

APA-3

**CERTIFICATION OF ADMINISTRATIVE RULES  
FILED WITH THE LEGISLATIVE SERVICES AGENCY  
OTHNI LATHRAM, DIRECTOR**

(Pursuant to Code of Alabama 1975, §41-22-6, as amended).

I certify that the attached is/are correct copy/copies of rule/s as promulgated and adopted on Thursday, December 12, 2024, and filed with the agency secretary on Tuesday, December 17, 2024.

**AGENCY NAME:** Alabama State Board of Health Environmental Health Administration

**INTENDED ACTION:** Repeal and Replace

**RULE NO.:** Chapter 420-3-15

(If amended rule, give specific paragraph, subparagraphs, etc., being amended) **420-3-15-.02 was replaced with a new section titled Adoption by Reference and the numbering from the previous submission changed (.02 - .08 changed to .03 -.09)**

**RULE TITLE:** Crab Sanitation Program (Repealed)

**ACTION TAKEN:** State whether the rule was adopted with or without changes from the proposal due to written or oral comments:

**Adopted with changes.** 420-3-15 should include a reference to the federal seafood requirements in 21 CFR part 123 so that requirements for process documentation and labeling will be consistent with the federal requirements.

NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XLII, ISSUE NO. 12, AAM,  
DATED MONDAY, SEPTEMBER 30, 2024.

**STATUTORY RULEMAKING AUTHORITY:** Code of Alabama, 1975, §22-20-5

**REC'D & FILED**  
DEC 17 2024  
(For LRS Use Only)  
**LEGISLATIVE SVC AGENCY**

*Sancha Howard*

Sancha Howard

Certifying Officer or his or her  
Deputy

**APA-3**

(NOTE: In accordance with §41-22-6(b), as amended, a proposed rule is required to be certified within 90 days after completion of the notice.)

ALABAMA STATE BOARD OF HEALTH  
ENVIRONMENTAL HEALTH ADMINISTRATION  
ADMINISTRATIVE CODE

CHAPTER 420-3-15  
CRAB SANITATION PROGRAM (REPEALED)

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(1) **Purpose:** These rules provide standards for the sanitary processing, handling and transportation of crabs and crab meat; for permit issuance, suspension, and revocation for establishments processing, handling, and transporting crabs and crab meat; and prohibit the sale of adulterated or misbranded crab meat.

(2) **Applicability:** These rules apply to all persons involved in the handling, processing, and sale of crab meat. Due to special circumstances, administration and enforcement of these rules are to be conducted by the State Health Officer or his/her designee.

(3) **Authority:** The State Committee of Public Health is authorized to adopt and promulgate these rules under and by virtue of the authority of Sections 22-2-2(6) and 22-20-5, Code of Alabama, 1975. Due to special circumstances, administration and

enforcement of these rules are to be carried out by the State Health Officer.

(4) **Definitions:** The following definitions shall apply in the interpretation and enforcement of these rules:

(a) **ADULTERATED:** Crab meat or crab meat products that contain any substance that may be injurious to consumer health and has the meaning stated in 21 U.S.C. §342 which is hereby adopted and incorporated by reference.

(b) **APPROVED:** Acceptable to the Health Officer based upon his determination as to conformance with appropriate rules, regulations, and good public health practices.

(c) **APPROVED SOURCE:** The crab meat and ingredients or substances that were harvested, processed, handled, transported, and stored under sanitary conditions equivalent to the provisions of these rules.

(d) **BACKED CRABS:** Cooked crabs from which the top shell has been removed.

(e) **COOKED CRABS:** Live crabs that have been cooked in boiling water or by pressure steam.

(f) **CRAB MEAT:** The edible meat of cooked crabs.

(g) **CRAB MEAT PROCESSING PLANT:** Any establishment or place where crab meat is processed for human consumption.

(h) **EASILY CLEANABLE:** Readily accessible and of such material and finish and fabricated so that residue may be effectively removed by normal cleaning methods.

(i) **EMPLOYEE:** Any person engaged in the processing of crab meat for human consumption.

(j) **EQUIPMENT:** All cookers, boilers, retorts, tables, hoods, refrigerators, crab washers, sinks, racks, baskets, scales,

dollies, sanitizing equipment, storage bins, and related items other than utensils, used in the operation of a crab meat processing plant.

(k) FOOD CONTACT SURFACE: Any equipment surface or utensil with which crab meat comes in contact, either directly or indirectly.

(l) HEALTH OFFICER: The State Health Officer or the authorized representative of the State Health Officer.

(m) IMMINENT HAZARD: An imminent hazard to the public health is considered to exist when, in the opinion of the Health Officer, evidence is sufficient to show that a product, practice or condition poses a significant threat of danger to the public's health. The imminent hazard shall be corrected immediately to prevent injury and shall not be allowed to continue during an informal or formal administrative appeal of an adverse action.

