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REGULATIONS GOVERNING THE SALE OF FOODS AND BEVERAGES THROUGH VENDING MACHINES

Above regulations have been on file in the Department of Records since December 23, 1960.

The above regulations were advertised in the local newspapers on December 24, 1960.

Since no requests for a hearing were received as a result of this advertising, the regulations, having been on file for the required thirty days, are now in effect.

CAB:oad

cc: Henry V. Walkowiak
Isidor Krasnal, Assistant City Solicitor

DEC 8 1960

REGULATIONS GOVERNING THE SALE OF FOODS AND BEVERAGES THROUGH
VENDING MACHINES

I. DEFINITIONS

In these regulations, the following definitions apply:

- A. Vending Machine: shall mean any self-service device of-
fered for public use which, upon insertion of a coin,
coins or token, or by similar means, dispenses unit ser-
vings of food or beverage either in bulk or in package,
without the necessity of replenishing the device between
each vending operation.
- B. Machine Location: shall mean the room, enclosure, space,
or area where one or more vending machines are installed
and operated.
- C. Commissary: shall mean commissary, catering establish-
ment, restaurant, or any similar food establishment in
which food, beverage, ingredients, containers or supplies
are kept, handled, prepared or stored, and from which
vending machines are directly serviced.
- D. Approved: Satisfactory compliance as determined and
recorded by the Department of Public Health.
- E. Readily Perishable Foods: The term "readily perishable
foods" shall mean any food or beverage or ingredients
consisting in whole or in part of milk, milk products,
eggs, meat or meat products, fish, poultry, or other food
or beverage capable of supporting rapid and progressive
growth of microorganisms which can cause food infections
or food intoxication. However, products in hermetically
sealed containers processed to prevent spoilage, and de-
hydrated, dry or powdered products so low in moisture

content as to preclude development of microorganisms are excluded from the terms of this definition.

- F. Hot Food or Beverage: shall mean food or beverage, the temperature of which at the time of dispensing from the vending machine is at least 150°F.
- G. Single Service Article: shall mean any utensil, container, implement, or wrapper intended for use only once in the preparation, storage, display, service, or consumption of food or beverage.
- H. Product Contact Surface: shall mean any surface of the vending machine, appurtenances, or containers which come into direct contact with any food, beverage, or ingredient.
- I. Department: shall mean the Philadelphia Department of Public Health.

II. SANITATION REQUIREMENTS FOR VENDING MACHINE OPERATIONS

- A. Foods, Beverages, Ingredients, Consumer Containers, Equipment, Maintenance, and Operations
 - 1. Foods, beverages and ingredients intended for sale through vending machines shall be obtained from approved sources. Such products shall be clean and wholesome, free from spoilage, and shall be processed, prepared, handled and stored in such a manner as to be protected against contamination and adulteration. All product contact surfaces of containers and equipment shall be protected from contamination.
 - 2. All foods, beverages, and ingredients shall be stored or packaged in clean protective containers, and shall be handled, transported and vended in a sanitary manner. Wet storage of packaged products is prohibited.

3. Readily perishable foods offered for sale through vending machines shall be dispensed to the consumer in the individual original container or wrapper into which it was placed at the commissary or at the manufacturer's or processor's plant, or such products shall be dispensed into single service containers.

The bulk supplies of foods, beverages, or ingredients which are readily perishable shall be transferred to bulk containers in the vending machine only when such bulk containers and appurtenances have been cleaned and subjected to an approved bactericidal process before each loading.

Liquid milk products shall be transferred to the bulk container in the vending machine only from the original, individual container of not more than one-half gallon capacity, packaged at an approved milk plant. In making such a transfer, the entire contents of the original, individual container shall be used.

4. Readily perishable foods, beverages or ingredients within the vending machine shall be maintained at either a temperature not higher than 45°F., or at a temperature not lower than 150°F whichever is applicable. An exception to this temperature requirement shall be made during the actual time required to fill or otherwise service the machine and for a maximum recovery period of thirty (30) minutes following the completion of the filling or servicing operation. Vending machines dispensing readily perishable foods shall be provided with controls which insure the maintenance of these required temperatures. Such controls shall place the machine in an inoperative condition until serviced by the operator in the event that the temperature in the food

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storage compartment goes above 45°F. or drops below 150°F., except as specified above. If the machine has been inoperative for three (3) hours or more, the readily perishable food in the machine shall be removed from the machine and shall not be offered for sale for human consumption.

