Memorandum

Date: 10/29/2008

To: Florida State Beekeepers Association (FSBA) - Board of Managers

From: FSBA Committee Appointed to Study Changes in Food Regulation for Small Beekeepers

RE: Committee Report and Recommendations

A Resolution "To Support Changes in Food Regulations for Part Time Honey Producers," was presented to the FSBA Board of Managers by representatives of the Apalachee Beekeepers Association (ABA) at the mid-year 2008 meeting in Orlando. The managers unanimously passed a motion tabling action on the resolution until the fall meeting. A committee was appointed to work on the issue. The committee is pleased to report progress as follows.

The committee---while in support of the Standard of Identity – Honey (Proposed rule 5K- 4.027)---also recognizes the need to lighten the regulatory burden and enable small scale honey producers a competitive place in the local market. To that effect the committee has identified several possible actions. The summary of the committee's recommendations is attached for your reference.

Currently we have high public interest in honeybees, beekeeping, natural products and local markets. Consumer demand for quality, local products is high. Discerning consumers want more control over the products they purchase. Enabling small scale honey producers to economically compete in the market with a product meeting the "Honey Standard" is good for consumers and beekeepers alike. Opening markets is beneficial to the Florida Beekeeping industry. Equipment suppliers, queen breeders, package/nuc producers, local associations, the FSBA stand to profit. Increasing the number of local apiaries also increases local agriculture's access to pollinators.

The committee recommends that FSBA support action to seek regulatory relief for small-scale honey producers. With the legislative process now ramping up for the 2009 session, time is of the essence. Failure to proceed now can only delay relief for small scale honey producers. The work of this research committee is complete, we recommend appointing a committee to proceed with action.

The committee supports a Standard of Identity – Honey. We view the adoption of the Honey Standard as complementing the committee's efforts, because small-scale producers interact with their customers and are directly accountable to them. Their honey will meet the standard. In the time since the FSBA mid-year meeting we have heard that "the adoption of the honey standard is only a week or two away" and as we prepare for the FSBA fall meeting, adoption of the honey standard is still "only a week or two away." The Committee has been content to wait until adoption of the honey standard to begin pursuit of regulatory changes, but all small-scale honey producers and our consumers are running out of time. If we do not introduce the committee's proposed regulatory changes prior to the 2009

Legislative Session, another 18 months will pass before any changes can be implemented. We cannot afford to wait. We need to launch regulatory reform while public interest in honeybees and beekeeping is high. The current state of the economy is ripe for proposals that reduce regulatory burden in order to stimulate the economy.

The committee requests FSBA support of the committee's proposed regulatory changes during the 2009 Legislative Session. An Executive Summary of the committee's proposals and the full text of each proposal are attached for your reference.

We thank the Board for their consideration of this important matter.

Committee Members

Brinnen Carter
Tony Hogg
Bob Livingston
Gary Ranker
Roger Twitchell

cc: Laurence Cutts, FSBA President, Elmore Herman, FSBA Past President, Gary Ranker, FSBA Vice-President, Burt Kelley, FSBA Treasurer, Dr. Malcolm Sanford, Executive Secretary, Nancy Gentry, FSBA Public Relations Coordinator

Attachments

Executive Summary of Apalachee Beekeepers Proposed Regulatory Revisions

After reviewing the applicable statutes, rules and other information the Food Regulation for Small Beekeepers Committee developed three paths to regulatory relief for small honey producers.

The first amends section (s.) 500.12(1)(a) Florida Statutes (F.S.) adding a specific exemption from the food permit requirements for "Registered Florida beekeepers that produce, bottle and sell their own honey." This approximates the exemption granted to sellers of peanuts in the shell, parched, roasted or boiled and persons selling sugar cane or sorghum syrup.

The second amends s. 500.03(1)(n) substituting "raw agricultural commodities" for language concerning raw fruits and vegetables in their "raw or natural states…" Also amended is s. 500.03(1)(y) to include "liquid, crystalline or comb honey, or a mixture thereof, that has been packaged in its raw natural state" in the definition of "raw agricultural commodities." Establishments that pack raw agricultural commodities are not included in the definition of a "food establishment" (Section 500.12 (1)(a)).

