

Chapter 627

Manufacture of Ice

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CROSS REFERENCES

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627.010 Definitions. As used in this chapter:

(1) "Health officer" means the State Health Officer, except that in counties having a population of 10,000 or more, it means the county health officer, and in cities having an active health officer, it means the city health officer.

(2) "Ice factory" means a plant or place which manufactures ice for sale to the public for human consumption and which is not subject to inspection under ORS chapter 624.

627.020 State Board of Health to supervise manufacture of ice. The State Board of Health shall have general supervision of sanitation in regard to the manufacture of ice by ice factories and it hereby is authorized to enforce the provisions of this chapter, except as otherwise provided in this chapter.

627.030 Permit required to operate ice factory. No person, firm, corporation or agency thereof shall operate an ice factory without first procuring a permit to do so from the health officer. The permit shall be posted in a conspicuous place on the premises of the ice factory.

627.040 Application for permit; form and contents. Application for a permit to operate an ice factory shall be in writing in the form prescribed by the health officer, subject to the supervision of the State Board of Health, and shall contain the name and address of the applicant and any other information which the health officer requires to enable him to determine with reasonable certainty whether or not the applicant has such facilities and plans to operate in such manner as to conform to the requirements of this chapter. The permit shall contain a condition or clause to the effect that if the applicant fails to comply with the provisions of this chapter the permit may be revoked.

627.050 Duration of permit. All permits shall be issued on the basis of the calendar year and shall terminate on December 31 of each year.

627.060 Revoking or refusing permit; procedure. (1) Subject to subsection (2) of this section, if an applicant for or holder of a permit fails to comply with the provisions of this chapter, the health officer shall revoke the permit.

(2) No application for a permit shall be denied, nor shall any permit be revoked, by the health officer unless:

(a) Written notice of the intended action,

specifying the time and place fixed for hearing thereon by the health officer, has been mailed or delivered to the applicant for or holder of the permit, as the case may be, at least 10 days prior to the time specified in the notice; and

(b) The health officer has given the applicant or holder full opportunity to be heard, if present, at the time and place specified in the notice.

627.070 Reinstatement of permit. A permit suspended may be reinstated only after an inspection by the health officer has shown that the violation in question has been corrected and that the ice factory can and will be operated in accordance with the provisions of this chapter.

627.080 Appeal where permit suspended, revoked or refused. If the health officer suspends, revokes or refuses any permit, the person thereby affected may, within 10 days thereafter, appeal from such adverse decision to the circuit court of the county in which he resides, assigning the errors alleged to have been committed on the part of the health officer in the suspension, revocation or refusal of the permit. Upon such appeal the reasons of the health officer in suspending, revoking or refusing the permit may be received in evidence. The hearing on the appeal shall be as in equity cases. No injunction shall be issued against the health officer pending the hearing, but the court shall advance the cause on the calendar and hear it as early as possible. Costs may be taxed in favor of the prevailing party as in civil actions. If the court decides upon the trial of the appeal that the health officer abused his discretion in suspending or revoking the permit, it shall enter a decree accordingly. A copy of the decree shall be transmitted forthwith by the clerk of the court to the health officer and he shall cancel the suspension or revocation.

627.090 Inspection of ice factories. At least once every six months the health officer shall inspect every ice factory located within his jurisdiction and he shall have access to all parts of the factory for that purpose.

627.100 Sanitary requirements. (1) The premises where ice is produced, stored and handled shall be maintained in a clean condition. No ice which has been contaminated in a manner which causes it to be unfit for human consumption shall be sold or offered for sale for human consumption. All water used

in the manufacture of ice shall be from a source approved by the health officer and be of safe and sanitary quality.

(2) No person, except officers, employees or others whose duties so require, shall be permitted to go upon the platform covering the tanks in which ice is frozen in ice factories. All employees whose services are required on platforms covering the tanks shall

be required to wear clean shoes or boots. Every ice plant operator shall provide sanitary handwashing and toilet facilities for the use of all employees thereof. The interior of containers for freezing water shall be maintained in a clean condition and shall be handled in such a way that the interior is protected from all contamination. All plumbing shall comply with the state plumbing code.