5. Fluid milk and milk products shall be dispensed from the vending machine only in the individual, original container or from approved bulk milk dispensers.
6. All multi-use containers or parts of vending machines which come into direct contact with readily perishable foods, beverages, or ingredients shall be removed from the machine daily and shall be thoroughly cleaned and effectively subjected to an approved bactericidal process at the commissary or other approved facility. Such parts shall be protected from contamination after cleaning and bactericidal treatment.

This requirement for daily cleaning and bactericidal treatment may be waived for those contact surfaces which are maintained at all times either at a temperature of not higher than 45°F., or at a temperature of not lower than 150°F., whichever is applicable. An approved bactericidal process shall mean one of the following methods:

- (1) Hot water at a minimum temperature of 170°F. for at least ten (10) seconds.
- (2) Hypochlorite compounds or chlorine containing compounds of equal efficiency at a minimum concentration of 100 P.P.M. for at least thirty (30) seconds.
- (3) Quaternary ammonium compounds at a minimum concentration of 200 P.P.M. for at least thirty (30) seconds.

- (4) Iodophor compounds at a minimum concentration of 12.5 P.P.M. for at least thirty (30) seconds.

Provided: the Department shall remove from or supplement this list with any approved bactericidal process after chemical and bacteriological tests and field trials demonstrate its efficiency or lack of efficiency in sanitizing multi-use containers.

7. All parts of the vending machines which come into direct contact with other than readily perishable foods, shall be thoroughly cleaned and subjected to bactericidal treatment by approved methods, and shall be clean.

8. All single service containers shall be stored and handled so as to be protected from manual contact, dust, insects, rodents and other contamination.

B. Machine Location

Each vending machine shall be located in a room, area or space which can be maintained in a clean condition and which is protected from overhead leakage from drains and piping. The machine location shall be such as to minimize the potential contamination of the product, shall be easily cleanable, and shall be kept clean.

C. Construction and Maintenance

The exterior construction of the vending machine shall be such as to facilitate cleaning and to minimize the entrance of insects, rodents, dust or moisture. The exterior of the machine and the surrounding area shall be kept clean. The machine shall be kept free of arthropods. Service connections shall be such as to protect against unintentional

or accidental interruption of service to the machine.

Unless the vending machine is sealed to the floor so as to prevent seepage underneath, or can be manually moved with ease, one or more of the following provisions shall be utilized to facilitate cleaning operations: (a) the machine shall be mounted on legs six (6) or more inches in height; or (b) the machine shall be mounted on casters or rollers; or (c) the machine shall be mounted on gliders which permit it to be easily moved.

All interior surfaces and component parts of the vending machine shall be so designed and constructed as to permit easy cleaning, and shall be kept clean. All product contact surfaces of the machine shall be of smooth, non-toxic, corrosion resistant and relatively non-absorbent material, and shall be capable of being readily disassembled or of being cleaned in place and withstand repeated cleaning and approved bactericidal treatment. Such surfaces shall be protected against contamination.

The delivery tube or chute and orifice of all bulk food and bulk beverage vending machines shall be protected from normal manual contact, dust, insects, rodents, and other contamination. The design shall be such as to divert condensation or other moisture from the normal filling position of the container receiving the food or beverage. The vending stage of such machines shall be provided with a tight fitting, self-closing door or cover which is kept

closed, except when the machine is in the process of delivering food or beverage.

The product storage compartment within vending machines dispensing liquid products shall be so constructed as to permit easy draining and cleaning, and shall be kept clean, or shall be self-draining, or shall be provided with a drain outlet which permits complete draining of the compartment. All drains and product storage compartments within the vending machine dispensing liquid products, shall be easily cleanable.

D. Water Supply

The water supply shall be of a safe, sanitary quality. All plumbing and water supply shall conform to the Plumbing Code and Regulations and to applicable regulations of the Department of Public Health and the Water Department.

Connections or arrangements between a potable water supply and any other water supply, plumbing or drainage system, water receptacle, or liquid or other substance, or between the City water supply and any other water supply such that back-flow can occur, are prohibited.

All vending machines which dispense carbonated beverages and which are connected to a water supply system, shall be equipped with an approved type of back-flow preventor, which will provide positive protection against the entrance of carbon dioxide or carbonated water into the water supply system.

In all vending machines which dispense carbonated beverages and which are connected to a water supply system, the ingredient water contact surfaces from the back-flow protective device downstream, including the device itself, shall be of such material as to preclude the production of toxic substances which might result from interaction with carbon dioxide or carbonated water.

