

CHAPTER 9

Warehouse Regulations

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9-1 Definitions

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9-101 Applicability and Listing of Terms

9-101.11 Interpretation and Application of Terms

The following definitions shall apply in the interpretation and application of this Chapter.

9-102 Definitions

DISTRESSED FOOD means the quality of the FOOD product may have been reduced without compromising the safety of the FOOD.

DOCK BOOT SEALS means the apparatus mounted around the receiving doors of the facility that eliminates air gaps between the truck and the receiving dock.

FLIPPER means a can with a bulged or swollen end which when depressed will force the opposite end of the can to bulge or swell.

FIRST IN FIRST OUT (FIFO) means a method of FOOD stock rotation that calls for use of the oldest FOOD products first according to packing date.

LEAKER means any container that shows evidence of leakage.

RECONDITIONING means any sanitary process or procedure by which distressed merchandise can be made suitable for consumption or use by the public.

SALVAGEABLE FOOD MERCHANDISE means any damaged or DISTRESSED FOOD item or product from a manufacturer closeout, or distressed merchandise which can be reconditioned, provided it is not ADULTERATED, contaminated, or MISBRANDED.

SPRINGER means a can with a bulged or swollen end which after depression returns to its bulged or swollen condition.

SWELLER means a can that exhibits a bulged end.

WAREHOUSE means any place, building, structure, room or portions thereof where bulk quantities of PACKAGED FOOD are stored. WAREHOUSE PERMITS may be required in other PERMITTED facilities where bulk quantities of PACKAGED FOOD are stored in areas, not contiguous with and part of another health PERMIT, which is billed by square footage, including but not limited to casinos, retail grocery sales and/or processing plants, and stand-alone wholesale refrigerated or dry storage facilities.

9-2 Plan Review

Subparts

- 9-201 Warehouses
- 9-202 General Warehouses
- 9-203 Refrigerated Warehouses
- 9-204 Live Molluscan and Crustacean Storage
- 9-205 Salvageable Merchandise Warehouses
- 9-206 Vending Machines and Warehouses

9-201 WAREHOUSES

9-201.11 Facility Plans

An applicant for a PERMIT to operate a WAREHOUSE facility shall submit to the HEALTH AUTHORITY properly prepared plans and specifications for review and approval, as specified in Chapter 4 of these Regulations.

9-202 General WAREHOUSES

9-202.11 Requirements

WAREHOUSES used for storage of PRE-PACKAGED, non-PHF (TCS) or canned product in original boxes or on pallets, with minimum breakdown shall have:

- (A) Walls that are SMOOTH and in good repair.
- (B) Floors that are SMOOTH, non-absorbent, cleanable, durable, and maintained in good repair.
- (C) Floor and wall junctures which are coved and closed to no larger than 1/32". All base coving shall be made with the following materials:
 - (1) Epoxy grout or concrete curbs with a 45° angle at the top.
 - (2) Stainless steel.
 - (3) Rubber/vinyl.
- (D) 20 foot-candles of artificial light at 30" above the floor.
- (E) Lights over open FOOD shall be shielded. Light fixtures, within reach of pallet moving EQUIPMENT and cleaning EQUIPMENT, shall be protected from accidental breakage by wire cages, metal, mesh, or equivalent.
- (F) Ceilings with no exposed insulation, with use of scrim-sheeting as a minimum.
- (G) Overhead SEWAGE lines troughed with drainage to an APPROVED sanitary sewer.
- (H) Air curtain(s), DOCK BOOT SEALS, doors with weather-stripping, or other APPROVED method for control of dust, rodents, insects, and birds at receiving doors and at all other openings into WAREHOUSE areas.
- (I) A restroom with a toilet and HAND WASHING SINK inside the facility serviced with hot and cold water, APPROVED soap and disposable towels, adequate ventilation, and a self-closing door. Restroom walls shall have a 4' wainscoting of SEALED, impervious material, a SEALED base cove, and SEALED impervious material.
- (J) WAREHOUSE facilities, built or substantially remodeled after the adoption of these Regulations, shall have a mop-sink or curbed floor unit serviced with hot and cold running water. Existing WAREHOUSE facilities, with only a hose bib, shall provide for filling a mop bucket and for disposing of mop water into a sanitary sewer. Hoses attached to a water source shall have as a minimum an atmospheric vacuum breaker.
- (K) Except as specified in Section 9-202.12 of this Chapter, shelving or dunnage racks, where provided, shall be NSF/ANSI or equivalent with a clearance from the floor as follows:
 - (1) 6" minimum for up to 36" shelving depth, or
 - (2) 12" minimum for shelving >36" depth.
- (L) Gondolas and removable kick plate type shelving are acceptable only in retail grocery areas.
- (M) To facilitate rodent control, general cleaning, and inspection access, clear zones shall be maintained between walls and pallets in WAREHOUSE storage areas and shall be:
 - (1) 12" minimum if pallets are removed weekly.
 - (2) 18" minimum if pallets remain in place for more than a week. Facilities with an active infestation shall maintain 18" minimum clear zone.
- (N) WAREHOUSES shall be ventilated such that ambient room temperatures are maintained between 65°F±2° and 90°F±2°.

