

07 Sanitation Performance Standards (SPS)

9 CFR 416.1 - 416.6

Purpose:

Proper and effective sanitation is vital to every step of the food manufacturing (making) process. This section will focus on helping the IPP develop a working knowledge of the Sanitation Performance Standards (SPS) regulations in the 9 CFR 416.1 through 416.5. IPP will learn how to perform the Sanitation Performance Standards Verification task using the “GAD” process that is used by FSIS. The GAD process involves gathering information, assessing the information and determining if the establishment complies with the regulations. IPP will also understand their regulatory responsibilities under 9 CFR 416.6.

Facilities that must comply with the SPS regulations:

- Federal and State inspected meat and poultry establishments
- Import/Export facilities
- Identification (ID) warehouses
- Custom-exempt operations

Sanitation Requirements:

- CFR 416.1 - 416.5
- FSIS Directive 5000.1, Revision 5 addresses the Sanitation Performance Standards (SPS) regulations and the SPS Verification task

Purpose of the SPS Verification task:

To verify compliance with the Sanitation Performance Standards (9 CFR 416.1 - 416.5), IPP will inspect conditions in and around the official premises of the establishment, review documents, and inspect the facility and equipment for overall sanitary conditions. The establishment designates the official premises during the grant of application process. IPP must conduct all inspection activities within the physical boundaries designated as the official premises of the establishment.

When performing the SPS task to verify SPS requirements:

IPP should directly observe conditions in **one or more** areas of the establishment. IPP or the IIC will select standards based on the SPS noncompliance history of the establishment. When necessary, IPP will review the following documents: water potability certificate; pesticide use information; EPA registrations, labels, and instructions for proper use; sewage disposal approval letter (when the establishment has a private sewer system); cleaning compounds, sanitizing agents, processing aids, etc.; and documentation describing the safe and correct use of chemicals that are in the establishment.

When performing the task, IPP should:

- ☐ Have a working knowledge of specific SPS regulations;
- ☐ Ask questions specific to the regulations;
- ☐ Directly observe areas relevant to the regulations; and
- ☐ Assess the establishment's answers to those questions.

How to determine compliance or noncompliance?

Use professional knowledge and good judgement

- ☐ Gather information
- ☐ Assess each situation
- ☐ Determine if an insanitary condition has occurred.

416.1 General Rules

Sets overall requirement for the SPS, i.e. establishments *must* ensure operations in and around the establishments *do not* lead to insanitary conditions that would contaminate or adulterate product.

416.1 is to be cited in situations where findings indicate that an establishment **systematically** fails to maintain sanitary conditions and that product adulteration may occur as a result.

What does “insanitary” mean?

“A state, condition, or occurrence which may lead to the contamination or adulteration of edible meat or poultry product when it is exposed, processed, handled, stored, or packaged”.

Sanitation Performance Standards:

FSIS Directive 5000.1, Rev. 5 - *Verifying an Establishment’s Food Safety System*

SPS Regulations: 9 CFR Part 416.2 - 416.5:

416.2(a) Grounds and Pest Control- *The grounds about an establishment must be maintained to prevent conditions that could lead to **insanitary conditions**, adulteration of product, or interfere with inspection by FSIS program employees. Establishments must have in place a **pest management program** to prevent the harborage and breeding of pests on the grounds and within establishment facilities. **Pest control substances used must be safe** and effective under the conditions of use and not be applied or stored in a manner that will result in the adulteration of product or the creation of insanitary conditions.*

416.2(b) Construction-

416.2(b)(1) Establishment buildings, *including their structures, rooms, and compartments must be of sound construction, be kept in good repair, and be of sufficient size to allow for processing, handling, and storage of product in a manner that does not result in product adulteration or the creation of insanitary conditions.*

416.2(b)(2) Walls, *floors, and ceilings within establishments must be built of durable materials impervious to moisture and be cleaned and sanitized as necessary to prevent adulteration of product or the creation of insanitary conditions.*

416.2(b)(3) Walls, *floors, ceilings, doors, windows, and other outside openings must be constructed and maintained to prevent the entrance of vermin, such as flies, rats, and mice.*

416.2(b)(4) Rooms or compartments in which **edible product is processed, handled, or stored must be **separate** and distinct from rooms or compartments in which **inedible** product is processed, handled, or stored, to the extent necessary to prevent product adulteration and the creation of insanitary conditions.**