(n) MISBRANDED: The presence or absence of any written, printed, or graphic material upon or accompanying crab meat or containers of crab meat, which is false or misleading, or which violates any applicable Federal and/or State labeling requirements.

(o) OVERAGE: That portion of crab meat in excess of a standard measure used to record a picker's output as delivered to the packing room.

(p) PERSON: An individual firm, partnership, company, corporation, trustee, association, or any public or private legal entity.

(q) PERSON IN CHARGE: The person having charge of the operation of a crab meat processing plant, whether such person is the permit holder or his duly authorized representative.

(r) PERMIT HOLDER: Person who is legally responsible for the operation of a crab meat processing plant and to whom the

permit for the operation of the particular crab meat processing plant is issued.

(s) REPEAT VIOLATION: The violation of the same item of these rules on two or more consecutive inspections or laboratory reports.

(t) SANITIZE: The adequate treatment of food contact surfaces by a process that is effective in destroying vegetative cells of microorganisms of public health significance without adversely affecting the product or its safety for the consumer.

(u) SEALED: Free from cracks or other openings which permit entry or passage of moisture.

(v) SHALL: A mandatory requirement.

(w) SINGLE SERVICE CONTAINERS: Containers and lids used in the packing of crab meat, and which are intended by the manufacturer for one time use only.

(x) SINGLE SERVICE ARTICLES: Items such as, but not limited to, plastic bags, containers, lids, wrapping materials, and similar articles which are intended by the manufacturer and generally recognized as for one usage only.

(y) UTENSIL: Any knife, container, claw breaker, or other similar item used in the storage, conveying, or processing of crab meat.

**Author:** Lewis A. Byrd, Ph.D., Toni Ackerson, Nan Steedley  
**Statutory Authority:** Code of Ala., 1975, §22-2-2(6), 22-20-5.  
**History:** Filed September 1, 1982. **Repealed and New Rule:** Filed December 20, 2006; effective January 24, 2007. **Repealed and New Rule:** Published ~~\_\_\_\_\_~~; ~~effective \_\_\_\_\_~~ December 31, 2024;  
effective February 14, 2025.

1) Adoption by Reference: The document entitled Code of federal Regulations, Title 21, Part 123 (21 CFR Part 123) 2024 Revision, promulgated by the U.S. Food and Drug Administration, Department of Health and Human Services, is hereby incorporated by reference made a part of this rule as if set out in full and all provisions thereof are adopted as a rule of the State Committee of Public Health.

(2) Availability: Said document is available at the office of Director, Division of Food, Milk, and Lodging, the RSA Tower, Suite 1250, 201 Monroe Street, Montgomery, Alabama 36104 or online at <https://www.govinfo.gov/app/collection/cfr/2024/title21/chapterI/subchapterB/part123>.

(3) Control: Where there is inconsistency between Chapter 420-3-15 and 21 CFR Part 123, these rules control. Where these rules are silent, 21 CFR Part 123 controls.

**Author:** Ron Dawsey, Melanie Boggan, Nan Steedley

**Statutory Authority:** Code of Alabama, 1975, §22-2-2(6), 22-20-5

**History:** Filed September 1, 1982. **Repealed and New Rule:** Filed December 20, 2006; effective January 24, 2007. **Repealed and New**

**Rule:** Published December 31, 2024; effective February 14, 2025.

#### 420-3-15-.03

#### Condition Of Crabs, Labeling And Protection.

(1) **Condition of Crabs Processed:** Only live crabs shall be acceptable for processing. No crab meat processing plant shall pick crab meat from any interplant shipment of cooked crabs or portions thereof without special authority from the Health Officer.

(2) **Labeling:** All crab meat distributed, sold, or received for processing within the State of Alabama shall legibly and conspicuously display on the outside of the container the following:

- (a) Complete and accurate product description.
- (b) Name and address of the crab meat processing plant.
- (c) Permit number.
- (d) Quantity in terms of weight.

(3) **Protection:**

(a) General:

1. All crabs and crab meat, while being harvested, stored, processed, transported, or displayed shall be protected from contamination.

2. Adequate refrigeration facilities, automatic in operation and thermostatically controlled, shall be provided and conveniently located for the storage of crab meat. Each refrigeration facility shall be provided with a continuous electronic temperature monitoring device accurate to  $\pm 2^{\circ}\text{F}$  located in the warmest part of the refrigeration facility.

(b) Temperatures:

1. Live crabs, when stored at the processing plant, shall be stored in a cool place protected from contamination, in clean containers, and shall be kept alive until cooked.

2. Cooked and backed crabs held in a refrigeration facility shall be stored at an ambient temperature of  $45^{\circ}\text{F}$  or below, at least six (6) inches above floor level, and in a manner that will facilitate the cooling process. The temperature of such refrigeration facility shall be thermostatically controlled, automatic in operation, and equipped with a continuous electronic temperature monitoring device.