9-202.12 Shelving

- (A) Metal frame pallet rack systems utilizing wooden planks are acceptable if maintained clean and in good repair.
- (B) UnSEALED wooden shelving in WAREHOUSE facilities shall be replaced when determined to be no longer SMOOTH and EASILY CLEANABLE.
- (C) Acceptable shelving materials/coatings shall be:
 - (1) Metal.
 - (2) Vinyl coated or CORROSION RESISTANT MATERIAL.
 - (3) Heavy duty plastic, if cleanable.
 - (4) Wood if maintained SMOOTH and EASILY CLEANABLE.
- (D) WAREHOUSES with portable shelving shall have a designated cleaning area that:
 - (1) Has a SMOOTH cleanable floor sloped to a sewer drain.
 - (2) Is properly contained.
 - (3) Is sufficient in size to accommodate the largest piece of EQUIPMENT to be cleaned

9-203 Refrigerated WAREHOUSES

9-203.11 Additional Requirements

In addition to the requirements in Sections 9-201 and 9-202, all refrigeration/freezer units shall:

- (A) Meet applicable sections of *NSF/ANSI Standard 7, Commercial Refrigerators and Freezers*.
- (B) In cold storage units a thermometer or temperature gauge, accurate to $\pm 2^{\circ}\text{F}$, shall be conspicuously placed in the warmest area.
- (C) Have a minimum 20 foot-candles of light as measured 30" off the floor.
- (D) Have condensate lines properly drained to a floor sink or other method as APPROVED by the HEALTH AUTHORITY.
- (E) Have pallets made of plastic or composite materials. Wooden pallets are prohibited for long term storage in refrigerated units.

9-204 Live Molluscan and Crustacean Storage

9-204.11 Additional Requirements

In addition to the requirements in Paragraphs 9-201, 9-202 and 9-203 of this Chapter, the following shall be required for live MOLLUSCAN SHELLSTOCK and crustacean storage when MOLLUSCAN SHELLSTOCK and crustacean are processed within the facility:

- (A) A three-compartment sink and ADDITIONAL HAND WASHING SINKS in facilities storing live animal FOOD product, including but not limited to SHELLSTOCK, lobsters, or frogs which requires stock rotation and handling.
- (B) 50 foot-candles of artificial light shall be provided in WARE WASHING areas.
- (C) Interior finishes shall meet the following minimum requirements:
 - (1) Wet areas shall have floor drains to sewer.
 - (2) Walls in wet areas shall have FRP panels to at least an 8' minimum height with SEALED base cove.

9-204.12 Holding Tanks and Related EQUIPMENT:

- (A) Holding tanks and stands shall be made of impervious, non-toxic, non-corrosive materials, and be constructed to allow regular cleaning and sanitizing. APPROVED materials include tempered glass, acrylic, polyester or epoxy gel coated fiber glass, or other material APPROVED by the HEALTH AUTHORITY.
- (B) Each wet storage system shall have its own dedicated tank or aquarium, filter, pump, chiller, UV disinfection unit, and connecting piping.
- (C) Work tables shall meet the material and construction requirements of *NSF/ANSI, Standard 2*.
- (D) All plumbing for recirculation and filtration piping and EQUIPMENT shall meet the standards for contact with potable water and shall be certified to meet applicable sections of *NSF/ANSI Standards 14, 42, 53, 60 and 61*, and shall be compatible for use in salt water applications. All pumping and filtration EQUIPMENT shall be certified to meet *NSF/ANSI Standard 50*.
- (E) All components of a wet storage system shall be color-coded or numbered, and have arrows to indicate direction of water flow.
- (F) Filtration systems shall be designed for a minimum water turn-over rate of six hours and shall be fitted with flow meters to monitor the turn-over rates. Filtration and pumping systems shall be submitted to Plan Review for approval. The design shall ensure adequate oxygenation of the water.
- (G) Ultra-violet disinfection systems shall:
 - (1) Be provided and sized for flow rate and be compatible with the pump.
 - (2) Be capable of producing 15910 Microwatt seconds/cm² minimum killing dose.
 - (3) Have an indicator light for monitoring continuous operation while SHELLSTOCK, lobsters and/or crustacean are in the wet storage system.
- (H) A flow meter shall be installed between the filter and the UV system.
- (I) Pumps shall meet *UL Standard 1081*.
- (J) If chiller systems are provided they shall be designed for use with potable water systems and be resistant to the corrosive effects of salt water. Chiller systems shall be installed before the disinfection unit and shall be capable of maintaining water at $45^{\circ}\text{F} \pm 2^{\circ}$ or below.
- (K) The tank shall have an indicating thermometer accurate to $\pm 2^{\circ}\text{F}$.
- (L) SHELLSTOCK, in spray type re-circulating wet storage systems, shall be supplied with water that is sprayed in a fan shape and stored in APPROVED trays at a minimum of 3" off the bottom of the tank to prevent submersion of SHELLSTOCK.
- (M) Adequate drainage to sewer shall be provided to accommodate backwashing of filter systems and tank drainage. Drainage to sewer shall be indirect to a floor sink or trough drain. Floor sinks shall be provided

with an appropriately sized mesh insert to prevent scales from clogging the drains.