416.2(c) Lighting- *Lighting of good quality and sufficient intensity to ensure that sanitary conditions are maintained and that product is not adulterated must be provided in areas where food is processed, handled, stored, or examined; where equipment and utensils are cleaned; and in hand-washing areas, dressing and locker rooms, and toilets.*

416.2(d) Ventilation- *Ventilation adequate to control odors, vapors, and condensation to the extent necessary to prevent adulteration of product and the creation of insanitary conditions must be provided.*

416.2(e) Plumbing- *Plumbing systems must be installed and maintained to:*

416.2(e)(1) *Carry sufficient quantities of water to required locations throughout the establishment.*

416.2(e)(2) *Properly convey sewage and liquid disposable waste from the establishment.*

416.2(e)(3) *Prevent adulteration of product, water supplies, equipment, and utensils and prevent the creation of insanitary conditions throughout the establishment.*

416.2(e)(4) *Provide adequate floor drainage in all areas where floors are subject to flooding-type cleaning or where normal operations release or discharge water or other liquid waste on the floor.*

416.2(e)(5) *Prevent back-flow conditions in and cross-connection between piping systems that discharge wastewater or sewage and piping systems that carry water for product manufacturing.*

416.2(e)(6) *Prevent the back up of sewer gases.*

416.2(f) Sewage- Sewage disposal - *Sewage must be disposed into a sewage system separate from all other drainage lines or disposed of through other means **sufficient to prevent backup of sewage into areas where product is processed, handled, or stored.** When the sewage disposal system is a private system requiring approval by a State or local health authority, the establishment must furnish FSIS with the letter of approval from that authority upon request.*

Note: Sewage is "refuse liquids or waste matter usually carried off by sewers" (from the online Merriam-Webster dictionary).

416.2(g) Water supply, water, ice, solution reuse-

416.2(g)(1) *A **supply of running water** that complies with the National Primary Drinking Water regulations (40 CFR part 141), at a suitable temperature and under pressure as needed, must be provided in all areas where required (for processing product, for cleaning rooms and equipment, utensils, and packaging materials, for employee sanitary facilities, etc.). If an establishment uses a municipal water supply, it must make available to FSIS, upon request, a water report, issued under the authority of the State or local health agency, certifying or attesting to the potability of the water supply. If an establishment uses a private well for its water supply, it must make available to FSIS, upon request, documentation certifying the potability of the water supply that has been renewed at least semi-annually.*

416.2(g)(2) ***Water, ice, and solutions** (such as brine, liquid smoke, or propylene glycol) used to chill or cook **ready-to-eat** product may be **reused** for the same purpose, provided that they are maintained free of pathogenic organisms and fecal coliform organisms and that other physical, chemical, and microbiological contamination have been reduced to prevent adulteration of product.*

416.2(g)(3) ***Water, ice, and solutions** used to chill or wash **raw** product may be **reused** for the same purpose provided that measures are taken to reduce physical, chemical, and microbiological contamination so as to prevent contamination or adulteration of product. Reuse that has come into contact with raw product may not be used on ready-to-eat product. **416.2(g)(4)** **Reconditioned water** that has never contained human waste and that has been treated by an onsite advanced wastewater treatment facility may be used on raw product, except in product formulation, and throughout the facility in edible and inedible production areas, provided that measures are taken to ensure that this water meets*

the criteria prescribed in paragraph (g)(1) of this section. Product, facilities, equipment, and utensils coming in contact with this water must undergo a separate final rinse with non-reconditioned water that meets the criteria prescribed in paragraph (g)(1) of this section.

416.2(g)(5) Any water that has never contained human waste and that is free of pathogenic organisms may be used in edible and inedible product areas, provided it does not contact edible product. For example, such reuse water may be used to move heavy solids, to flush the bottom of open evisceration troughs, or to wash antemortem areas, livestock pens, trucks, poultry cages, picker aprons, picking room floors, and similar areas within the establishment.

416.2(g)(6) Water that does not meet the use conditions of paragraphs (g)(1) through (g)(5) of this section may not be used in areas where edible product is handled or prepared or in any manner that would allow it to adulterate edible product or create insanitary conditions.

