

CHAPTER 19. INDUSTRIES—FOOD AND DRINK

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Subchapter A. BREWING AND BOTTLING

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Authority

The provisions of this Subchapter A issued under section 1 of the act of June 2, 1913 (P. L. 396, No. 267) (71 P. S. § 1441); and section 15 of the act of May 18, 1937 (P. L. 654, No. 174) (43 P. S. § 25-15), unless otherwise noted.

Source

The provisions of this Subchapter A adopted October 1, 1917; amended through July 1, 1968, unless otherwise noted.

GENERAL PROVISIONS

§ 19.1. Definitions.

The following words and terms, when used in this subchapter, have the following meanings, unless the context clearly indicates otherwise:

Approved—The term means approved by the Industrial Board.

Bottling—A method in which spirituous or malt liquors or beverages, soft drinks, carbonated waters, milk, fruit syrups, patent medicines or other liquids are placed under pressure in bottles or other glass containers.

Brewing—A process used in the manufacturing of a beverage from malt, hops or other materials by a method of infusion or mashing, boiling and fermentation.

§ 19.2. Scope.

This subchapter sets forth rules to safeguard the lives, limbs and health of workers in the brewing and bottling industry, and places the responsibility of compliance with the rules upon both employer and employe.

§ 19.3. Penalty.

A person who violates this subchapter or other regulations of the Department or who interferes with the Department or its authorized representative in the enforcement of this subchapter or regulations shall be penalized under section 15 of act of May 18, 1937 (P. L. 654, No. 174) (43 P. S. § 25-15).

SPECIFICATIONS**§ 19.11. Varnishing.**

(a) An employe, while varnishing the inside of a container, is not permitted to have an open light present in the container, if the substance used for the varnishing is capable of giving off, at or below a temperature of 100°F a gas or vapor which is inflammable or explosive.

(b) The use of coal, coke, charcoal or oil heaters for drying out or heating vats, tanks or casks is prohibited. Only approved electric or gas heaters substantially connected shall be used for this purpose. Heaters are not permitted in vats, tanks or casks in which a person is at work.

(c) Persons engaged in varnishing the inside of containers either by using soluble varnish, varnish or by means of varnish substitutes which are first melted and then applied by means of heat, shall be provided with an approved type of respirator or helmet.

(d) If an effective exhaust system is used for the removal of impure air from the containers in which the process of varnishing is being carried on, respirators or helmets need not be used.

(e) Whenever one or more persons are engaged in varnishing the inside of closed containers, a fellow workman shall be stationed on the outside of the containers to render assistance, if necessary, to the person or persons inside.

(f) Varnish used on the inside of containers shall be prepared only from denatured or grain alcohol.

§ 19.12. Ladders.

(a) Ladders used on or in open containers shall be provided with hooks on the top of the ladder or anti-slipping devices on the feet of the ladder.

(b) Ladders used on closed containers, or for other purposes, if not provided with hooks on the top, shall be provided with anti-slipping feet, or otherwise made secure at the base. It is recommended that some suitable means be provided at all places against which ladders are placed, to prevent the top of the ladder

from slipping sidewise. This may be accomplished by means of projections permanently attached to the top of the container or other smooth places against which the ladder is placed.

§ 19.13. Dry workrooms and ventilation.

(a) Excessive amounts of foul air or steam vapor in workrooms shall be removed by an effective system of ventilation.

(b) Floors of workrooms shall be drained to prevent pools of water from accumulating. It is recommended that the walkways in tank cellars be raised a few inches to insure dry footing.

(c) When vapor is condensed on any pipes resulting in water dropping from the pipes upon persons working beneath them, drip pans shall be installed under the pipes.

§ 19.14. Bottling machines.

(a) Spout, hand-fed filling machines shall be provided with effective guards, and operated to prevent injury to a person by flying particles, in the event of a bottle exploding.

(b) Persons operating the machines in which the air pressure exceeds 5 pounds per square inch, shall, in addition, be provided with, and be compelled to wear, an approved type of arm, head and face protector.

(c) Employers shall, at their own expense, provide each employe with the protection as set forth in this section.

Subchapter B. CANNERIES

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Authority

The provisions of the Subchapter B issued under section 1 of the act of June 2, 1913 (P. L. 396, No. 267) (71 P. S. § 1441); and section 15 of the act of May 18, 1937 (P. L. 654, No. 174) (43 P. S. § 25-15), unless otherwise noted.

Source

The provisions of this Subchapter B adopted May 15, 1926; amended through July 1, 1968, unless otherwise noted.

GENERAL PROVISIONS**§ 19.21. Definitions.**

The term “cannery” when used in this subchapter means an establishment within this Commonwealth used for the manufacture, preparation or canning of perishable foodstuffs.

§ 19.22. Purpose.

This subchapter sets forth rules to safeguard the lives, limbs and health of workers in canneries within this Commonwealth and, places the responsibility of compliance with the rules upon employer and employe.

§ 19.23. Penalty.

A person who violates this subchapter or a regulation of the Department or who interferes with the Department or its authorized representative in the enforcement of this subchapter or regulations will be penalized under section 15 of act of May 18, 1937 (P. L. 654, No. 174) (43 P. S. § 25-15).

