117.37(b)(4), 117.37(c)

❖ WALLS AND CEILINGS

Key Points: smooth, washable, impervious, good repair.

Walls and ceilings of rooms in which food or food products are handled, processed, packaged, or stored; or in which food containers, utensils and/or equipment are washed, shall be of a durable, smooth, non-absorbent, washable, light-colored surface and be in good repair.

Regulations on this area can be found in:

21 CFR 110.20(b), 110.20(b)(4)

21 CFR 117.20(b), 117.20(b)(4)

❖ DOORS AND WINDOWS

Key Points: outer openings effectively protected against entry of flies and rodents, Outer doors self-closing; screen doors open outward.

Effective means shall be provided to prevent the access of insects and rodents. All openings to the outside shall have solid doors or glazed windows, which shall be closed during dusty weather. All openings to the outer air shall be effectively protected by any method to the extent to prevent the entry of insects, rodents and other pests (e.g. screening, air curtains, self-closing doors, etc.).

Regulations on this area can be found in:

21 CFR 110.20(b), 110.20(b)(7)

21 CFR 117.20(b), 117.20(b)(7)

❖ LIGHTING AND VENTILATION

Key Points: adequate lighting/ventilation all rooms, well ventilated to preclude odors and condensation; filtered air with pressure systems.

All rooms in which food or food products are handled, processed, packaged, or stored; or in which food containers, utensils and/or equipment are washed shall be well lighted and well ventilated. Ample light (natural or artificial) promotes cleanliness. Proper ventilation reduces odors, vapors and prevents condensation upon interior surfaces.

Safety type light bulbs, fixtures, skylights, or other glass suspended over exposed food in any step of preparation shall be provided or any other means to protect against food contamination from glass breakage (ex. use of plastic shields, plastic sleeves with end caps, shatterproof bulbs, etc.).

Fans and other air blowing equipment must be located in a manner that minimizes potential for contaminating food, food products, food contact surfaces and food packaging.

Regulations on this area can be found in:

21 CFR 110.20(b)(5)-(6)

21 CFR 117.20(b)(5)-(6)

❖ SEPARATE ROOMS

Key Points: separate rooms when required, adequate size for intended use, no direct opening into living quarters

There shall be separate rooms for:

1. The pasteurizing, processing, cooling, reconstitution, condensing, drying and packaging of food and food products.
2. Packaging of dry food and food products.
3. The cleaning of multi-use food containers, bottles, cases and dry food or food product containers.
4. The fabrication of containers and closures for food and food products.
5. Cleaning and sanitizing facilities for over the road tanker trucks in food plants receiving liquid ingredients in bulk that require cleaning upon emptying.

Rooms in which food or food products are handled, processed, stored, condensed, dried and packaged, or in which containers, utensils and/or equipment are washed or stored, shall not open directly into any room used for domestic purposes. All rooms shall be of sufficient size for their intended purposes.

Designated areas or rooms shall be provided for the receiving, handling and storage of returned food and food products

Regulations on this area can be found in:

21 CFR 110.20(b), 110.20(b)(1)-(2)

21 CFR 117.20(b), 117.20(b)(1)-(2)

❖ TOILET-SEWAGE DISPOSAL FACILITIES

Key Points: no direct openings into process rooms, self-closing doors, clean, ventilated, adequate lighting, properly equipped, sewage / other wastes disposed of in sanitary manner.

Every food plant shall be provided with toilet facilities conforming to the regulations of the appropriate regulatory agency.

Toilet rooms shall not open directly into any room in which food or food products are processed except where alternate means have been taken to protect against such contamination (such as double doors or positive air-flow systems).

Toilet rooms shall be completely enclosed and shall have tight-fitting, self-closing doors. Dressing rooms, toilet rooms and fixtures shall be kept in a clean condition, in good repair and shall be well ventilated and well lighted. Sewage and other liquid wastes shall be disposed of in a sanitary manner so as not to contaminate food containers, utensils or equipment, or to create a nuisance or a public health hazard.

