

CHAPTER 72
SANITATION OF FOOD CONTAINERS

TABLE

72-1	Fruit or Groceries Not be Exposed to Contamination in Open Air
72-3	Sanitary Use of Food Containers
72-9	Washing of Eating Utensils in Restaurants, Hotels, Taverns, etc.
72-9.1	Dish Washing Compound; Sterilization
72-11	Nursing Bottles, Sale of
72-12	Penalty, General

72-1. Fruit or Groceries Not to be Exposed to Contamination in Open Air. It shall be unlawful for any person, firm or corporation to expose for sale in the open air outside of a store or building, fruits or vegetables, groceries or confections within the city, unless the same are kept in a covered receptacle or compartments. This section shall not apply to fruits or vegetables which are ordinarily washed or divested of their outer covering before using. Fruits and vegetables of such a nature may be exposed for sale if placed upon platforms or shelves not less than 18 inches above the level of the ground or foundation upon which said platforms or shelves rest. This section shall not prohibit the placing of any articles mentioned therein upon the sidewalk preparatory to delivery or immediately after consignment.

72-3. Sanitary Use of Food Containers. 1. RECEPTACLES NOT TO BE PLACED ON SIDEWALK. It is unlawful for any person, firm or corporation to place upon the sidewalk, street, public highway or alley, and allow to remain there for more than one hour, any case, box or crate containing vials, cans, bottles, jars, or other receptacles which have been used or are intended to be used as containers for food products or for medicinal purposes.

2. DISPOSAL OF MEDICINE BOTTLES, ETC. No person, firm or corporation shall throw into the street, alley or into any public thoroughfare or into any public place any vial, can, bottle, jar or other receptacle which has been used or adapted to be used for medicinal purposes or as a container for a food product; nor shall any person, firm or

corporation discard any vial, bottle, jar or other glass or earthen receptacle that has been used as a container for any deleterious liquid or substance, unless the same be broken to cullet.

3. SECONDHAND CONTAINERS; STERILIZATION; LABELING. No receptacle used or designed to be used as a container for a food product, drug or medicinal preparation shall so be used in the course of selling, offering for sale or giving away the contents thereof, except by the owner of such receptacle in the conduct of his business; and no receptacle designed to be used as a container for a food product, drug or medicinal preparation shall be used or filled by any person, firm or corporation if the name, label, trademark or device of any person, firm or corporation other than that of the user thereof appears thereon, and no such receptacle or container shall be refilled until thoroughly sterilized and cleansed.

4. SALE OF SECONDHAND CONTAINERS. No person, firm or corporation, excepting the owner, shall sell or offer for sale any vial, can, bottle, jar or other receptacle of any kind which has been once filled and used for medicinal purposes or as a container for a food product, and which has blown or stamped therein or thereon the name of the manufacturer first using the same; provided, however, that the taking or accepting of a deposit as security for the return of any such vial, bottle, jar or other receptacle shall not be deemed a sale of the same.

5. ENFORCEMENT. It is the duty of the commissioner of health and his assistants and deputies to enforce this section; provided, however, that any person upon proper complaint may have warrant or process issued against any person, firm or corporation for breach of the provisions of said sections and for the enforcement thereof.

72-9. Washing of Eating Utensils in Restaurants, Hotels, Taverns, etc. In order to insure proper cleansing and disinfection of glasses, dishes and eating utensils in hotels, restaurants, lunch rooms, soda fountains, taverns, palm gardens, beverage parlors and

72-9.1 Sanitation of Food Containers

similar establishments, one of the following methods of washing and cleansing of such glasses, dishes and utensils shall be applied:

1. METHOD 1. Glasses, dishes and other eating utensils which are used more than once shall be thoroughly washed and cleansed in hot water containing soap or other effective cleansing agent in such a way as to remove completely all foreign matter. They shall then be thoroughly rinsed in clean hot water and drained. The temperature of such rinse water shall at no time fall below 170° F.

2. METHOD 2. Glasses, dishes, and other eating utensils which are used more than once shall be thoroughly washed and cleansed in hot water containing a soap or other effective cleansing agent, in such a way as to remove completely all foreign matter. They shall then be immersed in a germicidal solution containing 200 parts per million of free or available chlorine, or any germicidal solution containing not less than 150 parts per million of quaternary ammonium compound or compounds.

72-9.1. Dish Washing Compound; Sterilization.

No person, association or corporation shall sell or offer for sale in the city any solution or preparation containing any quaternary ammonium compound with any recommendation, either verbal or written, that it be used for the sterilizing of glasses, dishes or eating utensils unless the solution or preparation contains at least 10% by weight of quaternary ammonium compound or compounds and unless the label or other accompanying directions for use provide for a concentration in the final rinse water of not less than 150 parts per million of quaternary ammonium compound or compounds.

72-11. Nursing Bottles, Sale of. It shall be unlawful for any person or persons, firm or corporation to use or to engage in the sale of any bottle, mechanism or other device for the artificial feeding or nursing of infants or children that has connected therewith a rubber tube, hose or similar contrivance.

72-12. Penalty, General. Any person, firm or corporation violating any of the provisions of ss. 72-1 to 72-11 shall, upon conviction thereof, be punished by a fine not to exceed \$50 or in default of payment thereof shall be committed to the county jail or house of correction of Milwaukee county for a period not to exceed 30 days.

Sanitation of Food Containers 72--(HISTORY)

LEGISLATIVE HISTORY CHAPTER 72

Abbreviations:

am = amended
cr = created

ra = renumbered and amended
rc = repealed and recreated

rn = renumbered
rp = repealed

<u>Section</u>	<u>Action</u>	<u>File</u>	<u>Passed</u>	<u>Effective</u>
72-1	cr	84*	3/1/09	
72-3	cr	1471	1/15/12	
72-3-3	am	10849	8/28/16	
72-9	am	46-1324	10/28/46	11/4/46
72-9	am	48-221	5/24/48	6/2/48
72-9.1	cr	46-1324	10/28/46	11/14/46
72-12	rc	46-1667	11/12/46	11/19/46

* Common Council files were not numbered; this was the 84th ordinance passed in the 1909-10 Council year.

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