Our third proposes Best Management Practices (BMPs) for operating and regulating "Small Beekeepers/Honey Producers." Small Beekeepers/Honey Producers are defined as a registered Florida Beekeeper producing and retailing honey from Florida and having less than $15,000/year in gross retail honey sales. The proposed BMP allows small beekeepers/honey producers to bottle or package honey in a home kitchen with common–sense restrictions (see attached). If the food establishment does not have a toilet room provided, then a restroom, in a nearby home, farmstead or business can be utilized. Also, since minimal water is used for hot water washing of equipment and for warming the honey prior to packaging, this water does not fall under the classification of "wastewater," but should be disposed of in a manner that does not create an unsafe or unsanitary condition for the food establishment. A portable container of potable water, such as a water cooler, may be used as the source of running water.

In addition to the proposals developed so far, we are continuing to develop ideas that can lead to satisfactory relief for all beekeepers.

Proposal No. 1

Amendments to section 500.12(1)(a) F.S.

Food permits; building permits.--

(1)(a) A food permit from the department is required of any person who operates a food establishment or retail food store, except:

1. Persons operating minor food outlets, including, but not limited to, video stores, that sell commercially prepackaged, nonpotentially hazardous candy, chewing gum, soda, or popcorn, provided the shelf space for those items does not exceed 12 linear feet and no other food is sold by the minor food outlet.

2. Persons subject to continuous, onsite federal or state inspection.

3. Persons selling only legumes in the shell, parched, roasted, or boiled.

4. Persons selling sugar cane or sorghum syrup that has been boiled and bottled on a premise located within the state. Such bottles must contain a label listing the producer's name and street address, all added ingredients, the net weight or volume of product, and a statement that reads "This product has not been produced in a facility permitted by the Florida Department of Agriculture and Consumer Services."

5. Registered Florida beekeepers who produce, bottle and sell his/her honey.

Proposal No. 2

Amendments to sections 500.03(1)(n) and 500.03(1)(y) F.S.

(n) "Food establishment" means any factory, food outlet, or any other facility manufacturing, processing, packing, holding, or preparing food, or selling food at wholesale or retail. The term does not include any business or activity that is regulated under chapter 509 or chapter 601. The term includes tomato packinghouses but does not include any other establishments that pack raw agricultural commodities.

(y) "Raw agricultural commodity" means any food in its raw or natural state, including all fruits that are washed, colored, or otherwise treated in their unpeeled natural form prior to marketing and liquid, crystalline, or comb honey, which has been extracted and bottled---or otherwise packaged---in its raw natural state.

Proposal No. 3

Best Management Practices (BMPs) for Small Beekeepers/Honey Producers

Purpose

The purposes of the Best Management Practices (BMPs) outlined in this document are to

- enhance the safety of honey that is produced and bottled by small Florida beekeepers/ honey producers (less than $15,000 per year in retail sales) for retail sale in Florida or from Florida, and
- increase the number of beekeepers and the corresponding number of managed beehives in the State of Florida (state) by reducing the regulatory burden and costs associated with the processing and the retail sale of honey.

Implementation of these BMPs will allow small beekeepers to recoup some of the costs of their beekeeping activities and remove economic and regulatory barriers to entry into this critical, value-accruing, agricultural endeavor.

This guidance is intended to be a cooperative effort between small beekeepers/honey producers and the Florida Department of Agriculture and Consumer Services (FDACS). The purpose of the cooperative effort is to help small beekeepers/honey producers produce and market honey from their own hives. These beekeepers will be responsible for making their honey available for retail sale in a safe and cost-effective manner. The cooperative effort will allow for the Florida Department of Agriculture and Consumer Services (FDACS) Division of Food Safety and others to inspect these operations.

This BMP is intended only for the processing of honey for retail sale by small beekeepers/honey producers. The BMP is not intended for use with other related products such as honey candy, flavored honey, salad dressings, marinades, jellies, or other products in which honey is an ingredient.

