

RULES AND REGULATIONS OF THE ARKANSAS BOARD OF HEALTH
PERTAINING TO FOOD SALVAGE

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SECTION I. DEFINITIONS

For the purpose of these Regulations, the following terms are defined:

A. Food Salvager. The term "Food Salvager" shall mean a person, firm or corporation engaged in the business of reconditioning, labeling, relabeling, repackaging, reconditioning, sorting, cleaning, culling or by other means salvaging and who sells, offers for sale or distributes for human or animal consumption any salvaged food, beverage (including beer, wine, and distilled spirits), vitamin, food supplement, dentifrice, drug, cosmetic, single-service food container or utensil, soda straws, paper napkins or any other product of a similar nature that has been damaged or contaminated by fire, water, smoke, chemicals, transit or by any other means.

B. Food Salvage Distributor. The term "Food Salvage Distributor" shall mean a person, firm or corporation engaged in the business of distributing, peddling or otherwise trafficking in any salvaged products enumerated in the definition of a food salvager.

C. Board of Health. The term "Board of Health" shall mean the Arkansas Board of Health.

D. Health Authority. The term "Health Authority" shall mean the Director, Arkansas Department of Health, or his/her authorized representative.

E. Salvageable Merchandise. The term "Salvageable Merchandise" shall mean any item listed above, which can be reconditioned, labeled, relabeled, repackaged, reconditioned, sorted, cleaned, culled or by any other means be salvaged to the satisfaction of the Health Authority.

G. Personnel. The term "Personnel" shall mean any person employed by a food salvager who does or may in any manner handle or come in contact with the handling, storing, transporting or selling of salvageable or salvaged merchandise.

H. Salvage Permit. The term "Salvage Permit" shall mean a permit to be issued by the Director, Arkansas Department of Health, to any food salvager or food salvage distributor if all provisions of these Regulations are met.

I. Sanitize. The term "Sanitize" shall mean effective bactericidal treatment of clean surfaces of equipment or merchandise or their containers by any method which has been approved by the Director, Arkansas Department of Health, as being effective in destroying micro-organisms, including pathogens which may be on the article being sanitized.

J. Application. The term "Application" shall mean a written application which is required pursuant to the issuance of a Salvage Permit. The application will be made on a form provided by the State Health Officer.

K. Vehicle. The term "Vehicle" shall mean any truck, car, bus or other means by which merchandise is transported from one location to another.

SECTION II. COMPLIANCE

All salvage operations shall be performed in buildings and structures and with facilities, equipment and procedures which meet the requirements of these Regulations. The food salvager shall be responsible for compliance with these Regulations.

SECTION III. BUILDINGS AND STRUCTURES

A. Construction. Buildings and structures shall be solidly constructed and maintained in good repair. Buildings shall be constructed and maintained in a rat-proof condition. B. Floors. Floors must be impervious to moisture, tight, sound, smooth, free of cracks, properly sloped to drain when necessary and easily cleanable. Dry sweeping is prohibited.

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C. Walls and Ceilings. Walls and ceilings shall be painted a light color or finished in an approved manner, maintained in good repair and kept clean.

D. Lighting and Ventilation. All rooms shall be adequately lighted and properly ventilated.

E. Screening and Vermin Control. All openings to the outer air must be properly screened with at least 16 mesh wire or otherwise protected against the entrance of flies and other vermin. All necessary vermin control measures must be taken.

F. Toilet Facilities. Adequate and conveniently located toilet facilities shall be provided. They shall be kept clean, adequately lighted, properly ventilated and in good repair.

G. Lavatory Facilities. Adequate and convenient hand washing facilities shall be provided. Such facilities shall include hot and cold water under pressure, soap and approved sanitary towels. The use of a common towel is prohibited. Lavatories must be kept clean and in good repair.

H. Facilities. Adequate facilities for the cleaning and sanitizing of salvageable merchandise shall be provided. These shall consist of at least a three-compartment vat. Articles to be cleaned shall first be flushed with clean potable water to remove gross soil and then shall be cleaned with water and a suitable soap or detergent, rinsed in clean potable water, and sanitized. Articles which cannot be submerged in water shall be cleaned and sanitized as directed by the Health Authority.