3. Crab meat, after packing, shall be immediately stored in crushed ice and placed under refrigeration at an ambient temperature of  $45^{\circ}\text{F}$  or below.

4. Frozen crab meat shall be stored at an ambient temperature of not more than  $32^{\circ}\text{F}$ .

(c) Processing:

1. Cooking:

(i) Only live, clean crabs shall be cooked. Dead crabs shall be discarded and disposed of in an approved manner.

(ii) All crabs shall be cooked in boiling water or by pressure steam methods. When boiled, the cooking time shall be at least fifteen (15) minutes at atmospheric pressure. When a steam cooking process is used, the equipment shall be designed and

constructed to provide time and temperature equivalent to the product being boiled for fifteen (15) minutes at atmospheric pressure.

(iii) Potable water shall be used for boiling or steaming crabs and shall be changed as often as necessary to prevent the accumulation of debris or organic matter.

(iv) Cooked crabs and/or equipment or utensils used for handling them shall not be permitted to come in contact with any contaminated surface. Racks shall be provided for storing cooked crabs and/or containers of cooked crabs at a height of at least six (6) inches above the floor to prevent contamination of the cooked crabs.

## 2. Backing:

(i) Crabs shall be thoroughly washed immediately after backing with potable water under pressure to remove all entrails and waste and placed in clean containers.

(ii) Approved tables shall be provided for the backing and removal of claws from crabs.

## 3. Picking and Packing:

(i) Cooked crabs removed from refrigerated storage for processing shall not exceed 55°F during the picking or packing process. Crab meat shall not exceed 55°F during the picking or packing process.

(ii) Picking pan capacity shall not exceed three pounds.

(iii) In the delivery of filled picking pans or cans to the packing room, or on the picking tables, containers shall not be placed one upon the other. Crab meat overage shall not be returned to the picking table.

(iv) Picked crab meat, upon receipt at the packing room delivery window, shall be weighed, packed into containers to preclude contamination from outside the container, and immediately placed in ice for refrigerated storage at an ambient temperature of 45°F or below.

(v) All crab meat processed, sold, or distributed in Alabama shall be in containers with a tamper-evident lid or seal.

4. Storage:

(i) Refrigeration facilities for cooked crabs and packaged crab meat shall not be used for the storage of live crabs, bait, fish, or similar items while being used for the storage of cooked crabs or packaged crab meat. Refrigeration facilities for the storage of packed crab meat may be used for the storage of cooked crabs.

(ii) Crab meat shall not be stored in contact with water or undrained ice.

(iii) Frozen crab meat shall be stored at an ambient temperature of 32°F or below.

5. Transportation:

(i) Live crabs shall be transported in conveyances that are clean and adequately covered.

(ii) Processed crab meat shall be transported at 45°F or below in a vehicle that affords protection from contamination and that is lined with an impervious material which is easily cleanable.

6. Toxic Materials:

(i) Only those toxic materials required to maintain the crab meat processing plant in a sanitary condition, and for washing and sanitizing equipment and utensils, shall be present in any area used in connection with crab meat processing.

(ii) All containers of toxic materials shall be prominently and distinctly marked or labeled for easy identification of contents.

(iii) When not in use, toxic materials shall be stored in cabinets which shall be used for no other purpose, or in a place which is outside the crab meat processing and storage rooms.

(iv) Sanitizers, cleaning compounds, or other compounds intended for use on crab meat contact surfaces shall not be used in such a manner that

will leave a toxic residue on such surfaces, or that will constitute a hazard to employees or consumers.

(v) Toxic materials shall not be used in any way that will contaminate air, crab meat, equipment, and utensils, or constitute a hazard to employees or consumers, and shall be used according to label directions.

(vi) Personal medications shall not be stored in a crab meat processing or storage area.

**Author:** Lewis A. Byrd, Ph.D., Toni Ackerson, Nan Steedley

**Statutory Authority:** Code of Ala., 1975, §22-2-2(6), 22-20-5.

**History:** Filed September 1, 1982. **Repealed and New Rule:** Filed December 20, 2006; effective January 24, 2007. **Repealed and New Rule:** Published ~~\_\_\_\_\_~~; ~~effective \_\_\_\_\_~~ [December 31, 2024](#); [effective February 14, 2025](#).

#### **420-3-15-.034**      **Personnel.**

##### **(1) Health and Disease Controls:**

(a) No person, while infectious for any disease that can be transmitted through food, whether ill, or while afflicted with boils, infected wounds or sores shall work in any area of a crab meat processing plant in any capacity in which there is a likelihood of such person contaminating crab meat or utensil and equipment surfaces with pathogenic organisms. If the manager or person in charge of the plant suspects that any employee may be infectious for any disease that can be transmitted through food, he shall notify the Health Officer or designee immediately.