Background

The importance of honeybees to Florida's economy and to the well being of Florida's citizens is well-documented. Florida's honey industry is consistently ranked among the top five in the nation. Florida beekeepers extract and sell approximately seventeen million pounds of honey in Florida each year with an annual worth of $13 million. In addition, the Florida honeybees benefit Florida's fruit and vegetable industry by providing an estimated $20 million in increased yields through enhanced pollination, pollination unavailable in any other way. There are over 100 varieties of popular fruits vegetables, nuts and seeds that use pollination to ensure fruitful crops.[i] The honeybee is credited with approximately 85% of the pollinating activity necessary to supply about one-third of the nation's food supply.[ii]

Beekeepers are equally important to Florida's economy and to the well being of Florida's citizens. Florida's beekeepers are the first line of defense against the spread of the Africanized Honey Bee (AHB). Beekeepers do this by managing their bee stock to maintain gentleness[iii]. Increasing the number and distribution of managed European honeybee colonies helps slow the

spread of Africanized bees in the state and adds to the genetic diversity of the European honeybee colonies. Slowing the spread of AHB has two benefits; reduction of bees that might cause highly publicized stinging incidents (bad for tourism) and reducing the competition between wild colonies and colonies of managed, docile European bees.[iv]

The efforts of FDACS, the Florida State Beekeepers Association, University of Florida Honeybee Research and Extension Lab, and others are adding approximately 100 new small beekeepers/honey producers each year. Adopting these Best Management Practices will allow FDACS to provide adequate regulatory oversight of an increasing number of beekeepers/honey producers without a corresponding increase in costs and personnel.

Honey is a low risk food product and falls into a group known as "value-added" products. Honey, a raw agricultural commodity made by honey bees, is sold either with the sealed honeycomb; naturally settled or extracted, then strained and packaged in containers or stored in 55 gallon barrels. Usually gentle heating is used to liquefy the honey before filling the containers.

Extracting honey is currently not considered "processing" under the Florida food statutes or rules. However, the bottling of liquid and/or chunk honey or the packaging of comb honey is considered "processing" and the location at which honey is processed (packaged and/or bottled) for retail sale is considered a "food establishment" under section 500.12 Florida Statutes (F.S.) and as such, is required to meet the food permit requirements and fees found in Chapter 5K-4.020 Florida Administrative Code (FAC).

Honey is usually extracted in a "honey house." The honey house is not considered a "food establishment" under s. 500.12 F.S and does not need to meet the food permits, requirements and fees found in Ch. 5K-4.020 FAC as long as honey is only extracted and/or packaged for non-retail sale at that location.

Processors/packagers of honey are considered a "Processor, other non-perishable foods" per Chapter 5K-4.020 and a food permit of $330 per year is required. Small producers with gross food sales of less than $15,000/year may qualify for a "limited sales permit" which costs $100/ year.

For purposes of these BMPs, honey must be produced by a registered Florida Beekeeper from honeybees that he owns and manages and the honey must be processed by the beekeeper/honey producer for retail sale. Honey produced for wholesale, bottling of honey produced by others, re-labeling or reselling selling honey produced and bottled by others is not covered by this document.

Small beekeepers/honey producers covered under the BMPs will be issued a permit to operate as "limited sales" or be given a new "small beekeepers/honey producer" designation.

The cost of the designation will not exceed $100/year. Small beekeepers/honey producers covered by these BMPs will also be required to hold a certified food manager designation required under chapter 5K-4.021, F.S.

Labels affixed to honey bottled or packaged for sale under these BMPs shall contain the statement "This honey was produced and packaged by a Licensed Florida Small Beekeeper/ Honey producer under Best Management Practices approved by the Florida Department of Agriculture and Consumer Services."

Definitions

Honey house: includes a structure that may be part of a residence, an indoor facility located close to a residence or an indoor facility located at another location where the honey supers are taken and the frames removed prior to uncapping for extraction or cutting/trimming for cut comb, chunk or section honey. It may be used for both extracting and bottling/packaging of honey intended for retail sale.

Honey super: A large wooden box that holds individual frames that contain the wax foundation for making the honey comb.

Small beekeepers/honey producers: a registered Florida Beekeeper who produces and bottles his own honey for retail sale in or from Florida and has less than $15,000/year in gross retail sales of honey.