- (N) Potable water systems shall be protected from re-circulated water systems using reduced pressure zone backflow prevention assemblies or air gaps. Hose bibs, and other connections to the potable water supply, shall be adequately protected using atmospheric vacuum breakers or pressure vacuum breakers.
- (O) Operational plans or HACCP PLANS shall be provided detailing the cleaning, sanitizing, and water testing schedules.
- (P) The system shall be capable of disinfecting storage water to a non-detectable coliform bacteria level (<2MPN/100ml), using the *APHA Recommended Procedures for the Examination of Seawater and SHELLSTOCK*.
- (Q) A validation study of the systems' operation shall be performed prior to approval by the HEALTH AUTHORITY.

9-205 SALVAGEABLE MERCHANDISE WAREHOUSES

9-205.11 Required Areas and EQUIPMENT

A salvage processing facility that receives DISTRESSED FOOD products shall have clearly distinct and separate areas to perform receiving, sorting, sanitizing, re-labeling, packaging, storing and discarding.

- (A) Three-compartment sinks and additional HAND WASHING SINKS shall be required in all sanitizing areas.
- (B) 50 foot-candles of artificial lighting shall be provided in all sanitizing areas.

9-206 VENDING MACHINES and WAREHOUSES

9-206.11 Applicable Requirements

The sale of POTENTIALLY HAZARDOUS FOOD (TCS) through a VENDING MACHINE, shall comply with the provisions of *NRS 446*, and all the requirements of these Regulations. VENDING MACHINE WAREHOUSES shall comply with the applicable construction requirements of this Chapter.

9-206.12 VENDING MACHINE FOOD Processing Operations

VENDING MACHINE WAREHOUSES which engage in any type of FOOD processing, shall maintain a PERMIT issued by the HEALTH AUTHORITY and adhere to applicable construction requirements of these Regulations.

9-206.13 Construction of Machine

Individual VENDING MACHINES shall be constructed as specified in *NAC 446.870* through *NAC 446.910*.

- (A) All VENDING MACHINE units used for the display or sale of POTENTIALLY HAZARDOUS FOOD shall be constructed and certified according to *NSF/ANSI* or *NAMA*, and may not be modified.
- (B) VENDING MACHINES dispensing POTENTIALLY HAZARDOUS FOOD shall have automatic controls which, in the event of a power failure, mechanical failure, or other condition resulting in unsafe temperatures, prevent it from dispensing POTENTIALLY HAZARDOUS FOOD (TCS) until it has been serviced and reset by the operator. The temperature specified for shut-off activation may deviate from the temperature and for a time immediately after the machine is filled, serviced, or restocked as follows if:
 - (1) The ambient air temperature of the cold holding VENDING MACHINE rises above 41°F±2° for not more than 30 minutes.
 - (2) The ambient air temperature of the hot holding VENDING MACHINE falls below 135°F±2 for not more than 120 minutes.
- (C) VENDING MACHINES shall have a thermometer that is accurate to ±2°F, located in the warmest part of cold FOOD machines, and in the coolest part of hot FOOD machines. The thermometer shall be easily readable from the outside of the unit.
- (D) The company name and telephone number of the operator of the VENDING MACHINE, the health PERMIT number, and the vending unit number shall be prominently displayed on the VENDING MACHINE.

9-3 Operations

Subparts

- 9-301 Permits**
- 9-302 General Warehouses**
- 9-303 Refrigerated Warehouses**
- 9-304 Live Molluscan and Crustacean Storage**
- 9-305 Salvageable Merchandise Warehouses**
- 9-306 Vending Machine and Processing Warehouses**

9-301 PERMITS

9-301.11 Requirements

All WAREHOUSE facilities operating within Clark County, Nevada, that store FOOD products for long or short term storage, are required to maintain a health PERMIT issued by the HEALTH AUTHORITY.

9-301.12 Sub-Leases

All partial rentals or sub-leases within a WAREHOUSE shall have a separate PERMIT in the name of the sub-lease holder unless the primary WAREHOUSE PERMIT HOLDER provides written documentation to the HEALTH AUTHORITY accepting all control and responsibility for the FOOD product contained in the WAREHOUSE.