(b) When the Health Officer or designee has reasonable cause to suspect possible disease transmission by an employee of a crab meat processing plant, he shall secure a morbidity history of the suspected employee or make any other investigation as indicated and shall take appropriate action. The Health Officer or designee may require any or all of the following measures:

1. The immediate exclusion of the employee from crab meat processing plants.
  
2. The immediate closing of the crab meat processing

plant concerned until, in the opinion of the Health Officer, no further danger of disease outbreak exists.

3. Restriction of the employee's services to some area of the plant where there would be no danger of transmitting disease.

4. Adequate medical and laboratory examination of the employee and of other employees and of his and their body discharges.

(2) **Cleanliness:**

(a) Handwashing:

1. All employees shall thoroughly wash with soap and warm water and sanitize their hands before starting work, after each absence from the work station, after visiting the toilet room, and any other time when the hands may have become soiled or contaminated.

2. The hands of all employees shall be kept clean while engaged in the handling of cooked crabs, crab meat, and food contact surfaces or equipment and utensils.

(b) Clothing:

1. All employees shall 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, food contact surfaces, or food packaging materials.

2. Employees shall wear hair nets, headbands, caps, beard covers, or other effective hair restraints.

3. Employees shall remove all items such as, but not limited to, jewelry and electronic devices when food is manipulated by hand. If jewelry cannot be removed, it may be covered by material which can be maintained in an intact, clean, and sanitary condition which effectively

protects against contamination of the food, food contact surfaces, and food packaging materials by these objects.

4. Employees' gloves used for food handling shall be intact, clean, and in sanitary condition. Such gloves should be of an impermeable material except where their usage would be inappropriate or incompatible with the work involved.

5. Employees shall 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.

6. Employees shall 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 medications.

**Author:** Lewis A. Byrd, Ph.D., Toni Ackerson, Nan Steedley  
**Statutory Authority:** Code of Ala., 1975, §22-2-2(6), 22-20-5.  
**History:** Filed September 1, 1982. **Repealed and New Rule:** Filed December 20, 2006; effective January 24, 2007. **Repealed and New Rule:** Published ~~\_\_\_\_\_~~; ~~effective \_\_\_\_\_~~ December 31, 2024;  
effective February 14, 2025.

#### **420-3-15-.045**      **Equipment And Utensils.**

(1) **Sanitary Design, Construction, and Installation of Equipment and Utensils:** All equipment and utensils shall be designed, and of such material and workmanship, to be smooth, easily cleanable, durable, and shall be maintained in good repair. Food contact surfaces of such equipment and utensils shall be easily cleaned and sanitized. All equipment shall be installed and maintained to facilitate the cleaning of the equipment and adjacent areas.

(a) Design, Construction, and Materials:

1. All equipment and utensils shall be durable under normal conditions and operations, shall be resistant to denting, buckling, pitting, chipping, crazing, and excessive wear, and shall be capable of withstanding

repeated scrubbing, scouring, and the corrosive action of cleaning and sanitizing agents.

2. Cooked crab meat contact surfaces shall be smooth, free from breaks, open seams, cracks, pits, and similar imperfections, shall be in good repair, and shall be easily cleanable.

3. Picking pans shall be of smooth stainless steel metal with rounded corners and shall have no rolled edges.

4. Picking, backing, and weighing tables shall be constructed of corrosion-resistant frames and legs. Construction joints shall be made by welding and ground to a smooth surface. Table top surfaces shall be made without seams, adequately sloped to drain, smooth, corrosion-resistant, durable, and impervious.

5. All chairs and stools used in the picking plant shall be of corrosion-resistant impervious material and fabricated to be easily cleanable.

6. Boilers shall be constructed of smooth, non-corrosive metal with rounded corners and shall be accessible for manual cleaning by disassembling with the use of simple tools kept available near the equipment. Boilers shall be designed to facilitate quick and complete drainage.

7. Steam lines in boilers shall be of a non-corrosive metal, shall be accessible for easy disassembling, and shall have threads of a sanitary design. No V-type threads shall be used within the boiler steam lines.

8. Baskets or submersion racks used within the boiler shall be constructed of stainless steel and constructed to be easily cleanable.

9. All utensils used in the picking of crab meat to include picking knives and claw breakers shall be smooth and easily cleanable.

10. Dippers, scoops, racks, and shovels shall be of non-

corrosive material, easily cleanable, and of an approved design.

11. Waste containers or disposal units shall be of durable construction and designed to facilitate thorough cleaning. These containers shall be constructed of a corrosion-resistant material and shall be sized and fabricated to be easily cleanable.

12. Accurate scales shall be provided for the weighing of containers of crab meat and shall be constructed of non-corrosive, smooth and easily cleanable materials.

13. Containers used for transferring cooked crabs and/or crab claws within the plant shall be of a non-corrosive material, smooth, easily cleanable, and fabricated and constructed to allow for efficient cooling and air circulation. All carts, hand trucks, dollies, and similar items, shall be corrosion-resistant, non-absorbent, and easily cleanable.