Guidance

The following is guidance for a food processing plant (food establishment) that processes honey. Generally, food processing plants must be operated pursuant to Chapter 5K-4.004 Florida Administrative Code (FAC). The following guidance states the FAC provision (*in italics*) followed by BMPs specific to honey houses.

(1) PLANT AND GROUNDS.
(a) Grounds – the grounds about a food plant under the control of the operator shall be free from conditions which may result in the contamination of food including, but not limited to, the following:
1. Improperly stored equipment, litter, waste, refuse, and uncut weeds or grass within the immediate vicinity of the plant building or structures that may constitute an attractant, breeding place, or harborage for rodents, insects, and other pests.
2. Excessively dusty roads, yards or parking lots that may constitute a source of contamination in areas where food is exposed.
3. Inadequately drained areas that may contribute contamination to food products through seepage or food-borne filth and by providing a breeding place for insects or microorganisms.
4. If the plant grounds are bordered by grounds not under the operator's control of the kind described in subparagraphs 1 through 3 of this paragraph, care must be exercised in the plant by inspection, extermination, or other means to effect exclusion of pests, dirt, and other filth that may be a source of food contamination.

- The area around the honey house should be kept clean and well maintained to minimize the amount of pests, dirt and other filth that may be a source of food contamination.

(b) Plant buildings and structure shall:
1. Be suitable in size, construction, and design to facilitate maintenance and sanitary operations for food processing purposes. Plants that are engaged primarily in the processing of foods must have concrete or other impervious floors with proper slope to adequate floor drains as may be required. None of the operations connected with a food processing plant shall be conducted in any room or area used as living or sleeping quarters. There shall be no direct opening between living quarters and any room or area where foods are manufactured or processed.

- Whatever facility is used, it cannot be used for any other purpose other than honey extraction and processing at the time of extraction/processing. A home kitchen may be used as a food establishment for this seasonal operation, provided that no other room that is used for living or sleeping purposes opens directly into the kitchen without at least a door or gate that can minimize unauthorized entry.
- If a honey house is used, it can only be used for honey extracting/processing, however, if the room meets all requirements of chapter 500 F.S. and Rule 5k-4 FAC, it can be used for producing other honey products such as honey candy, salad dressings, etc.
- Non-food products made from beeswax should not be produced in the same area at the same time as honey processing, unless it is separated and not a source of contamination.
- Equipment may be stored in the honey house in the off season
- Clothing apparel must be stored in another room not used for any part of the food establishment.
- The changing of clothing apparel must also be conducted in areas not part of the food establishment.

2. Provide sufficient space for such placement of equipment and storage of materials as is necessary for sanitary operations and production of safe food. Floors, walls, and ceilings in the plant shall be of such constriction as to be adequately cleanable and shall be kept clean and in good repair. Fixtures, ducts, and pipes shall not be so suspended
over working areas that drip or condensate may contaminate foods, raw materials, or food-contact surfaces. Aisles or working spaces between equipment and between equipment walls shall be unobstructed and of sufficient width to permit employees to perform their duties without contamination of food or food-contact surfaces with clothing or personal contact.
3. Provide separation by partition, location, or other effective means for those operations which may cause contamination of food products with undesirable microorganisms, chemicals, filth or other extraneous material.

- The honey house and equipment must be constructed to meet the needs of the honey process and be easily cleanable.

4. Provide adequate lighting to hand washing areas, dressing and locker rooms, and toilet rooms and to all areas where food or food ingredients are examined, processed or stored and where equipment and utensils are cleaned. Light bulbs, fixtures, skylights, or other glass suspended over exposed food in any step of preparation or display shall be of the safety type or otherwise protected to prevent food contamination in case of breakage.

- Lighting may be electrical, natural light coming through windows, artificial electrical lights or gas lanterns. Lighting must be placed as to avoid contamination of honey, if a fixture should break.
- Light bulbs shall be shielded, coated, or otherwise shatter resistant over the processing and bottling equipment.

5. Provide adequate ventilation or control equipment to minimize odors and noxious fumes or vapors (including steam) in areas where they may contaminate food. Such ventilation or control equipment shall not create conditions that may contribute to food contamination by airborne contaminants.