416.2(h) Dressing rooms, Lavatories, and Toilets:

416.2(h)(1) Dressing rooms, toilet rooms, and urinals must be sufficient in number, ample in size, conveniently located, and maintained in a sanitary condition and in good repair at all times to ensure cleanliness of all persons handling any product. They must be separate from the rooms and compartments in which products are processed, stored, or handled.

416.2(h)(2) Lavatories with running hot and cold water, soap, and towels must be placed in or near toilet and urinal rooms and at such other places in the establishment as necessary to ensure cleanliness of all persons handling any product.

416.2(h)(3) Refuse receptacles must be constructed and maintained in a manner that **protects against the creation of insanitary** conditions and the **adulteration** of product.

416.3 Equipment & Utensils-

416.3(a) Equipment and utensils used for processing or otherwise handling edible product or ingredients must be of such material and construction to facilitate thorough cleaning and to ensure that their use will not cause the adulteration of product during processing, handling, or storage. Equipment and utensils must be maintained in sanitary condition so as not to adulterate product.

416.3(b) Equipment and utensils must not be constructed, located, or operated in a manner that prevents FSIS program employees from inspecting the equipment or utensils to determine whether they are in sanitary condition.

416.3(c) Receptacles used for storing inedible material must be of such material and construction that their use will not result in the adulteration of any edible product or in the creation of insanitary conditions. Such receptacles must not be used for storing any edible product and must bear conspicuous and distinctive marking to identify permitted uses.

416.4 Sanitary Operations:

416.4(a) All food-contact surfaces, including food-contact surfaces of utensils and equipment, must be cleaned and sanitized as frequently as necessary to prevent the creation of insanitary conditions and the adulteration of product.

NOTE: Many establishments will comply with the requirements of 416.4(a) through SSOP activities.

416.4(b) Non-food-contact surfaces of facilities, equipment, and utensils used in the operation of the establishment must be cleaned and sanitized as frequently as necessary to prevent the creation of insanitary conditions and the adulteration of product.

416.4(c) Cleaning compounds, sanitizing agents, processing aids, and other chemicals used by an establishment must be safe and effective under the conditions of use. Such chemicals must be used, handled, and stored in a manner that will not adulterate product or create insanitary conditions. Documentation substantiating the safety of a chemical's use in a food processing environment must be available to FSIS inspection program employees for review.

416.4(d) Product must be protected from adulteration during processing, handling, storage, loading, and unloading at and during transportation from official establishments.

416.5 Employee Hygiene:

416.5(a) Cleanliness. All persons working in contact with product, food-contact surfaces, and product-packaging materials must adhere to hygienic practices while on duty to prevent adulteration of product and the creation of insanitary conditions.

416.5(b) Clothing. Aprons, frocks, and other outer clothing worn by persons who handle product must be of material that is disposable or readily cleaned. Clean garments must be worn at the start of each working day and garments must be changed during the day as often as necessary to prevent adulteration of product and the creation of insanitary conditions.

416.5(c) Disease control. Any person who has or appears to have an infectious disease, open lesion, including boils, sores, or infected wounds, or any other abnormal source of microbial contamination, must be excluded from any operations which could result in product adulteration and the creation of insanitary conditions until the condition is corrected.

Custom Exempt 303.1a(2)(i) Establishments that conduct custom exempt operations must be maintained and operated in accordance with the provisions of §416.1 through 416.6, except for §416.2(g)(2) through (6) of this chapter, regarding the water reuse and any provisions of Part 416 of this chapter relating to inspection or supervision of specified activities or other action by a program employee. If custom exempt operations are conducted in an official establishment, however, all of the provisions of Part 416 of this chapter shall apply to those operations.

Compliance / Noncompliance

IPP must verify compliance and noncompliance with the SPS regulations. Noncompliance is the failure of an establishment to meet one or more regulatory requirements. Every time the IPP determines that the establishment is not meeting the SPS requirements, the IPP must document the noncompliance on an NR. If the IPP determines that the SPS noncompliance is due to the establishment's repeated failure to maintain sanitary conditions, the IPP should consult with their FLS or IIC to determine if 416.1 should be added to the noncompliance record.

When the IPP finds that any equipment, utensil, room, or compartment at an official establishment is insanitary or that its use could cause the adulteration of product, he or she will attach to it a "U.S. Rejected" tag. Equipment, utensils, rooms, or compartments tagged cannot be used until made acceptable. Only an FSIS program employee may remove a "U.S. Rejected" tag.