9-302 General WAREHOUSES

9-302.11 FOOD Protection

All WAREHOUSE facilities shall conform to, and comply with, the requirements in Chapter 3 of these Regulations and the following:

- (A) Proper labels shall be applied to and maintained on containers to ensure proper identification.
- (B) Upon request by the HEALTH AUTHORITY, manufacturers' product code dates shall be made available for recall and trace back capabilities.
- (C) FOOD shall be rotated according to FIFO.
- (D) DISTRESSED FOOD and items to be returned to the shipper shall be in a segregated labeled area, separate from other FOOD items.
- (E) Items to be returned to the manufacturer shall be labeled and properly stored separate from FOOD for consumption or processing.
- (F) FOOD shall be stored separate from non-FOOD and chemical items by a physical barrier or a spatial separation of at least 12". Chemical items shall not be stored above FOOD items.

9-302.12 Pallet Use and Maintenance

- (A) Wooden or plastic pallets are acceptable for dry storage provided they are maintained in good repair, moved for regular floor cleaning, and rotated as products are removed.
- (B) Unless pallets are removed for cleaning on a regular basis, they shall be set back from the wall at least 12-18" to allow for pest control and cleaning access.

9-302.13 Shelving

Shelving shall be maintained clean and in good repair.

9-302.14 Wet Area Storage

Ice melt shall drain to a floor sink or drain to prevent accumulation of pooling water.

9-302.15 Employee Facilities

- (A) If employee break facilities are provided, they shall be:
 - (1) Designated and clearly marked.
 - (2) Away from FOOD handling/storage areas.
- (B) PERSONnel locker rooms/PERSONal item storage areas shall be maintained in a clean and sanitary condition.

9-302.16 Chemical and Maintenance EQUIPMENT Storage

Chemicals, cleaning supplies and EQUIPMENT shall be stored separately from FOOD and FOOD handling and storage areas.

9-302.17 Floor Maintenance

Floors shall be maintained clean, in good repair, non-absorbent, and EASILY CLEANABLE.

9-302.18 Exterior Areas

- (A) The exterior of the property shall be maintained free of debris, litter, and areas providing harborage to pest or vermin.
- (B) REFUSE containers and storage areas shall be maintained free of pest and vermin.

9-302.19 Pest Control

Pest control in a WAREHOUSE facility shall include the following:

- (A) A licensed commercial pest control service.

- (B) An integrated pest control plan available for review by the HEALTH AUTHORITY.
- (C) Dock doors that are kept closed when not in use.
- (D) Air curtains that activate automatically when doors are opened.
- (E) Devices designed to trap and/or electrocute flying insects may be used in a WAREHOUSE if they are designed and positioned so that dead insects, or insect parts, are prevented from falling on exposed FOOD, FOOD-CONTACT SURFACES, or clean EQUIPMENT and UTENSILS. The trays or receptacles holding dead insects shall be emptied weekly or more frequently as needed.
- (F) Indoor rodent control devices may include glue boards, covered tamper-resistant bait stations, and mechanical traps.
- (G) Outdoor rodent control devices may include bait stations and mechanical traps.

9-302.20 Transportation

VEHICLES used solely for the transport of FOOD shall be maintained in a clean, sanitary condition. If also used for transportation of toxic/poisonous materials or solid waste they shall be cleaned and sanitized prior to transporting FOOD.

9-303 Refrigerated WAREHOUSES

9-303.11 Temperature Requirements

- (A) Refrigerated WAREHOUSES shall maintain PHF (TCS) at or below a temperature of $41^{\circ}\pm 2^{\circ}\text{F}$.
 - (1) Every refrigerated area or freezer shall be equipped with a thermometer which is readily visible and accurate to $\pm 2^{\circ}\text{F}$. The thermometer shall be located at least 4' above the floor, and not in the direct blast of refrigerated air, or near entrance doors.
 - (2) Staging areas shall be maintained at a temperature which will not adversely affect the FOOD products.
- (B) FROZEN FOOD shall be maintained frozen solid.
- (C) Defrost cycles shall not adversely affect the temperature of the FOOD product.

9-303.12 Pallet Use and Maintenance

- (A) Plastic pallets may be PERMITTED provided they are removed for regular cleaning and maintained in good repair.
- (B) Wooden pallets are not PERMITTED except when goods are brought in on the pallets. Such pallets shall be promptly removed when emptied of their original load.

9-303.13 Transportation

- (A) Prior to loading of refrigerated or FROZEN FOOD, the PERSON IN CHARGE shall verify that the VEHICLE's cold storage compartment is maintaining the required temperature.
- (B) Facilities which transport refrigerated or FROZEN FOOD in non-commercial VEHICLES shall utilize insulated containers which meet the following requirements:
 - (1) Use only units APPROVED by an NSF/ANSI ACCREDITED certification program or are APPROVED by the HEALTH AUTHORITY.
 - (2) Maintain the FOOD storage units in a clean, sanitary condition.
 - (3) Provide a thermometer accurate to $\pm 2^{\circ}\text{F}$ in each storage unit.
 - (4) Maintain temperature logs on each unit every four hours, and verify that the units are capable of maintaining the FOOD contained at required temperatures.

