

This handout covers some of the general requirements for a food processing plant or food storage facility. Requirements may vary depending on the products being made. All references are from Title 21 of the Code of Federal Regulations (CFR). For example, 21 CFR 110.37. All requirements of the Kansas food, drug, and cosmetic act and any other applicable laws and regulations apply. Links to these laws and regulations are available at the KDA web site at <http://agriculture.ks.gov/divisions-programs/food-safety-logging>, as well as other food safety information and FAQ's.

CONTACT KDA BEFORE CONSTRUCTION BEGINS FOR VOLUNTARY PLAN REVIEW/PLANNING MEETING
CONTACT KDA AFTER CONSTRUCTION IS COMPLETE AND/OR PRIOR TO OPERATING FOR A LICENSING INSPECTION
kda.fsl@ks.gov or 785-564-6767.

SINKS AND CLEAN-IN-PLACE SYSTEMS

- Handwashing sinks in the restrooms, warewashing areas, areas where employees handle packaging components, and in other food production areas. 110.37(e)(1).
- If you have any utensils or food contact surfaces to wash/rinse/sanitize:
 - A three-compartment sink with:
 - Compartments able to immerse the largest item
 - Drain boards for air drying utensils
 - Compartments with rounded corners;
 - Commercial dishwasher instead of, or in addition to, a three-compartment sink. The dishwasher must:
 - Be capable of sanitizing by heat or automatic chemical injection.
 - Clean-in-place system or sanitation area
- A mop sink for proper disposal of wastewater from cleaning floors and other surfaces. 110.37(b)(2).
- If you have food to wash, such as produce, a food prep sink with rounded compartment corners. 110.20(b)(2), 110.80(a)(1).
- All handwashing and warewashing sinks must have hot and cold water under pressure. 110.37(a). Other sinks must have appropriate water supplied as required by their specific uses.

FLOORS/WALLS/CEILINGS

- Floors, walls, and ceilings in restrooms, walk-in coolers, walk-in freezers, and food production areas must be smooth, easily cleanable, durable, and non-absorbent. 110.20(b)(4).

HOT AND COLD HOLDING CAPACITIES

- Coolers must maintain potentially hazardous foods-time/temperature control for safety foods (PHF/TCS) at 45°F or below.
- Frozen foods must be maintained frozen.
- Hot PHF/TCS must be held at 140°F or above. 110.80(b)(3)(i)(ii)(iii).

PLUMBING

- Food prep sinks, ice machine drain hoses/pipes, food equipment that drains liquids into the sewage system, dishwashers, and three-compartment sinks must have an indirect drain connection to the sewage system unless direct plumbing is required by local codes or local codes require indirect plumbing with a grease trap. 110.37(b)(2)(3)(5).
- If you will have a hose on a mop sink for filling buckets, a backflow prevention device must be installed. If any type of shut-off valve or chemical dispensing unit is downstream of a faucet or water supply outlet, the proper type of backflow prevention device must be installed. Atmospheric vacuum breakers (AVB) are not allowed if a shut-off valve is in place downstream from the AVB. 110.37(b)(5).

- Sanitation areas or clean-in-place systems need adequate floor drains 110.35(a), 110.35(d)(2), 110.37(b)(4), 110.37(b)(2).

CHEMICALS

- Must not be stored next to, with, or above foods, beverages, utensils, food equipment, or single use items such as food packaging components in production areas, warehouses, or in transport such as in delivery vehicles, trucks, or trains.
- Must be labeled properly and necessary to the plant operations. Only pesticides that are labeled for use in a food processing plant may be used or stored in a food processing plant/warehouse.
- Detergent and sanitizer dispensers may be mounted above a three-compartment sink if the sink is not going to be used for food washing. No other chemicals should be above the three-compartment sink. 110.35(b)(1)(i)(ii)(iii)(iv)(2).

FOOD STORAGE, WAREHOUSING, DISTRIBUTION

- Raw animal foods such as meats, poultry, bacon, or eggs must not be stored next to or above any ready-to-eat (RTE) foods. Store different types of raw meats properly. Food must be stored under conditions that will protect the food against physical, chemical, and microbial contamination, as well as deterioration of the food and container. 110.93.

RESTROOMS

- A restroom for employees is required. Restrooms must have self-closing doors, a handwashing sink, a vent fan, and unisex or women's restrooms must have a covered trash can. Restroom doors cannot open directly into areas where food is exposed to airborne contamination, except where alternate means have been taken to protect against such contamination (such as double doors or positive air flow systems). 110.37(d)(1)(2)(3)(4), 110.37(e)(1)(5), 110.20(b)(6).