Regulations on this area can be found in:

21 CFR 110.37(b), (c), (d)

21 CFR 110.37(b), (c), (d)

❖ WATER SUPPLY & SAFETY

Key Points: constructed properly, no direct/indirect connections between potable/non potable water, complies with appropriate bacteriological standards.

Water for food plant purposes shall be from a supply properly located, protected and operated and shall be easily accessible, adequate and of a safe, sanitary quality.

Running water at a suitable temperature, under pressure as needed, shall be provided in all areas where required.

Private water sources shall comply with the specification outlined in the EPA ground water manual and the Bacteriological Standards outlined herein.

Plumbing shall be of adequate size and design and adequately installed and maintained.

No cross-connection between the safe water supply and any unsafe or questionable water supply, or any source of pollution through which the safe water supply might become contaminated

Regulations on this area can be found in:

21 CFR 110.37(a), 110.37(b) (1)-(5), 110.80(a)(1), 110.80(b)(16)

21 CFR 117.37(a), 117.37(b) (1)-(5), 117.80(b)(1), 117.80(c)(16)

❖ HANDWASHING FACILITIES

Key Points: located, properly equipped, clean, good repair, only hand sinks used for hand washing.

Convenient hand washing facilities shall be provided, including hot and cold and/or warm running water, soap and individual sanitary towels or other approved hand-drying devices. Hand washing facilities shall be kept in a clean condition and in good repair. Hand washing facilities shall be convenient to all toilets and to all rooms in which food plant operations are conducted.

Use of understandable signs directing employees to wash and, where appropriate, sanitize their hands before they start work, after each absence from post of duty, and when their hands may have become soiled or contaminated.

Regulations on this area can be found in:

21 CFR 110.37, 110.37(e) (1)-(6), 110.10 (b)(3)

21 CFR 117.37, 117.37(e), 117.10 (b)(3)

❖ PLANT CLEANLINESS

Key Points: no unnecessary equipment, neat, clean, trash properly handled, no evidence of insects/ pests.

All rooms in which food and food products are handled, processed or stored; or in which containers, utensils and/or equipment are washed or stored, shall be kept clean, neat and free of evidence of insects and rodents. Only equipment directly related to processing operations or the handling of containers, utensils and equipment shall be permitted in the pasteurizing, processing, cooling, condensing, drying, packaging, and bulk food or packaged food product storage rooms.

Regulations on this area can be found in:

21 CFR 110.40(a)-(d), 110.35(c)-(d), 110.80(b)(6), 110.37(f), 110.20(b)(6)

21 CFR 117.40(a)-(d), 117.35(c)-(d), 117.80(c)(6), 117.37(f), 117.20(b)(6)

❖ CONDITION & CLEANLINESS OF FOOD-CONTACT SURFACES

Key Points: good repair, smooth, non-toxic, approved single service articles and no reuse, effectively cleaned/sanitized prior to using, proper strength of sanitizer, cleaning done in a manner so it does not become a source of contamination, outer garments and gloves kept in a sanitary condition.

All multi-use containers and equipment that food and food products come into contact with shall be of smooth, impervious, corrosion-resistant, non-toxic material; shall be constructed for ease of cleaning; and shall be kept in good repair. All food contact surfaces including outer garments and gloves shall be maintained and kept clean and in sanitary condition.

Articles intended for single-service use shall not be reused.

The product-contact surfaces of all multi-use containers, utensils and equipment used in the transportation, processing, condensing, drying, packaging, handling, and storage of food or food products shall be effectively cleaned and sanitized before each use.

Equipment must be provided to properly clean and sanitize food contact surfaces. This may be accomplished by a 3-compartment sink for washing, rinsing and sanitizing food contact surfaces of equipment. For large pieces of equipment, a clean in place method may be utilized.

Regulations on this area can be found in:

21 CFR 110.10(b)(1) & (5), 110.35(d)(1),(2) & (4), 110.40(a)-(b), 110.80(b)(1), 110.80(b)(10), 110.80(b)(13)(ii)

21 CFR 117.10(b)(1) & (5), 117.35(d)(1)-(3), 117.40(a)(1)-(6) & (b), 117.80(c)(1), 117.80(c)(10)

❖ STORAGE OF CLEANED CONTAINERS AND EQUIPMENT

Key Points: stored to assure drainage, protected from contamination.