14. All working tables within the crab meat processing plant shall be designed and fabricated to be easily cleanable.

15. All containers used for the packing of crab meat shall be constructed of a non-toxic material and shall be smooth and easily cleanable.

16. Single service articles shall be made of non-toxic materials.

(b) Equipment installation:

1. Floor-mounted equipment, unless readily movable, shall be sealed to the floors; or shall be installed on raised platforms of concrete or other smooth masonry in such a manner as to prevent liquids or debris from seeping or settling underneath, between or behind such equipment in spaces which are not fully open for cleaning and inspection; or such equipment shall be elevated at least six (6) inches above the floor. The space between adjoining units, and between a unit and the adjacent wall, shall be closed unless exposed to seepage, in which

event it shall be sealed; or sufficient space shall be provided to facilitate easy cleaning between, behind, and beside all such equipment.

2. Gas lines, water pipes, electrical lines and conduits shall be located and installed to facilitate easy cleaning of floors, walls, ceilings, and equipment.

(c) Dimensions and Arrangements:

1. Aisles between picking tables and between equipment and walls shall be unobstructed and of sufficient width to permit employees to perform their duties without contamination of the crab meat, equipment, or utensils by clothing or through personal contact.

2. The dimensions and arrangement of all areas where crab meat, crab meat utensils, and equipment are handled or stored shall be of adequate size to preclude congestion of the operation or crowding of the area.

**(2) Cleaning, Bactericidal Treatment, and Protection of Equipment and Utensils:**

(a) Equipment and Utensil Cleanliness:

1. Utensils and food contact surfaces of equipment shall be cleaned and sanitized before and after each use.

2. Cooking boilers or vats shall be completely drained and cleaned with an approved detergent and rinsed with potable water at the end of each day's operation.

3. Tables used for the cooling, backing, picking, and packing of crab meat, or on which crabs or crab meat is processed or stored, shall be thoroughly cleaned and sanitized after each use or as frequently as necessary to be free from accumulation of dust, dirt, crab meat particles, and other debris.

4. Equipment and utensils shall be thoroughly rinsed of all detergents and abrasives.

5. Utensils or equipment taken from and returned to the plant shall be cleaned and sanitized before each use.

(b) Sanitization:

1. All utensils, table tops, working surfaces of equipment, and crab meat contact surfaces shall be cleaned and sanitized prior to each use and following any interruption of operations during which contamination is likely to have occurred. Detergent, sanitizers, and other supplies employed in the cleaning and sanitizing procedures shall be safe and effective and used in accordance with the labeling of the product.

(i) Utensils and equipment may be effectively sanitized by immersion for at least one (1) minute in potable water at a temperature of at least 170°F or immersion for a period of at least 30 seconds in an effective sanitizing solution. Such sanitizing solutions shall provide the equivalent bactericidal strength of 50-200 ppm of available chlorine.

(ii) A test kit or other device shall be provided and used to accurately measure the concentration of the sanitizing solution to ensure compliance with the chemical sanitizers recommended use.

(iii) After thorough cleaning, pressurized steam and/or bactericidal sprays may be used to sanitize equipment too large to be sanitized by methods in (i).

2. During operation, the picking container shall be cleaned and sanitized after each delivery of crab meat to the packing room.

(c) Facilities for Cleaning and Sanitizing:

1. There shall be located within the packing room, and in close proximity to the delivery window, a three-compartment sink for the purpose of washing, rinsing, and sanitizing utensils used in the processing of crab meat.

2. Sinks used for manual washing and sanitizing

operations shall be of adequate length, width, and depth to permit complete immersion of the equipment and/or utensils normally washed and sanitized. Each compartment shall be supplied with hot and cold water under pressure.

3. Wash and rinse water shall be changed with sufficient frequency to preclude the accumulation of organic matter.

4. Sanitizing vats shall be located within the backing and/or washing rooms for the effective sanitization of crab baskets, containers, or other utensils used for the transporting and handling of cooked crabs or crab claws.

5. There shall be located within the picking room in close proximity to the delivery window, a sanitizing vat of adequate size provided for the pickers to sanitize hands and picking knives. This vat shall be filled at the beginning of each day's work with an approved sanitizing agent equivalent to a chlorine solution of between 50-200 ppm available chlorine and shall be maintained at recommended strength during the day's activity.

(d) Storage and Handling of Cleaned and Sanitized Equipment and Utensils:

1. Food contact surfaces of cleaned and sanitized equipment and utensils shall be handled and stored in such a manner as to be protected from contamination.

2. Cleaned and sanitized equipment such as baskets and scoops, shall be stored at least six (6) inches above the floor in a clean, dry location so that they are protected from splash, dust, and other contamination.

3. Picking pans shall be allowed to air dry in a self-draining position and properly stored on suitably located racks.

(e) Storage and Handling of Single-service and Single-use Items:

1. Containers and covers shall be stored in original cartons, kept clean, dry, and protected until used.

2. Container storage rooms shall not be used as general storerooms for unused equipment and materials. Containers shall be stored at least six (6) inches above the floor and away from the walls to facilitate inspecting and cleaning the area.

