

# Chapter 627

## 1977 REPLACEMENT PART (1979 reprint)

### Manufacture of Ice

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### CROSS REFERENCES

Administrative procedures and rules of state agencies,  
183.310 to 183.500  
Laboratory inspection of water used in ice, 448.230



**627.005 Definitions.** As used in this chapter unless the context requires otherwise:

(1) "Assistant director" means the Assistant Director for Health.

(2) "Adulteration" means the condition of ice that contains or bears any toxic or deleterious substance or article which may render it injurious to health, or that the ice has been packed or held under insanitary conditions where it may have become contaminated with filth.

(3) "Division" means the Health Division of the Department of Human Resources.

(4) "Ice plant" means any commercial establishment in which ice is manufactured, processed, stored, packaged or distributed for human consumption or for use in contact with food products, utensils or equipment but does not include establishments which are licensed or certified by the division in accordance with ORS 441.015 to 441.087, 441.525 to 441.595, 441.810 to 441.820, 441.990, 442.300, 442.320, 442.330, 442.340 to 442.350 and 442.400 to 442.450, ORS chapter 446, ORS 624.010 to 624.120 or 624.310 to 624.990 or licensed by the Department of Human Resources in accordance with ORS 443.400 to 443.455 and subsection (2) of 443.991. [1973 c.360 §2; 1977 c.717 §22]

**627.010** [Repealed by 1973 c.360 §9]

**627.015 Inspection of ice plants; closure for violation; hearing on closure.** (1) The person operating the ice plant shall, upon request of the assistant director, permit access, at any reasonable hour, to all parts of the establishment, all equipment relating to the operation of the ice plant, storage areas, toilet and lavatory rooms and any other portion of the plant relating to product or employe sanitation.

(2) The assistant director shall make such investigations and surveys of ice manufacturing practices as are necessary to assure the production and distribution of sanitary ice.

(3) Where the violation of any provision of this chapter or any rule promulgated thereunder comes to the attention of the assistant director, immediate closure of the ice plant may be made upon notification to the operator in writing. An inspection report setting forth the reason for closure and a statement ordering the closure signed by the assistant director may serve as the written notice of closure. The assistant director shall, if requested, provide a

prompt hearing after closure in accordance with ORS 183.310 to 183.500. [1973 c.360 §3]

**627.020** [Repealed by 1973 c 360 §9]

**627.025 Taking samples to determine if ice is adulterated; condemnation and destruction of adulterated ice.** Samples of ice, water and other substances relating to safety of ice may be taken and examined by the assistant director as often as necessary for the detection of adulteration. The assistant director may condemn and forbid the sale of, or cause to be removed or destroyed, any ice which is adulterated and may require discontinuance of water service to the ice making device. [1973 c.360 §4]

**627.030** [Repealed by 1973 c.360 §9]

**627.035 Prohibition against person with communicable disease working in ice plants; exclusion of employes from plant.**

(1) The division may, by rule, define certain communicable diseases which may be spread to the public through contaminated ice.

(2) No person who is affected with a communicable disease described in subsection (1) of this section or is a carrier of such disease shall work in any ice plant. No ice plant shall employ any such person or any person suspected of being a carrier of such disease. The manager shall notify the assistant director immediately if he suspects that an employe has contracted such a disease in a communicable form.

(3) The assistant director may require immediate exclusion of any employe from the ice plant and such medical and laboratory tests as deemed necessary to determine the presence or absence of disease. [1973 c.360 §5]

**627.040** [Repealed by 1973 c.360 §9]

**627.045 Rulemaking authority.** The division shall make all rules necessary for the enforcement of this chapter, including such rules concerning the construction and operation of the ice plant as are reasonably necessary to protect the health of persons served by these facilities and the product manufactured therein. The rules shall provide for, but shall not be restricted to, the following:

(1) A water supply safe for human consumption and protected from contamination.

(2) Availability, cleanliness and maintenance of toilet and lavatory facilities.

(3) Cleanliness of the premises including control of vermin, dirt, airborne contaminants, condensate or leakage.

(4) Cleanliness of employes and ice handling techniques.

(5) Construction of the structure, equipment and all appurtenances and the maintenance and cleanliness of such items.

(6) Storage of supplies, equipment and tools.

(7) Limitation of access by unauthorized persons.

(8) Collection, storage and disposal of all liquid and solid waste materials as applicable.

(9) Packaging, storage and distribution of ice in a sanitary manner.

(10) Plumbing. [1973 c.360 §6]

627.050 [Repealed by 1973 c.360 §9]

**627.055 Order to cease operation for failure to comply with law or rules.** The assistant director may, under the provisions of ORS 183.310 to 183.500, order any person to cease and desist from producing, storing, processing or selling ice when such ice plant fails to meet the provisions of this chapter or rules written pursuant thereto. [1973 c.360 §7]

627.060 [Repealed by 1973 c 360 §9]

627.070 [Repealed by 1973 c.360 §9]

627.080 [Repealed by 1973 c.360 §9]

627.090 [Repealed by 1973 c.360 §9]

627.100 [Repealed by 1973 c 360 §9]

### PENALTIES

**627.990 Penalties.** Violation of any provision of this chapter or rules of the division promulgated under this chapter is a Class C misdemeanor. [1973 c.360 §8]

### CERTIFICATE OF LEGISLATIVE COUNSEL

Pursuant to ORS 173.170, I, Thomas G. Clifford, Legislative Counsel, do hereby certify that I have compared each section printed in this chapter with the original section in the enrolled bill, and that the sections in this chapter are correct copies of the enrolled sections, with the exception of the changes in form permitted by ORS 173.160 and other changes specifically authorized by law

Done at Salem, Oregon,  
October 1, 1977

Thomas G. Clifford  
Legislative Counsel