After cleaning, all multi-use food or food product containers, utensils and equipment shall be transported and stored to assure complete drainage and shall be protected from contamination before use.

Containers shall be stored inverted, if practicable, on racks or in cases constructed of relatively nonabsorbent, impervious, food-grade, corrosion-resistant, non-toxic materials, or otherwise protected from contamination.

Regulations on this area can be found in:

21 CFR 110.35(e)

21 CFR 117.35(f)

❖ STORAGE OF SINGLE- SERVICE CONTAINERS, UTENSILS

Key Points: received, stored, handled in sanitary manner, single service articles not reused.

Single-service caps, cap stock, parchment paper, containers, gaskets, liners, bags and other single-service articles (plastic forks, single service ladles etc.) for use in contact with food and food products shall be purchased and stored in sanitary tubes, wrappings or cartons; shall be kept therein in a clean, dry place until used; and shall be handled in a sanitary manner.

Regulations on this area can be found in:

21 CFR 110.35(d)(4)

21 CFR 117.35(d)(3)

❖ PROPER LABELING, STORAGE & USE OF TOXIC COMPOUNDS

Key Points: only approved pesticides used, properly identified, properly stored

Chemicals, poisonous and toxic materials shall be identified, held and stored in a manner to preclude the contamination of food and food products, or ingredients of such food and food products, or the product-contact surfaces of all containers, utensils and equipment.

Use of pesticides is permitted only under precautions and restrictions that will protect against contamination of food, food-contact surfaces or food-packaging materials.

Regulations on this area can be found in:

21 CFR 110.35(b)(2), 110.35(c)

21 CFR 117.35(b)(2), 117.35(c)

❖ PROTECTION FROM CONTAMINATION (ADULTERATION)

Key Points: operations conducted/located to preclude food/food product/food product contact surface contamination, air and steam used to process foods in compliance, protecting food in outdoor fermentation vessels.

Equipment and utensils used in the food plant shall be of adequate design and material as to be easily cleaned and properly maintained to preclude the adulteration of food. Cleaning & sanitizing of equipment shall be

conducted in a manner that protects against contamination of food, food-contact surfaces, or food-packaging materials.

The codes do not dictate the exact type of equipment that is needed by a food processor. Whatever the equipment, it must be designed, constructed, and used in a manner that does not allow for the contamination or adulteration of the food.

All operations in the food plant including but not limited to receiving, transporting, preparing, manufacturing, packaging and storing shall be conducted in accordance with adequate sanitation principles.

Regulations on this area can be found in:

21 CFR 110.20(b)(4), 110.35(a), 110.40(a), 110.80, 110.80(a)(5), 110.80(a)(7), 110.80(b)(5), 110.80(b)(7), 110.80(b)(10), 110.80(b)(12), 110.80(b)(13), 110.93.

21 CFR 117.20(b)(4), 117.35(a), 117.40(a)(1)-(6), 117.80(a)(1)-(6), 117.80(b)(5), 117.80(b)(7), 117.80(c)(5), 117.80(c)(7), 117.80(c)(10), 117.80(c)(12), 117.80(c)(13), 117.93.

❖ PERSONNEL – CLEANLINESS

Key Points: hands washed often as necessary, rewashed as needed, clean outer garments, effective hair restraints, no use of tobacco/gum, remove jewelry, clothing storage.

Hands shall be thoroughly washed before commencing food plant functions and as often as may be required to remove soil and contamination. No employee shall resume work after visiting the toilet room without thoroughly washing their hands. All persons, while engaged in the handling, processing, pasteurization, storage, transportation, or packaging of food and food product, containers, utensils and equipment shall wear clean outer garments. All persons, while engaged in the processing of food and food products, shall wear adequate hair coverings and shall not use tobacco.