**Author:** Lewis A. Byrd, Ph.D., Toni Ackerson, Nan Steedley

**Statutory Authority:** Code of Ala., 1975, §22-2-2(6), 22-20-5.

**History:** Filed September 1, 1982. **Repealed and New Rule:** Filed December 20, 2006; effective January 24, 2007. **Repealed and New**

**Rule:** Published ~~\_\_\_\_\_~~; ~~effective \_\_\_\_\_~~ December 31, 2024;  
effective February 14, 2025.

#### **420-3-15-.056      Sanitary Facilities And Controls.**

##### **(1) Water and Ice:**

(a) The water supply shall be adequate, of a safe sanitary quality, and from an approved public or private water supply system which is constructed, protected, operated, and maintained in conformance with applicable State and Local laws, ordinances, and rules.

(b) Bacteriological examination of water supplies at crab meat processing plants shall be made at least every six (6) months or after any repairs or changes in the system. If the sample results show coliform present as reported by the Alabama Department of Public Health, Bureau of Clinical Laboratories, a resample shall be taken within seven (7) days. When two (2) consecutive samples taken on separate days show coliform present, the permit to operate shall be suspended in accordance with appropriate administrative procedures. A sample result of coliform absent with no confluent growth is required prior to reinstatement of the permit.

(c) Hot and cold water, under pressure, shall be provided to all sinks.

(d) Ice used within the plant's operation shall meet all quality standards for water in this rule.

(e) Ice machines shall be installed, operated, and maintained to prevent contamination.

(f) Adequate storage bins, constructed of impervious, non-corrosive materials, easily cleanable, and adequately drained shall be provided for ice.

(2) **Sewage Disposal:**

(a) All sewage, including liquid waste, shall be disposed of by a public or private sewage disposal system constructed and operated according to State law.

(3) **Plumbing:**

(a) Plumbing shall be sized, installed, and maintained in accordance with applicable State and Local plumbing laws, ordinances, and rules.

(b) There shall be no cross-connections between any potable and non-potable water lines or systems, and no connections between a private and public water supply.

(c) There shall be no possibility of back siphonage.

(4) **Toilet Facilities:**

(a) There shall be an adequate number of toilet facilities conveniently located on the premises of every crab meat processing plant. Toilet rooms shall not open directly into any room in which crab meat is processed and/or stored, or into any room in which utensils are washed and/or stored. Toilet rooms shall be provided with tight fitting, self-closing doors, working lights, and shall be kept clean and in good repair. Each toilet room shall be provided with adequate ventilation to the outside to prevent odors and excess moisture accumulation.

(b) Drain pipes from toilet room fixtures or other waste pipes shall not be installed above crab meat handling operations or over areas in which equipment or utensils are washed or stored.

(5) **Handwashing Facilities:**

(a) Handwash sink(s) shall be designated for handwashing only

and located to facilitate employee use before starting work, after each absence from the work station, after visiting the toilet room, and any other time when the hands may have become soiled or contaminated.

(b) Handwash sink(s) shall have potable hot and cold water under pressure and be provided with soap.

**(6) Refuse Disposal:**

(a) All refuse and solid waste accumulated during the processing of crab meat and the operation of the crab meat processing plant shall be disposed of in an approved manner according to State and Local laws so that no nuisance is created.

(b) Waste containers shall be adequate in number, kept clean, properly identified, and shall be used for no other purpose. All crab processing waste containers shall be leak-proof and non-absorbent.

(c) Containers filled with crab processing waste shall be removed from the picking room as soon as they are filled and placed in suitable protected storage. Garbage containers outside the plant shall be properly covered and stored on a concrete slab.

(d) The disposal of crab processing waste shall be timely and comply with State and Local laws so that no nuisance is created. Crab processing waste shall be disposed of only in an area approved for the disposal of solid waste.

**(7) Insect, Vermin and Rodent Control:**

(a) Effective measures shall be taken to prevent entrance of animals, fowl, insects, rodents, and other vermin into the plant and to prevent their presence on the premises.

(b) There shall be no evidence of rodents in any part of the plant. Necessary insect and vermin control measures shall be used, and such measures shall be in compliance with all State and Federal regulations. The use of insecticides and rodenticides shall be permitted only under such precautions

and restrictions as will prevent the contamination of crab meat or packaging materials with unapproved residues, and cause no health hazards to employees.

**Author:** Lewis A. Byrd, Ph.D., Toni Ackerson, Nan Steedley  
**Statutory Authority:** Code of Ala., 1975, §22-2-2(6), 22-20-5.  
**History:** Filed September 1, 1982. [Emergency amendment filed February 11, 1983, effective February 11, 1983 for 120 days. No permanent adoption of emergency amendment.](#) **Repealed and New Rule:** Filed December 20, 2006; effective January 24, 2007.  
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**420-3-15-.067**      **Buildings, Facilities And Operations.**

(1) **Floors, Walls, and Ceilings:** The floors, walls, and ceilings shall be smooth, non-absorbent, light-colored, and easily cleanable.