9-304 Live Molluscan and Crustacean Storage

9-304.11 Certification Requirements

Any facility storing or distributing MOLLUSCAN SHELLSTOCK shall obtain State of Nevada certification as required by NAC 583.548.

9-304.12 Operations

- (A) SHELLSTOCK shall be protected from CONTAMINATION and maintained refrigerated or shall be stored on ice while awaiting placement in a wet storage system.
- (B) The traceability of the SHELLSTOCK source shall be maintained while in the wet storage tanks until the point of sale.
- (C) Dead SHELLSTOCK or seafood shall be immediately removed from the storage tank and appropriately discarded.
- (D) Different species, SHELLSTOCK lots, and SHELLSTOCK from different harvest areas shall not be COMMINGLED. Different species of SHELLSTOCK shall not be COMMINGLED within the same water system.
- (E) Access to shellstock and seafood tanks by CONSUMERS is prohibited unless an alternative operational procedure and a WAIVER to include a water sampling method is APPROVED by the HEALTH AUTHORITY.
- (F) Water used in wet storage systems shall be potable and from an APPROVED SOURCE.

- (G) Clearance shall be maintained between the SHELLSTOCK and the bottom of the tank to keep the product out of any sediment.

9-304.13 Cleaning/Maintenance

- (A) Properly trained wet storage tank manufacturer PERSONnel or facility PERSONnel shall maintain the system.
- (B) The wet storage system water environment shall contain adequate dissolved oxygen to keep SHELLSTOCK alive.
- (C) Chemicals to clean or sanitize EQUIPMENT, and/or to treat the water, shall be used in accordance with manufacturer's instructions for the specified purpose.
- (D) The PERSON IN CHARGE shall ensure that the UV indicator light is on to confirm continuous operation.
 - (1) A reserve supply of UV bulbs shall be kept on-site. The UV bulb shall be changed as specified by the manufacturer or more frequently if needed.
 - (2) The plastic sleeve protecting the UV bulb shall be maintained clean.
- (E) Testing of the storage water for coliforms shall be weekly or more frequently as required by the HEALTH AUTHORITY. Samples shall be taken after the UV disinfection system to confirm that absence of coliforms (<2MPN/100ml). If a single sample tests positive for coliforms, daily sampling shall be immediately instituted until the sample test have no detectable levels of coliforms. SHELLSTOCK in the affected tank shall not be sold to CONSUMERS.
- (F) Salt used to produce artificial seawater shall be FOOD GRADE.
- (G) Temperature of the storage water shall be at 45°F±2° or below.
- (H) The storage water shall be checked daily for cloudiness which if present must be promptly abated. The storage water shall be changed as necessary to prevent build-up of nitrates and turbidity.

9-305 SALVAGEABLE MERCHANDISE WAREHOUSES

9-305.11 Movement of DISTRESSED FOOD

- (A) The PERSON IN CHARGE of a PERMITTED FOOD ESTABLISHMENT which is in possession of DISTRESSED FOOD due to a fire, flood, extended power outage, or other causative agent shall notify the HEALTH AUTHORITY within 24 hours. Such product shall not be removed from the site without authorization by the HEALTH AUTHORITY.
- (B) If emergency removal of distressed merchandise is required, the PERSON IN CHARGE shall immediately inform the HEALTH AUTHORITY of the extenuating circumstances and the proposed disposition of the FOOD.
- (C) The salvage facility shall provide the HEALTH AUTHORITY with a disposal receipt of the DISTRESSED FOOD.

9-305.12 Flow of Operations

A salvaging facility that receives PACKAGED DISTRESSED FOOD products shall have distinct and separate areas to perform receiving, sorting, sanitizing, re-labeling, assembling, and packaging of salvaged containers for shipping or storing in the WAREHOUSE.

- (A) All salvageable FOOD and distressed merchandise shall be protected from CONTAMINATION or adulteration while being handled, processed, stored, or transported.
- (B) All POTENTIALLY HAZARDOUS FOOD (TCS) shall be maintained at a temperature of 41°F±2° or below. All FROZEN FOOD shall be maintained frozen solid.

9-305.13 Receiving Area

A PERSON IN CHARGE of receiving goods for salvaging shall:

- (A) Examine the VEHICLE loads to ensure that the temperature of the VEHICLE's storage compartment are within the limits acceptable for the FOOD products being received.
- (B) Check the VEHICLE manifest/invoice to identify and record the FOOD product's source of distress.
- (C) Survey the VEHICLE for undesirable conditions including, but not limited to, pests, debris, and other sources of CONTAMINATION.

9-305.14 Segregation of Merchandise

All SALVAGEABLE MERCHANDISE shall be promptly sorted and segregated from non-SALVAGEABLE MERCHANDISE in the following designated areas:

- (A) Sorting Area. A PERSON IN CHARGE shall supervise the thorough inspection of each container, can, package, bottle, and box containing a FOOD product to determine whether the product is salvageable and shall sort the lot accordingly.
- (B) Discarding Area. A PERSON IN CHARGE shall arrange for the immediate segregation and removal of unsalvageable FOOD products to trash receptacles for appropriate disposition. Prior to such disposition all

unsalvageable FOOD products shall be identified and recorded. The discarding area shall not be located within an area where other operations occur.