Any person who by medical examination, or supervisory observation is shown to have or appears to have an open lesion, cuts, boils, sores, open wounds and like items; illness, or other source of microbial contamination whereby there is a reasonable chance to contaminate food, food products, food product contact surfaces, or food packaging shall be excluded. Personnel are to be trained/ instructed to report such things to supervision.

Personnel responsible for identifying sanitation failures or food contamination have a background of education or experience, or a combination thereof, to provide a level of competency necessary for production of clean safe food

Regulations on this area can be found in:

21 CFR 110.10(b)(1)-(9), 110.10(c)

21 CFR 117.10(b)(1)-(9), 117.4(c).

❖ TRANSPORTATION, WAREHOUSE & DISTRIBUTION

Key Points: adequate storage, capable of protecting food/food products in transit and during storage, capable of maintaining food temperature as appropriate, clean, no toxics transported.

Adequate and suitable floor space shall be provided for the storage of foods, ingredients and or finished products. Storage and transportation of finished food shall be under conditions that will protect food against

physical, chemical, and microbial (including radiological) contamination as well as against deterioration of the food and the container.

All vehicles used for the transportation of food or food products shall be constructed and operated so that the food or food product is maintained at the appropriate temperature and to protect the food from contamination. Vehicles may not be used to transport or contain any substances that may be toxic or harmful to humans.

Regulations on this area can be found in:

21 CFR 110.93

21 CFR 117.93

❖ SURROUNDINGS

Key Points: neat, clean, no harborage, no pooled water, approved pesticides used properly, rooftops clean.

Food plant surroundings shall be kept neat, clean and free from conditions which might attract or harbor flies, other insects and rodents or which otherwise constitute a nuisance. Waste material shall be stored in suitable covered containers.

No accumulation of trash, garbage or similar waste in areas adjacent to the food plant. This includes properly storing equipment, removing waste and trash, cutting weed/grass/other vegetation in the immediate vicinity of the plant buildings and structures that may constitute harborage areas for pests.

Only insecticides and rodenticides approved for use by the Regulatory Agency and/or registered with EPA shall be used for insect and rodent control.

Areas that may contribute to food contamination through seepage, foot borne filth, etc. shall be drained adequately. Said drainage shall serve to preclude a harborage/ breeding area for pests.

Regulations on this area can be found in:

21 CFR 110.20(a) (1)-(4), 110.35(b) (2)

21 CFR 117.20(a) (1)-(4), 117.35(b) (2)

❖ EMPLOYEE & PERSONNEL HEALTH

Key Points: disease transmissible through food/food products, reporting to management, exclusion and restriction of sick/suspect employees, right to decline examination and consequences.

No persons affected with any disease capable of being transmitted to others through the contamination of food shall work at a food plant in any capacity which brings them into direct contact with food or food products or food-contact surfaces.

Responsibility for assuring compliance by all employees with the requirements of this part shall be assigned to competent supervisory personnel.

Regulations on this area can be found in:

21 CFR 110.10(a) & (d)

21 CFR 117.10(a), 117.4(c)

❖ FOOD PROCESSES & CONTROLS

Key Points: adequate processing, appropriate testing, adequate sanitation, protection of food/ ingredients through all steps of production and manufacturing including storage.

All operations in the receiving, inspecting, transporting, segregating, preparing, manufacturing, packaging and storing of food shall be conducted in accordance with adequate sanitation principals and should all be considered when becoming a food processor

There must be a competent person in charge within the establishment. Production procedures may not contribute to contamination of the food. Chemical, microbial, or extraneous materials must be monitored to assure there is no product contamination or adulteration.

Some foods will require product testing to support specific production and storage needs. Time, temperature, humidity, pH, pressure, flow rate, Aw and other monitoring tests may need to be performed. This testing is product dependant and can be discussed with your Sanitarian. Potentially hazardous foods must be produced, stored, and transported in a manner to control the growth of microbial contaminants; therefore proper refrigeration/freezer storage is necessary.

Regulations on this area can be found in:

21 CFR 110.80

[21 CFR 117.80, 117.4](#)