SECTION IV. WATER SUPPLY

A safe and adequate supply of hot and cold water under pressure shall be provided in all food salvage establishments. Where a public water system is available, a connection must be made thereto; otherwise the water shall be obtained from a supply meeting the requirements set forth under the Rules and Regulations of the Arkansas Board of Health Pertaining to Semi-Public Water Supplies.

SECTION V. WASTE DISPOSAL.

A. Garbage. Garbage shall be kept in watertight impervious containers provided with close fitting covers, properly protected from flies, animals and other vermin. The contents must be removed daily and disposed of in an approved manner.

B. Unsalvageable Items. All items which cannot be salvaged must be denatured and disposed of in a manner approved by the Health Authority.

C. Liquid Waste. Proper facilities must be provided for the collection and disposal of all liquid wastes including the water from wash and sanitizing vats. If a public sewer is available within 300 feet, a connection must be made thereto; otherwise the liquid waste must be disposed of in accordance with the requirements set forth by the Rules and Regulations of the Arkansas Board of Health pertaining to General Sanitation.

D. Rubbish. Separate containers must be provided for trash and rubbish. The establishment shall be free of unnecessary litter and rubbish such as paper, empty containers or other material that might serve as a hiding place for rats, mice or other vermin.

SECTION VI. FOOD SALVAGE PERMIT

A. Issuance. A permit is required for each food salvager who operates in the State of Arkansas regardless of where the home office may be. The permit will be issued by the Director, Arkansas Department of Health, upon application on proper forms and compliance with the Regulations Pertaining to Food Salvagers, and is renewable on July 1 of each year.

B. Revocation. The Salvage Permit may be revoked without advance notice if Act 415 of 1953, Food, Drug and Cosmetic Act; Act 241 of 1963 pertaining to Food Salvagers, or the Regulations pertaining to either are violated.

C. Application. Application for a Food Salvage Permit will be made to the Division of Food Services, Arkansas Department of Health, 4815 West Markham Street, Little Rock, Arkansas 72201.

D. Display of Permit. The Permit will be displayed conspicuously in the place of business.

SECTION VII. VEHICLES

The name and address of the salvager and the permit number must be conspicuously displayed on the outside of all vehicles being used for food salvage operations.

SECTION VIII. MOVEMENT OF MERCHANDISE

No merchandise will be moved intrastate without prior approval of the Division of Food Services, Arkansas Board of Health. No interstate movement of goods will be made without the prior approval of the Health Authority, the food and drug control agency in the state receiving the merchandise, and the Federal Food and Drug Administration.

SECTION IX. NOTIFICATION

The permit holder will immediately notify the Health Authority of any salvage operation which is anticipated. Notification will be made prior to the beginning of any salvage operation.

SECTION X. DISPLAY AND DESIGNATION OF MERCHANDISE

All salvaged merchandise, where offered for sale, must be displayed in a section separate and apart from non-salvaged merchandise. Such section must be designated by placard or sign with the following wording: "SALVAGED MERCHANDISE" of sufficient size and contrast to be seen readily by the consumer.

SECTION XI. SEVERABILITY

If any provision of these Rules and Regulations, or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of these Rules and Regulations which can give effect without the invalid provisions or applications, and to this end the provisions hereto are declared to be severable.

SECTION XII. REPEAL

All Regulations and parts of Regulations in conflict herewith are hereby repealed.

CERTIFICATION

This will certify that the foregoing Rules and Regulations Pertaining to the Arkansas Food Salvage Act, Act 241 of 1963, were adopted by the Arkansas Board of Health at a regular executive session of said Board held in Little Rock, Arkansas, on the thirty-first day of October, 1963, under authority conferred on the Arkansas Board of Health by Act 241 of 1963, and that an Amendment thereto was subsequently adopted by the Arkansas Board of Health at a regular executive session held in Little Rock, Arkansas, on the twenty-fifth day of October 1973.

(signed)

J. A. Harrel, Jr., M.D., M.P.H.
Secretary of the Arkansas Board of Health
Director
Arkansas Department of Health

Dated at Little Rock, Arkansas, this twenty-fifth day of October, 1973.