- Ventilation should be such as to minimize odors and vapors. Fans, screened windows or other effective means may be used to achieve adequate ventilation.

6. Provide, where necessary, effective screening or other protection against birds, animals, and vermin (including, but not limited to, insects and rodents).

(2) EQUIPMENT AND UTENSILS. All plant equipment and utensils should be:
(a) Suitable for their intended use,
(b) So designed and of such material and workmanship as to be adequately cleanable, and
(c) Properly maintained.
The design, construction and use of such equipment and utensils shall preclude the adulteration of food with lubricants, fuel, metal fragments, contaminated water or any other contaminants. All equipment should be so installed and maintained as to facilitate the cleaning of the equipment and of all adjacent spaces.
(3) SANITARY FACILITIES AND CONTROLS. Each plant shall be equipped with adequate sanitary facilities and accommodations including, but not limited to, the following:
(a) Water supply – The water supply shall be sufficient for the operations intended and shall be derived from an adequate source. Any water that contacts foods or food-contact surfaces shall be safe and from an approved source in accordance with applicable provisions of the state sanitary code. Running water, at a suitable temperature and under
pressure, as needed, shall be provided in all areas where the processing of food, the cleaning of equipment, utensils or containers, or employees' sanitary facilities, require.

- A portable container of potable water, such as a water cooler, may be used as the source of running water.
- If well water is used, a sample must be taken annually to determine that it is potable. A copy of the sample results shall be kept on site and available for review.

(b) Sewage disposal – Sewage disposal shall be made into an approved sewerage system or disposed of through other approved means, in accordance with applicable provisions of state sanitary code.
(c) Plumbing – Plumbing shall be sized, installed, and maintained in accordance with applicable provisions of the state sanitary code, and maintained to:
1. Carry sufficient quantities of water to required locations throughout the plant.
2. Properly convey sewage and liquid disposable waste from the plant.

3. Not constitute a source of contamination to foods, food products or ingredients, water supplies, equipment, or utensils or create an unsanitary condition.
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.

- Since minimal water is used for hot water washing of equipment and for warming the honey prior to packaging, this water does not fall under the classification of "waste water," but should be disposed of in a manner that does not create a safety or unsanitary condition for the food establishment.

(d) Toilet facilities – Each plant shall provide its employees with adequate toilet and associated hand-washing facilities within the plant in accordance with applicable provisions of the state sanitary code. Fixtures shall be of readily cleanable sanitary design. Water closets shall be equipped with open-front type seats of smooth non-absorbent material. Toilet rooms shall be furnished with toilet tissue. Toilet rooms shall be maintained in a sanitary condition and kept in good repair at all times. Doors to toilet rooms shall be self-closing and shall not open directly into areas where food is exposed to airborne contamination, except where alternate means have been taken to prevent such contamination (such as double doors, positive air-flow systems, etc). Signs shall be posted requiring employees to use cleaning soap or detergents after using toilet.
(e) Hand-washing facilities – Adequate and convenient facilities for hand washing and, where appropriate, hand sanitizing shall be provided at each location in the plant where good sanitary practices require employees to wash or sanitize and dry their hands. Such facilities, where appropriate, shall be furnished with running water at a suitable temperature for hand washing, effective hand-cleaning and sanitizing preparations, sanitary towel service or suitable drying devices and, where appropriate, easily cleanable waste receptacles. The use of "common" towel is forbidden.

- A food establishment must have a convenient toilet room separate and apart from and not opening directly into a room that is used for food handling.
- A washroom must be adjacent to each toilet room.
- If the food establishment does not have a toilet room provided, then a restroom, in a nearby home, farmstead or business can be utilized.
- The restroom must have a toilet with a hand sink, soap, potable hot and cold running water, and clean individual towels.

(f) Rubbish and offal disposal – Rubbish and any offal shall be so conveyed, stored, and disposed of as to minimize the development of odor, prevent waste from becoming an attractant and harborage or breeding place for vermin, and prevent contamination of food, food-contact surfaces, ground surfaces, and water supplies.