9-305.15 Disposition of Non-SALVAGEABLE MERCHANDISE

- (A) PACKAGED non-salvageable FOOD shall include, but is not limited to, the following:
- (1) FOOD ADULTERATED by chemicals or pesticides.
 - (2) PHF (TCS) not maintained at required temperature.
 - (3) FOOD PACKAGED in paper or other porous material which has been subject to CONTAMINATION.
 - (4) Infant formula and baby FOOD packages bearing expired or beyond use dates.
 - (5) LEAKER, SPRINGER, FLIPPER, and SWELLER cans are deemed unfit for human consumption. Class I and Class II can defects, as specified in the *AFDO Pocket Guide to Can Defects*.
 - (6) Containers, including glass containers with press caps, screw caps, pull rings or other types of openings, which have been in contact with foam or other deleterious substances as a result of fire fighting efforts, flood, sewer backups, or similar mishaps.
 - (7) FOOD products in plastic or glass containers with screw caps, snap-lids, crimped caps, twist caps, snap open and similar closure types shall not be reconditioned if the containers have been submerged in water or subjected to smoke CONTAMINATION.
 - (8) Glass containers which have been subjected to a sudden impact, including but not limited to a collision or a VEHICLE turn-over.
 - (9) FOOD PACKAGED in plastic, paper, cardboard, cloth, or similar packaging material that has sustained water damage or has been exposed to foam.
 - (10) A container of FOOD without the appropriate label or mandatory information that cannot be identified and relabeled correctly.
- (B) Non-SALVAGEABLE MERCHANDISE shall not be sold or distributed as human FOOD, and shall be disposed of in a manner APPROVED by the HEALTH AUTHORITY. Receipts of disposal shall be maintained and made available to the HEALTH AUTHORITY upon request.

9-305.16 RECONDITIONING and SANITIZATION Area

RECONDITIONING of merchandise shall take place in the SANITIZATION area. A PERSON IN CHARGE of these operations shall perform or supervise the SANITIZATION of all salvageable cans in accordance with an APPROVED SANITIZATION process. FOOD containers not requiring RECONDITIONING shall be dusted or wiped clean prior to re-labeling.

9-305.17 RECONDITIONING of Canned FOOD Products

- (A) Cans may be reconditioned if:
- (1) The product is not contaminated.
 - (2) Metal cans of FOOD shall be free from pitted rust, with no rust remaining after buffing, electrolysis, or suitable means of rust removal.
 - (3) There are no dents on the rim or double seal, and no V-shaped creases in the metal in other areas.
 - (4) Cracking has not compromised the can's corrugations.
 - (5) The ends of the can are not bulged.
 - (6) Cans soiled by dirt, smoke, non-potable water, or in any other manner may be reconditioned if the product is not contaminated and the container can be cleaned by an APPROVED method.
- (B) FOOD product, in a HERMETICALLY SEALED CONTAINER, exposed to fire and smoke but not excessive heat may be cleaned and reconditioned
- (C) Hermetically SEALED salvageable cans of FOOD product that have been exposed to non-potable water shall be reconditioned using the following procedure:
- (1) Remove labeling.
 - (2) Inspect cans for pinholes.
 - (3) Wash cans in soapy solution.
 - (4) Rinse cans in potable water.
 - (5) Buff cans to remove surface rust.
 - (6) Sanitize cans by immersing for 20 seconds in a solution containing not less than 100 ppm of chlorine.
 - (7) Dry.
 - (8) Re-labeled as specified in Paragraph 9-305.20 of this Chapter.

9-305.18 RECONDITIONING of Screw Top, Crimped Cap or Similar Closure Packages

- (A) These containers may be reconditioned if:

- (1) The product is not contaminated.
- (2) The soil can be removed without affecting the closure mechanism or the contents.
- (3) The closure mechanism is free of rust, and buffing removes any surface rust.
- (4) Indentations on the cap or crown have not damaged the seal.
- (5) All labels and tax stamps are in place.
- (6) Cans with flip tops can be sanitized provided a careful examination of the area under the flip top is performed. All exposed 6-pack units shall be separated from their plastic binding prior to being wiped clean.

(B) Containers of FOOD shall be deemed unsuitable for RECONDITIONING if:

- (1) The product is contaminated.
- (2) There is evidence that the container has been exposed to extreme pressure or temperature.
- (3) Soil surrounds the closure mechanism.
- (4) Rust surrounds the closure mechanism.
- (5) The cap or crown has dents affecting the rim seal.
- (6) The product was submerged in water or chemicals.