SPECIFICATIONS**§ 19.31. Laws affecting canneries.**

In addition to the requirements of this subchapter, each person, firm or corporation engaged in the manufacture, preparation or canning of perishable foodstuffs in a cannery shall be responsible for observing the requirements of the act of May 13, 1915 (P. L. 286, No. 177) (43 P. S. §§ 41—71), regulating the employment of minors and other acts enforced by the Department as they apply to canneries.

Cross References

This section cited in 34 Pa. Code § 19.32 (relating to license).

§ 19.32. License.

(a) Each person, firm or corporation now engaged in, or intending to engage in, the manufacture, preparation or canning of perishable foodstuffs shall secure a license from the Department. Each applicant for a cannery license shall state on

his application that he has complied with all laws and regulations enforced and issued by the Department and that he will comply in the future.

(b) The Department will determine whether or not compliance has been effected by means of inspections made by its authorized representatives.

(c) If compliance has been effected, the Department may authorize the operation of the cannery by issuing a license, effective for 1 year from date of issue and revocable at any time after a hearing for failure to continue compliance with the acts specified in § 19.31 (relating to laws affecting canneries).

(d) Anyone now engaged in, or intending to engage in, the maintenance and operation of a labor camp in connection with the operation of a cannery shall secure a labor camp license from the Department in accordance with Chapter 31 (relating to migrant labor).

§ 19.33. Communicable diseases.

A person who is not afflicted with a communicable disease or skin infection shall be employed in or be permitted to work in the manufacture, preparation or canning of a perishable foodstuffs.

§ 19.34. Location.

(a) Each cannery shall be so located as to permit prompt receipt and distribution of perishable foodstuffs. A cannery may not be located in the immediate vicinity of an industry or establishment or other place giving off noxious odors or which is rendered objectionable through the use or production of decomposed materials.

(b) A cannery may not be located upon a site which cannot be made sanitary or where the refuse cannot be disposed of in a sanitary manner.

§ 19.35. Construction.

(a) The roof of every cannery shall be of water-tight construction. The ceiling shall be high enough to permit safe clearance for persons working under suspended shafting, hangers, piping, galleries and other equipment unless guarded in accordance with existing regulations of the Department.

(b) The floors of canneries shall be tight, and graded around machinery, cookers, washers and other places where waste and overflow is unavoidable to confine the waste and overflow in the smallest possible area. Waste and overflow shall be drained away from machines, cookers, washers and other places where created during operations to sewers or other disposal points by means of graded gutters or pipes buried in the floor or ground. Gutters and depressions from floor level shall be adequately covered in case their construction or location makes them dangerous to limbs. The covers shall be readily removable for cleaning and scrubbing the gutters. A person may not be permitted to work at points where the floor is covered with a measurable amount of water or other liquid or wet accumulation without being provided with a working platform. The working platform

shall be of sufficient height, width and length dimensions to raise the person above the top level of liquid or wet accumulation and permit normal freedom of movement at the working point.

(c) The tops of tables shall be smooth. Tables shall be properly drained to remove waste and overflow.

(d) Each cannery shall provide means for the intake and circulation of not less than 200 cubic feet of fresh air per minute for each worker during the entire working period. If mechanical means are necessary to provide this ventilation, the means may not be installed until plans, giving the complete data for the entire installation, have been submitted to and approved by the Department.

§ 19.36. Maintenance and sanitation.

(a) Litter, waste or refuse may not be allowed to accumulate in or around the buildings or yards of a cannery. Liquid waste shall be conducted from the buildings by means of suitable drainage pipes or gutters. Gross by-products suitable for other usage, such as pea vines or corn husks, may be stacked or placed in silos. The stacks or silos shall be separate from the buildings and shall be adequately drained to intercept oozing liquid. Other by-products shall only be retained when rendered unobjectionable by giving off no perceptible odor or oozing liquid. Skins, peelings, cores or other refuse may not be piled near the buildings nor be distributed on the land within 200 feet of the buildings unless so thinly spread as to give off no perceptible odor.

(b) Machines, conveyors, floors, tables, pails, trays, cookers, washers or similar equipment shall be scalded with steam or hot water at least once each day and as often as individual cannery requirements necessitate in order to prevent souring or unsanitary conditions. A scalding or blanching machine may not be used which is not cleaned at least twice each day when in use.

(c) Only pure and wholesome water shall be used in the washing of equipment coming into contact with food or in the making of syrup or brine.

(d) The overflow of brine or syrup may not be used. Cans may not be brined or syruped by being passed through a tank (dip tank) to receive the syrup, brine or water by submergence. Tanks of water in which a product is held before filling into cans shall be provided with a continuous supply of pure and wholesome water and with an overflow.

(e) Male and female workers engaged in the preparation of food or the placing of the food in containers are not permitted to keep wearing apparel, not actually in use, in a workroom where they or others are so engaged.

(f) Each person engaged in food preparation shall wear a head covering and suitable outer clothing of a closely woven material, preferably white, that is readily washable. The head coverings and clothing shall be thoroughly boiled and washed at least once each week and as often as individual cannery operations may require.

(g) Unsanitary personal practices, including the use of tobacco or snuff in any form, the open blowing of the nose, expectorating or wetting the fingers in the mouth is prohibited. Printed notices to this effect shall be prepared by the Department and conspicuously posted by each cannery.

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