(4) SANITARY OPERATIONS.
(a) General maintenance – Building, fixtures, and other physical facilities of the plant shall be kept in good repair and shall be maintained in a sanitary condition. Cleaning operations shall be conducted in such a manner as to minimize the danger of contamination of food and food-contact surfaces. Detergents, sanitizers, and other supplies employed in cleaning and sanitizing procedures shall be free of significant microbiological

contamination and shall be safe and effective for their intended uses. Only such toxic materials as are required to maintain sanitary conditions, for use in laboratory testing procedures, for plant and equipment maintenance and operation, or in manufacturing or processing operations, shall be used or stored in the plant. These materials shall be identified and used only in such manner and under conditions as will be safe for their intended uses.

- The honey house and equipment shall be kept in good repair and maintained in a sanitary condition.
- Detergents, sanitizers and other supplies should be safe and effective for their intended use.
- In the food establishment, no storage or handling of gasoline, oil, pesticides, or other hazardous materials shall be allowed

(b) Animal and vermin control – No animals or birds, other than those essential as raw material, shall be allowed in any area of a food plant. Effective measures shall be taken to exclude pests from the processing areas and to protect against contamination of foods in or on the premises by animals, birds, and vermin (including, but not limited to, rodents and insects). The use of approved insecticides or rodenticides is permitted only under such precautions and restrictions as will prevent the contamination of food or packaging materials with illegal residues.

- A food establishment must be protected by all reasonable means against the presence of, and entrance of domestic animals, rodents, flies, bees and other insects.
- Outer openings should be protected and floor/wall junctures sealed as necessary against rodents, squirrels and other vermin.
- Domestic animals are not allowed in the food establishment at during the time of extraction/processing.

(c) Sanitation of equipment and utensils – All utensils and product-contact surfaces of equipment shall be cleaned as frequently as necessary to prevent contamination of food and food products. Nonproduct-contact surfaces or equipment used in the operation of food plants should be cleaned as frequently as necessary to minimize accumulation of dust, dirt, food particles, and other debris. Single-service articles (such as utensils intended for one-time use, paper cups, paper towels, etc.) should be stored in appropriate containers and handled, dispensed, used, and disposed of in a manner that prevents contamination of food or food-contact surfaces. Where necessary to prevent the introduction of undesirable microorganisms into food products, all utensils and product-contact surfaces of equipment used in the plant shall be cleaned and sanitized prior to such use and following any interruption during which such utensils and contact surfaces may have become contaminated. Where such equipment and utensils are used in a continuous production operation, the contact surfaces of such equipment and utensils shall be cleaned and sanitized on a predetermined schedule using adequate methods for cleaning and sanitizing. Sanitizing agents shall be effective and safe under conditions of use. Any facility, procedure, machine, or device may be acceptable for cleaning and sanitizing equipment and utensils if it is established that such facility, procedure, machine, or device will routinely render equipment and utensils clean and provide adequate sanitizing treatment.

- The floors, sidewalls, ceiling, furniture, receptacles, implements, and machinery of a food establishment must at all times be clean and sanitary.

- Non-food contact surfaces, such as floors, sidewalls, and ceilings shall be cleaned prior to the start of the season and as needed.
- Surfaces should be free of any loose paint or other foreign material that could fall into the extractor or other equipment and be a source of contamination.
- Food contact surfaces shall be in good repair, easily cleanable, food grade quality and not contain any chemicals or other hazardous materials. This includes storage tanks/barrels, piping, sump tank, filtering cloths, and any other processing or filling equipment and containers.
- Equipment shall not contain any deleterious substances, such as lead, lead solder or lead paint.
- Use only approved preservatives and paints on the hives.
- Glass or plastic jars should be cleaned, as needed, before filling either by using pressurized air, a dishwasher or manually washed and air dried.
- Food contact equipment and surfaces shall be cleaned prior to and after use, and whenever it becomes contaminated, using suitable cleaning compounds.

(d) Storage and handling of cleaned portable equipment and utensils – Cleaned and sanitized portable equipment and utensils with product-contact surfaces should be stored in such a location and manner that product-contact surfaces are protected from splash, dust, and other contamination.

- All food contact equipment shall be stored off the floor and protected from splash, dust and other contamination.