VENTILATION

- Adequate ventilation is required for fryers, stovetops, grills, and other grease or steam generating equipment to minimize grease, steam, odors, etc. Restrooms must have proper vent fans 110.20(b)(6).

PESTS

- The facility must be kept free of pests such as roaches, birds, rodents, ants, and flies. Exterior doors must be tight fitting, free of gaps, and have self-closing devices. The building envelope must be gap-free to keep out pests. The outside must be kept clean and free of litter. The inside must be kept clean and free of unused equipment, excess packing materials, etc. that can become harborage for pests. 110.35(c), 110.20(b)(7), 110.20(a)(1), 110.35(a).

WATER AND SEWAGE

- Water must be potable. Water must come from a Public Water Supply or an approved private water supply. Private water supplies must be inspected and approved by the appropriate regulatory authority and water must be tested for total coliforms, *E. coli*, and nitrates. Testing must be completed prior to license approval with a copy of the report(s) made available to the inspector. Water must then be tested annually, and results kept on site for review. 110.37(a).
- Sewage must be disposed of through a public sewage system or an approved private sewage system. Private sewage systems must be inspected and approved by the appropriate regulatory authority (county environmental health department or the Kansas Department of Health and Environment) prior to license approval with a copy of the report for the inspector. 110.37(c).

LIGHTING

- Lighting in restrooms, warewashing areas, production, and storage areas must be adequate. Lights with shields or shatterproof bulbs are necessary above areas where food or packaging components are exposed or utensils and equipment are washed or exposed 110.20(b)(5).

LABELING

- All labeling must be accurate and legible. Labeling must include: Name and Address of the producer or distributor; Common name of the food; List of ingredients from most to least, by weight; Proper declaration of the 8 major food allergens; Nutritional content (unless exempted); and net quantity of food contents. 101 and the following.

OTHER INFORMATION

- Before producing foods that may be low acid canned foods (LACF), acidified foods (AF), or foods that may potentially be LACF or AF (such as salsa, BBQ sauce, or other similar foods) must be evaluated by a process authority prior to manufacture, sale, and license approval. Prior to manufacture, sale, and license approval, KDA may also require determination if a product is a potentially hazardous food (time/temperature control for safety food) (PHF/TCS). This evaluation must be performed by a process authority or other food safety expert, such as the Kansas Value Added Foods Lab at K-State. Alternatively, the product may be marketed under refrigeration with the statement “Important: Keep Refrigerated for Safety” conspicuously printed on the principal display panel (front panel) of the product.
- Almost all food manufacturers, food warehouses, bottlers, etc. are required to register with the US Food and Drug Administration (FDA) per the bioterrorism act of 2002.
<https://www.fda.gov/food/guidanceregulation/foodfacilityregistration/default.htm>
- In addition to being inspected by KDA, the US FDA may have jurisdiction and perform inspections at your facility if you receive ingredients or packaging components from out of state and/or you ship product(s) out of state. Registration as above is required unless exempted.
- More useful information is available on the US FDA web site. www.fda.gov There are many special requirements for food manufacturers and bottlers including imports and exports, chemical and pesticide contaminants, dietary supplements, food additives, labeling, allergens, infant formula, Hazard Analysis-Critical Control Point (HACCP) requirements for juice and seafood products, lot coding and testing requirements for bottled water, lot coding for infant formula, and acidified foods, record keeping, process authorities, etc. It is your responsibility to research the applicable requirements and ensure that your facility and products meet the requirements of all applicable laws and regulations. Many guidance documents are available to the public at the web site above. The FDA web site entitled “starting a food business” is at <http://www.fda.gov/Food/ResourcesForYou/Industry/ucm322302.htm>
- Any product containing 2% or more cooked or 3% or more raw meat or poultry must be inspected by the USDA and/or KDA Meat and Poultry Inspection Program (MPI). Some plants making multiple products may be inspected by both USDA and/ or KDA MPI and the FDA and/or KDA Food Safety program.
- Questions regarding environmental regulations should be directed to the United States Environmental Protection Agency (EPA) www.epa.gov and/or the Kansas Department of Health and Environment (KDHE) division of the environment. <http://www.kdheks.gov/environment/index.html> Food plants may generate air pollutants, hazardous wastes, or store potentially dangerous chemicals on site such as anhydrous ammonia for cooling units and freezers. Certain chemicals may require a registration.
- Many counties and cities may have separate zoning requirements, building codes, fire suppression equipment codes, and regulations/licensing requirements. Check with your city and county.
- Food defense and terrorism. See the following page on the FDA web site: <http://www.fda.gov/food/fooddefense/>

*The above information is derived from the current Kansas food, drug and cosmetic act and other applicable food safety laws, statutes and regulations. It is not intended to be comprehensive and is subject to change.