9-305.19 RECONDITIONING of Plastic, Paper, Cardboard, Cloth or Similar Containers

(A) Containers exposed to minor fire and/or smoke damage may be reconditioned, if the labels are intact and the contents have not been affected. Containers may be reconditioned if:

- (1) The product is not contaminated.
- (2) The external container or package is compromised, but the interior liner/container or remains intact.
- (3) The container can be cleaned without contaminating or otherwise affecting the product.

(B) Containers shall be deemed unsuitable for RECONDITIONING if the package integrity has been compromised and the FOOD product may have been exposed to CONTAMINATION.

9-305.20 Labeling Distressed Merchandise

(A) Re-labeling Area: At the re-labeling area, the PERSON IN CHARGE shall ensure that the label applied contains all the necessary and pertinent information contained on the original FOOD product label. If re-labeling is not required the product salvage date shall be added to the container's label.

(B) Salvaged FOOD product containers shall meet the labeling requirements of the *NRS* and the *Fair Packaging and Labeling Act* in the *Federal Food, Drug, and Cosmetic Act* and the following:

- (1) Salvageable cans shall be cleaned in accordance with Paragraph 9-305.17 prior to re-labeling.
- (2) Re-labeling or over-labeling shall:
 - (a) Contain all information from the original label.
 - (b) Not be misleading in any way.
 - (c) Show the label codes and "sell by" or "use by" dates given on the original packaging, plus the date of product RECONDITIONING. The word "Salvaged", in a minimum 1/4" inch letters, and the salvage repackaging facility's name and address shall be on the label.

(C) All labels shall be submitted to the HEALTH AUTHORITY for approval.

(D) Salvaged FOOD shall not be sold, offered for sale or distributed after the "sell by" or "use by" date on the label of the original container unless the manufacturer assures, in writing to the HEALTH AUTHORITY, the continued safety of the product. The written assurance shall specify a "sell by" or "use by" date to be shown on the new label.

9-305.21 Storage and Shipping Area

(A) Storing in WAREHOUSE Area: a PERSON IN CHARGE shall perform or supervise the transfer of all salvaged FOOD product containers to a clean and controlled area and shall prepare a manifest or inventory identifying the date and place where the FOOD products were put in storage. If at any time during storage a FOOD product becomes contaminated, or a container becomes distressed, it shall be deemed unsalvageable and disposed of properly.

(B) Shipping Area: A PERSON IN CHARGE shall record, on a manifest or similar report, all FOOD products shipped or distributed, and shall inspect the cargo area and transport VEHICLE for cleanliness and required temperature control prior to loading.

9-305.22 Salvage Processing Facilities and Distributors Outside of Clark County, Nevada

Salvaged FOOD product from salvage processing facilities and distributors located outside of Clark County, Nevada, may be sold or distributed within Clark County if it originates from an APPROVED SOURCE PERMITTED by its local HEALTH AUTHORITY or AGENCY OF JURISDICTION. The HEALTH AUTHORITY may request PERMIT verification or copies of inspection reports from the local jurisdiction.

9-306 VENDING MACHINE and Processing WAREHOUSES

9-306.11 Operational Requirements

Individual VENDING MACHINES shall be operated as specified in NAC 446.870 through NAC 446.910. VENDING MACHINE WAREHOUSES shall meet applicable requirements of these Regulations and of State Statute, including but not limited to:

- (A) Milk and fluid milk products and fluid non-dairy products, or creaming agents may not be dispensed in VENDING MACHINES as additional ingredients in hot liquid BEVERAGES or other FOOD.
- (B) POTENTIALLY HAZARDOUS FOOD (TCS) offered for sale in VENDING MACHINES shall be dispensed to the CONSUMER in the individual, original container or package into which it was placed at:
 - (1) A FOOD ESTABLISHMENT having a PERMIT issued by the HEALTH AUTHORITY or AGENCY OF JURISDICTION, or
 - (2) The plant of the manufacturer or processor.
- (C) VENDING MACHINES which dispense POTENTIALLY HAZARDOUS FOOD (TCS) shall be provided with adequate refrigerating or heating units and thermostatic controls which ensure the maintenance of refrigerated FOOD at a temperature of 41°F±2° or below, and hot FOOD at a temperature of 135°F±2° or above, or 10°F±2° or below if frozen.
- (D) The FOOD products shall be properly labeled as required by these Regulations.
- (E) Ready to eat POTENTIALLY HAZARDOUS FOOD (TCS) held for more than 24 hours shall be labeled with the preparation date by when the FOOD shall be consumed, which shall be seven days or less from the date of preparation. Ready to eat POTENTIALLY HAZARDOUS FOOD (TCS) shall be discarded if not consumed within seven days from the date of preparation
- (F) Refrigerated READY-TO-EAT PHF (TCS) prepared in a FOOD ESTABLISHMENT, and dispensed through a VENDING MACHINE with an automatic shut-off control, shall be discarded if it exceeds a temperature and time combination as specified in Chapter 3-501.17 (A) of these Regulations.
- (G) Receptacles for trash shall be provided in the vicinity of each VENDING MACHINE or group of VENDING MACHINES, but not within the VENDING MACHINE. The receptacles shall close automatically, shall be leak proof, EASILY CLEANABLE, insect and rodent proof, and shall be cleaned daily to prevent the attraction of insects and rodents.