E. Waste Disposal

All liquid wastes shall be disposed of in accordance with the requirements of the Plumbing Code, Health Code and Regulations thereunder and any other applicable ordinances and regulations.

All wastes shall be properly disposed of, and pending disposition shall be kept in suitable containers so as to prevent creating a nuisance.

All trash and other waste material shall be removed from the machine location as frequently as may be necessary to prevent a nuisance and unsightliness.

Self-closing, leak-proof, readily cleanable, plainly labeled and designated waste containers shall be provided in the vicinity of each machine or machines to receive used cups, cartons, wrappers, straws, closures and other single service items. Such waste containers shall not be located within the vending machine. Such waste containers shall be washed at least weekly or at more frequent intervals if necessary to prevent odors and attraction of arthropods. An exception may be made for those machines dispensing only packaged pro-

ducts with crown closures, in which case the closure receptacle may be located within the machine. Suitable racks or cases shall be provided for multi-use containers or bottles.

Containers shall be provided within all machines dispensing

liquid products in bulk for the collection of drip, spillage, overflow, or other liquid wastes. The liquid wastes shall be removed at frequent intervals. These containers shall be washed at least weekly or at more frequent intervals to prevent odors and attraction of arthropods.

An automatic shut-off device shall be provided which will place the vending machine out of operation before such container overflows. If liquid wastes from drip, spillage or overflow, which originate within the machine are discharged into a sewerage system, the connection to the sewer shall be through an air gap.

F. Delivery of Foods, Ingredients, Equipment and Supplies to Machine Location

Foods, beverages, and ingredients, and product contact surfaces of containers, equipment and supplies, shall be protected from contamination while in transit to machine location.

Readily perishable foods and beverages while in transit shall be maintained either at a temperature not higher than 45°F., or not lower than 150°F. whichever is applicable. Frozen foods, while in transit, shall be maintained at a temperature not higher than 10°F.

III. PERSONNEL - CLEANLINESS

Employees shall wear clean outer garments while engaged in handling foods or beverages, or product contact surfaces of utensils or equipment. Employees shall wash their hands immediately prior to engaging in any vending machine servicing

operation which may bring them into contact with foods, beverages, or ingredients, or with product contact surfaces of utensils, containers, or equipment. Handwashing facilities shall be available where such servicing operations are conducted.

IV. DISEASE CONTROL

No employee with any disease in a communicable form, or who is a carrier of such disease, shall work in vending machine operations in a capacity which brings him into contact with the production, handling, storage, or transportation of foods, beverages, ingredients, or equipment used in vending machine operations; and no operator shall employ in any such capacity any person suspected of having any disease in a communicable form, or of being a carrier of such disease. Any employee who has a discharging or infected wound, sore, or lesion on hands, arms or any exposed portion of the body shall be excluded from those operations which will bring him into contact with foods, beverages, utensils, or equipment used in vending machine operations. Any operator who suspects that any employee has contracted any disease in a communicable form or has become a carrier of such disease, shall notify the Department immediately.

V. SANITATION REQUIREMENTS FOR COMMISSARIES

Commissaries shall meet the requirements of the Philadelphia Regulations Governing Eating and Drinking and Catering Establishments.

Foods, beverages, and ingredients from commissaries outside of the limits of the City of Philadelphia may be sold in Philadelphia if such commissaries conform to the above regulations or to substantially equivalent regulations.

The Department may accept reports from the responsible authority in the jurisdiction where the commissary is located in order to determine the extent of compliance with such regulations.

VI. INSPECTION PROCEDURES

The regular inspection program for vending machines shall be on a sampling basis. The operator of any vending machine shall provide for the Department to have access to the interior of the vending machine upon request.

The service operator for the vending machine shall be provided with a thermometer of an accuracy of plus or minus 2°F., and he shall check the operating temperatures of each vending machine dispensing readily perishable food at each service call.

The operator of the vending machine shall maintain a list of vending machines classified by type of machine, location of the machine by address, and the service route. This information shall be available to the Department upon request.

In conducting the inspection program, the Department shall notify the vending machine operator of the service route designated for inspection and the vending machine operator shall arrange for the Department to inspect and have access to the interior of vending machines on the designated service route.

The licensee of any vending machine which dispenses a readily perishable food or his designated representative shall inspect the servicing, operation and sanitary maintenance of the vending machine at least once every six (6) months to ascertain

conformance with these regulations. The reports of these inspections shall be kept for one (1) year and shall be made available to the Department upon request.