(2) **Lighting:**

(a) All rooms within a crab meat processing plant shall be provided with a sufficient amount of well-distributed light.

(b) All light bulbs and tube devices in picking rooms, packing rooms, container storage rooms, coolers, and cooking areas shall be shatterproof or enclosed with protective shields.

(3) **Ventilation:** All rooms within the crab meat processing plant shall be well ventilated for comfort, odor removal, and to eliminate excessive condensation. Toilet rooms shall be ventilated directly to the outside. Cooking rooms shall be adequately ventilated by screened openings, and where the need is indicated by a mechanical ventilating system separate from other ventilating systems within the plant. Temperature control shall be provided in the picking and packing room to provide a comfortable working temperature and to protect the product from excessive heat.

(4) **Dressing Rooms and Lockers:** Adequate facilities shall be provided for the orderly storage of employees' clothing and personal belongings.

(5) **Housekeeping and Surroundings:**

(a) All areas of the crab meat processing plant and premises shall be kept clean and free from litter, rubbish, and discarded equipment. All exterior areas adjacent to the plant shall be kept clean and free from debris, and shall be drained so that water will not accumulate.

(b) Floors, walls (including doors and windows), and ceilings of all rooms in which cooked crabs or crab meat is handled shall be kept free from any accumulation of soilage. At the close of each day's operation, floors and walls shall be cleaned with warm water and detergent. All water used for cleaning purposes shall be from an approved source.

(c) None of the operations connected with a crab processing plant shall be conducted in any room used as living or sleeping quarters. Under no circumstances shall a part of the crab processing plant be connected to a domestic residence or unrelated operation.

(d) Unauthorized persons shall not be permitted in crab meat processing plants.

(6) **Plant Arrangements and Physical Layout:**

(a) Sequence of operations: In order to minimize possibilities of contamination between raw and cooked products, the following sequence of operations shall be observed within the plant:

1. Sorting operations;
2. Raw storage;
3. Cooking;
4. Backing room;
5. Cooler storage for cooked crabs;
6. Picking room;
7. Packing room;
8. Cooler storage for packaged crab meat.

(b) Plan Review: When a crab meat processing plant is constructed or extensively remodeled, or when an existing structure is converted for use as a crab meat processing plant, properly prepared plans and specifications for such construction, remodeling, or alteration shall be approved by the Health Officer or designee before such work is begun.

These plans shall show layout, arrangement, and construction materials; and the location, size, and type of fixed equipment and facilities.

(c) Plant Location: Plants in which crab meat is processed shall be situated and located so that they will not be subject to flooding under normal conditions.

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#### **420-3-15-.078**      **Quality Standards.**

(1) All microbiological and chemical analyses of processed crab meat shall be conducted in accordance with approved methods as reported by the Alabama Department of Public Health, Bureau of Clinical Laboratories.

##### **(2) Microbiological Standards:**

(a) Fresh or frozen processed crab meat shall not contain more than 3.6 Escherichia coli per gram, and shall not exceed an aerobic plate count of 100,000 per gram as reported by the Alabama Department of Public Health, Bureau of Clinical Laboratories.

(b) Fresh or frozen crab meat containing any amount of Listeria monocytogenes shall be deemed adulterated and shall not be used for human consumption.

**Author:** Lewis A. Byrd, Ph.D., Toni Ackerson, Nan Steedley  
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#### **420-3-15-.089**      **Compliance And Enforcement.**

##### **(1) Permits:**

(a) No person shall operate a crab meat processing plant in

Alabama unless such person possesses a valid permit issued by the Health Officer for the operation of such plant. Prior to the issuance of an initial permit, the crab meat processing plant shall undergo an inspection to determine compliance with these rules. Permit applications shall be denied if the applicant fails to comply with the provisions of these rules. Crab meat processed in any plant or location which is not properly permitted shall be considered adulterated.

(b) Permit holders shall submit written application to renew their permits within 90 days of the expiration date of the permit. Upon inspection and verification of compliance with the rules and regulations of the State Committee of Public Health, the Health Officer shall renew the permit.

(c) The permit certification period shall not exceed twelve (12) months.

(d) The permit shall be posted in a conspicuous place within the crab meat processing plant, shall not be transferable with respect to person or location, and shall remain the property of the Alabama Department of Public Health.

(2) **Permit Denials, Suspensions, and Revocations:** The Health Officer's denial, suspension, and/or revocation of a permit shall be governed by the Alabama Administrative Procedure Act, §41-22-1, et. seq., Code of Ala. 1975.