(5) PROCESSES AND CONTROLS. All operations in the receiving, inspecting, transporting, packaging, segregating, preparing, processing, and storing of food shall be conducted in accordance with adequate sanitation principles. Overall sanitation of the plant shall be under the supervision of an individual assigned responsibility for this function. All reasonable precautions, including the following, shall be taken to assure that production procedures do not contribute contamination such as filth, harmful chemicals, undesirable microorganisms, or any other objectionable material to the processed product:
(a) Raw material and ingredients shall be inspected and segregated as necessary to assure that they are clean, wholesome, and fit for processing into human food and shall be stored under conditions that will protect against contamination and minimize deterioration. Raw materials shall be washed or cleaned as required to remove soil or other contamination. Water used for washing, rinsing, or conveying of food products shall be of adequate quality, and water shall not be reused for washing, rinsing or conveying products in a manner that may result in contamination of food products.
(b) Containers and carriers of raw ingredients should be inspected on receipt to assure that their condition has not contributed to the contamination or deterioration of the products.
(c) When ice is used in contact with food products, it shall be made from potable water and shall be used only if it has been manufactured in accordance with adequate standards and stored, transported and handled in a sanitary manner.
(d) Food-processing areas and equipment used for processing human food should not be used to process nonhuman food-grade animal feed or inedible products unless there is no reasonable possibility for the contamination of the human food.

(e) Processing equipment shall be maintained in a sanitary condition through frequent cleaning, including sanitization where indicated. Insofar as necessary, equipment shall be taken apart for thorough cleaning.

(f) All food processing, including packaging and storage, should be conducted under such conditions and controls as are necessary to minimize the potential for undesirable bacterial or other microbiological growth, toxin formation or deterioration or contamination of the processed product or ingredients. This may require careful monitoring of such physical factors as time, temperature, humidity, pressure, flow-rate and such processing operations as freezing, dehydration, heat processing and refrigeration to assure that mechanical breakdowns, time delays, temperature fluctuations, and other factors do not contribute to the decomposition or contamination of the processed products.

(g) Chemical, microbiological, or extraneous material testing procedures shall be utilized where necessary to identify sanitation failures or food contamination, and all foods and ingredients that have become contaminated shall be rejected or treated or processed to eliminate the contamination where this may be properly accomplished.

(h) Packaging processes and materials shall not transmit contaminants or objectionable substances to the products, shall conform to any applicable food additive regulation (21 CFR – part 121) and should provide adequate protection from contamination.

(i) Meaningful coding of products sold or otherwise distributed from a manufacturing, processing, packing, or repacking activity should be utilized to enable positive lot identification to facilitate, where necessary, the segregation of specific food lots that may have become contaminated or otherwise unfit for their intended use. Records should be retained for a period of time that exceeds the shelf life of the product, except that they need not be retained more than 2 years.

(j) Storage and transportation of finished products shall be under such conditions as will prevent contamination and will protect against undesirable deterioration of the product and the container. Food that is being held for later sale or use shall be stored on pallets or equivalent with adequate separation between lots and walls to permit personnel to properly clean and protect such food. Sources of contamination that foods and food products shall be protected against include, but are not limited to, dust, flies, rodents and other vermin, toxic material, unclean equipment and utensils, unnecessary handling, flooding by sewage, overhead leaking, and development of pathogenic and toxigenic microorganisms.

(6) PERSONNEL. The plant management shall take all reasonable measures and precautions to assure the following:

(a) Disease control – No person affected by disease in a communicable form, or while a carrier of such disease, or while affected with boils, sores, infected wounds, or other abnormal sources of microbiological contamination, shall work in a food plant in any capacity in which there is a reasonable possibility of food or food ingredients becoming contaminated by such person, or of disease being transmitted by such person to other individuals.

(b) Cleanliness – All persons, while working in direct contact with food preparation, food ingredients, or surfaces coming into contact therewith shall:

1. Wear clean outer garments, maintain a high degree of personal cleanliness, and conform to hygienic practices while on duty, to the extent necessary to prevent contamination of food products.