9-306.12 Compliance

All VENDING MACHINE companies that provide VENDING MACHINES that dispense POTENTIALLY HAZARDOUS FOOD (TCS), including novelty frozen desert products, shall have a PERMIT for their place of business where the POTENTIALLY HAZARDOUS FOOD (TCS) is stored, prepared, and stocked. The operator of the VENDING MACHINE company shall maintain a record of all VENDING MACHINES that dispense POTENTIALLY HAZARDOUS FOOD. This record shall include the VENDING MACHINE's physical location, its serial or identification number, and the type of FOOD dispensed.

9-306.13 Transportation

- (A) The FOOD storage compartment of all VEHICLES used for the transport of refrigerated or FROZEN FOOD for use in a VENDING MACHINE shall be maintained in a clean and sanitary condition.
- (B) Prior to loading of refrigerated or FROZEN FOOD for use in VENDING MACHINES, the PERSON IN CHARGE of the transport VEHICLE shall verify that the storage compartment is maintaining required temperature.
- (C) Facilities which utilize insulated containers with cooling inserts shall:
 - (1) Use only units APPROVED by an NSF/ANSI ACCREDITED certification program.
 - (2) Maintain the FOOD storage units in a clean, sanitary condition.
 - (3) Provide a thermometer accurate to ±2°F in each storage unit.
 - (4) Maintain temperature logs on each unit every four hours, and verify that the units are capable of maintaining the FOOD contained at required temperatures.

9-4 Record Keeping

Subparts

9-401 Record Keeping

9-402 Examination of Records

9-401 Record Keeping

9-401.11 Requirements

- (A) Records shall be maintained for a minimum of one year and shall be made available for inspection by the HEALTH AUTHORITY upon request.
- (B) The operator shall maintain a product inventory, which includes point of origin and final destination, of all products shipped.
- (C) All facilities that WAREHOUSE and distribute Bi-valve MOLLUSCAN SHELLSTOCK shall have a written HACCP PLAN on file. Record keeping by retail FOOD facilities utilizing wet storage of MOLLUSCAN SHELLSTOCK shall include inspection and monitoring of the water treatment/UV disinfection system, water testing, maintenance records, SHELLSTOCK trace-back, temperature controls, cleaning and SANITIZATION of the tanks.
- (D) All salvage facilities, including FOOD ESTABLISHMENTS that carry out salvage operations, shall keep legible records and/or receipts of distressed, salvageable, and/or salvaged FOOD product. These records shall include the product name, quantity of specified packages, the source of the distressed or salvaged FOOD product, the date received, the type of damage if any, shipping dates if applicable, and the disposition of FOOD product that was stored salvaged but was later disposed of or destroyed as unsalvageable or ADULTERATED.
- (E) The operator of the WAREHOUSE shall maintain temperature logs on the following:
 - (1) All refrigerated and FROZEN FOOD upon receipt. Receiving temperatures recorded on invoices shall meet the requirements of a log.
 - (2) The ambient air of the refrigerated compartment of transport VEHICLES prior to loading for shipment of all refrigerated and FROZEN FOOD.
 - (3) All refrigeration units within the WAREHOUSE.

9-402 Examination of Records

9-402.11 Permission to Examine Records

The HEALTH AUTHORITY shall be allowed to examine records of the ESTABLISHMENT, that are pertinent to these Regulations or to obtain pertinent information to recalls, trace-backs, or outbreak investigations as specified in *NRS 446.890*.

9-5 Personnel

Subpart

9-501 Management and Personnel

9-501 Management and PERSONNEL

9-501.11 FOOD HANDLER Health

The PERSON IN CHARGE shall promptly report to the HEALTH AUTHORITY information about the health and activities of FOOD HANDLERS that may relate to symptoms of an illness that are transmissible through FOOD as specified in Chapter 2 of these Regulations.

9-501.12 FOOD HANDLER HEALTH CARD

FOOD HANDLER's working with open FOOD in a WAREHOUSE shall possess a current, valid FOOD HANDLER'S HEALTH CARD as specified in Chapter 2 of these Regulations.

9-501.13 PERSONAL Cleanliness

The PERSON IN CHARGE shall ensure that:

- (A) All FOOD HANDLERS wash their hands as specified in Chapter 2 of these Regulations
- (B) All FOOD HANDLERS wear clean outer clothing.

9-501.14 Hair Restraints

FOOD HANDLERS who prepare or serve FOOD shall restrain their hair as specified in Chapter 2-402.11 of these Regulations.

9-501.15 Tobacco Use

Smoking and tobacco usage is prohibited within a WAREHOUSE operation.