(3) **Hearings:** Contested case hearings shall be provided in accordance with the Alabama Administrative Procedure Act, §41-22-1, et seq., Code of Ala. 1975, and the State Committee of Public Health's Contested Case Hearing Rules, Chapter 420-1-3, Informal settlement conferences may be conducted as provided in the State Committee of Public Health's Contested Case Hearing Rules, Chapter 420-1-3.

(4) **Suspension of Permits:** Permits may be suspended temporarily by the Health Officer for failure of the permit holder to comply with the requirements of these rules.

(a) Notwithstanding the other provisions of these rules, whenever the Health Officer finds conditions which, in his judgment, constitute an imminent health hazard to the public, he may without warning or notice, issue a written notice to the permit holder citing such conditions and specifying the corrective action to be taken, the time period within which

such action shall be taken; and, if deemed necessary, such order shall state that the permit is immediately suspended, and all crab meat operations are to be immediately discontinued.

(5) **Revocation of Permits:** The Health Officer may, after providing opportunity for hearing, revoke a permit for serious or repeated violations of any of the requirements of these rules or for interference with the Health Officer in the performance of his duty or for failure to comply with the provisions of a notice of permit suspension issued under 420-3-15-.08(4).

(6) **Application After Revocation:** When a revocation of a permit has become final, the holder of the revoked permit may make written application for a new permit after 90 days from the date of revocation.

(7) **Inspection:** An inspection of each crab meat processing plant shall be performed at least quarterly. The inspection report shall be kept within the crab meat processing plant but shall remain the property of the Alabama Department of Public Health.

(a) When a routine inspection detects a violation of these rules that is, in the judgment of the Health Officer, of such nature that correction is necessary before the next routine inspection, the permit holder will be given notice that correction is necessary and the reason for requiring an accelerated correction schedule. A follow up inspection or visit will be conducted to determine compliance.

(8) **Sampling:** Cooked crabs, backed crabs, and crab meat samples shall be taken as often as deemed necessary by the Health Officer to verify or determine compliance with these rules but not less than once annually.

(a) When a sample is in violation of the microbiological standards described in 420-3-15-.07(2)(a) of these rules, a resample shall be taken as soon as possible, but within fourteen working days.

(b) When two consecutive samples taken on separate days and including the most recent sample for which results have been reported, violate the microbiological standards of these rules, the permit holder shall be notified in writing that

the crab meat processing plant operation is suspended in accordance with 420-3-15-.08(4)

(c) When a sample is in violation of the microbiological standards described in 420-3-15-.07(2)(b) of these rules, the permit holder shall be notified in writing that the crab meat processing plant operation is suspended in accordance with 420-3-15-.08(4) until subsequent sample results meet microbiological standards. Environmental swabbing tests may be performed by the Health Officer as needed within the establishment to determine the source of contamination.

(9) **Condemnation of Crab Meat:** Non-compliance with the requirements of these rules, including failure to follow the conditions as described in 420-3-15-.08(8)(b) and 420-3-15-.08(8)(c), may result in a seize or hold order being issued for the product and condemnation by the Health Officer or designee.

(a) The Health Officer or designee shall tag, label, or otherwise identify any crab meat or crab meat product subject to the hold order. No crab meat or crab meat product subject to a hold order shall be used, sold, served, given away, or moved from the plant. The Health Officer or designee shall permit storage of the crab meat or crab meat product under conditions specified in the hold order unless storage is not possible without risk to the public health, in which case the crab meat or crab meat product shall be destroyed in accordance with Section 22-10-3, Code of Ala. 1975.

(b) It shall be considered interference with the Health Officer in the performance of his duties to alter any such order; to alter any tag or other device used to identify crab meat or crab meat product subject to such order; or to use, sell, serve, give away, or move from the plant any crab meat or crab meat product subject to such order.

(c) The hold order shall state that a request for hearing may be filed within fifteen (15) days and that if no hearing is requested the crab meat or crab meat product shall be destroyed. If a request for hearing is received, the hearing shall be held in accordance with 420-3-15-.08(3) of the State Committee of Public Health. On the basis of evidence produced at that hearing, the hold order may be vacated, or the permit holder or person in charge of the crab meat or crab meat product may be directed by written order to denature or destroy it, or to bring it into compliance with the provisions of these rules.

(10) **Access:** The Health Officer or designee, after proper identification, shall be permitted to enter any crab meat processing plant at any reasonable time for the purpose of making inspections to determine compliance with these rules. The Health Officer shall be permitted to examine the records of the plant to obtain pertinent information pertaining to crab meat purchased, sold and/or used, and persons employed.

(11) **Responsibilities of the Permit Holder:**

(a) The permit holder of a crab meat processing plant shall maintain the physical equipment and structure of such plant in a manner to comply with these rules.

(b) At all times when the permit holder is absent from the crab processing plant, he/she shall designate and authorize a person in charge.

(c) The permit holder shall be held responsible for his own acts and the acts of his employees as they relate to the crab meat processing operations.

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