2. Wash their hands thoroughly (and sanitize, if necessary to prevent contamination by undesirable microorganisms) in an adequate hand-washing facility before starting work, after each absence from the work station, and at any other time when the hands may have become soiled or contaminated.

- Persons working in a food establishment must be able to wash their hands and arms with soap and clean water before beginning work, before resuming work after breaks; or visiting a toilet room.
- If the restroom is not located nearby and convenient to the food establishment, a hand washing facility shall be provided at the site in the processing area.
- Soap, disposable paper towels, and a method to adequately wash hands shall be provided and used.
- A portable water dispenser may be used as part of a hand washing facility.

3. Remove all insecure jewelry and, during periods where food is manipulated by hand, remove from hands jewelry that cannot be adequately sanitized.
4. If gloves are used in food handling, maintain them in an intact, clean, and sanitary condition. Such gloves should be of an impermeable material except where their usage would be inappropriate or incompatible with the work involved.
5. Wear hair nets, caps or other effective hair restraints. Hair spray or the equivalent is not acceptable as a hair restraint.
6. Not store clothing or other personal belongings, eat food or drink beverages, or use tobacco in any form in areas where food or food ingredients are exposed or in areas used for washing equipment or utensils.
7. Take any other necessary precautions to prevent contamination of foods with microorganisms or foreign substances including, but not limited to, perspiration, hair, cosmetics, tobacco, chemicals and medicants.
(c) Education and training – Personnel responsible for identifying sanitation failures or food contamination should have a background of education or experience, or a combination thereof, to provide a level of competency necessary for production of clean and safe food. Food handlers and supervisors should receive appropriate training in
proper food-handling techniques and food-protection principles and be cognizant of the danger of poor personal hygiene and unsanitary practices.
(d) Supervision – Responsibility for assuring compliance by all personnel with all requirements of this rule shall be clearly assigned to competent supervisory personnel.
(7) DIETARY SUPPLEMENTS CONTAINING EPHEDRINE ALKALOIDS. Dietary supplements containing ephedrine alkaloids present an unreasonable risk of illness or injury to health under conditions of use recommended or suggested in the labeling, or if no conditions of use are recommended or suggested in the labeling, under ordinary conditions of use. Therefore ephedrine alkaloids are deleterious substances, and dietary supplements containing ephedrine alkaloids are adulterated under Section 500.10, F.S.
(8) EXCLUSIONS. The following operations are excluded from coverage under these general regulations, however, the department will issue special regulations when believed necessary to cover these excluded operations: Establishments engaged solely in the harvesting, storage, or distribution of one or more raw agricultural commodities which are ordinarily cleaned, prepared, treated or otherwise processed before being marketed to the consuming public.

(9) REVIEW OF PLANS BY THE DEPARTMENT.
(a) An Applicant or holder of a food permit may request assistance from the department in the review of construction or remodeling plans to evaluate conformance with requirements as established in this chapter.
(b) The fee for plan review assistance will be determined by multiplying the number of reviewer hours expended in reviewing plans and in consulting with the applicant, at the rate of $30.10 per hour. An additional flat fee of $25.00 per plan review will be charged for associated expense costs such as FAX, telephone, mailing, shipping or document duplication expenditures incurred by the department. Time expended shall be recorded in quarter hour increments with a minimum charge of one hour per plan review. Payment for plan review assistance is due 15 days from the date of invoice from the department.

Chapter 500 FS: Florida Food Safety Act

The purpose of the Florida Food Safety Act is to ensure that foods are safe, wholesome and not adulterated. Included is the requirement that honey in packaged form must be labeled with the name and address of the manufacturer, packer or distributor, and an accurate statement of the quantity of the contents in terms of weight and measure.

In addition, 21 Code of Federal Regulations (CFR), Part 131-169, states the final product can not contain ingredients that are "deceptive or fraudulent to the consumer." These products may not have added ingredients, such as coloring or preservative, if they are to maintain the common name of the product.

[i] http://www.doacs.state.fl.us/pi/plantinsp/apiary/apiary.html

[ii] http://edis.ifas.ufl.edu/AA145

[iii] http://edis.ifas.ufl.edu/MG113

[iv] http://edis.ifas.ufl.edu/MG113