

(f) The fee schedule for applications for a Certificate of Free Sale (CFS) is as follows:

1. \$50.00 per CFS containing three or fewer items;
2. \$75.00 per CFS containing four through nine items;
3. \$100.00 per CFS containing 10 through 25 items; and
4. Certificates of Free Sale that attest to the sanitation or processing of food, cosmetics or drug products without reference to an individual product shall be assessed a fee of \$50.00.

New Rule, R.2005 d.5, effective January 3, 2005.
See: 36 N.J.R. 1155(a), 37 N.J.R. 52(b).

8:21-1.11 Certificate of Free Sale inspection procedure, fees

(a) An entity seeking a Certificate of Free Sale may request the Department to conduct an inspection.

(b) Entities requesting an inspection should submit the request with the application for a Certificate of Free Sale provided for at N.J.A.C. 8:21-1.10.

(c) The subject of an inspection attendant to the issuance of a Certificate of Free Sale will depend on the food, drug, cosmetic or medical device proposed to be exported and the particular requirements of the receiving country as to the content of the Certificate of Free Sale. Typically, an inspection may consist of raw material verification, sampling, review of records and laboratory analyses, and, as necessary, a site visit of the subject premises to evaluate the safe and sanitary conduct of operations.

(d) The fee schedule for sanitary inspections is as follows:

1. \$500.00 for inspections lasting eight hours or less;
2. \$1,000 for inspections lasting greater than eight hours, up to 21 hours;
3. \$1,500 for inspections lasting greater than 21 hours, up to 29 hours;
4. \$2,500 for inspections lasting greater than 29 hours, up to 42 hours;
5. \$3,000 for inspections lasting greater than 42 hours, up to 50 hours;
6. \$4,000 for inspections lasting greater than 50 hours, up to 63 hours;
7. \$4,500 for inspections lasting greater than 63 hours, up to 71 hours;
8. \$5,500 for inspections lasting greater than 71 hours, up to 84 hours;
9. \$6,000 for inspections lasting greater than 84 hours, up to 92 hours; and

10. \$7,000 for inspections lasting greater than 92 hours, up to 113 hours.

New Rule, R.2005 d.5, effective January 3, 2005.
See: 36 N.J.R. 1155(a), 37 N.J.R. 52(b).

8:21-2.1 Frozen food locker plants

(a) The refrigeration system for a locker plant or branch locker storage plant shall be equipped with adequate and reliable automatic controls for the maintenance of uniform temperatures as required in the various rooms and shall be of adequate capacity to provide these temperatures under peak load conditions in the normal operation of the plant with extreme conditions of outside temperature.

(b) Each locker plant shall have thermometers so placed as to be readily accessible to public view in the various low temperature rooms.

(c) All food products offered for storage shall be placed in clean containers or wrappings suitable for freezing and proper storage, and clearly marked with the date of storage. Persons or firms operating locker or locker storage plants shall not place in a locker storage plant or allow to be received for processing, chilling, freezing, or storage in a locker or locker storage plant, any food articles in a state of decomposition or putrefaction, or in any other condition which renders them unfit for food, or in any condition which may cause deterioration in other food products.

(d) When articles of food, held in a locker plant, are removed from the packages in which they were contained and placed in other packages, the date of original entry into the locker plant of such articles shall be placed upon the containers into which they have been transferred; and if articles of food which have been placed in a locker or locker storage plant on different dates are packed in the same container, the date of storage of the article longest stored shall be placed upon the container to which such articles have been transferred.

(e) Any article of food, if intended for use other than human consumption shall be plainly and legibly labeled or marked with the words "Not for Human Consumption".

(f) All rooms in which food products are stored shall be provided with smooth, water-tight floors which can be readily cleansed. Floors must be kept in a clean condition at all times.

(g) The sidewalls and ceilings of all rooms shall be of smooth material, free from crevices and must be kept clean at all times.

(h) Waste materials shall not be permitted to accumulate in or around buildings in an insanitary manner. Waste materials shall be placed in clean metal containers.

(i) Adequate toilet facilities shall be provided for employees. All toilets shall be kept clean at all times.

(j) Adequate lavatory facilities shall be provided. All persons engaged in handling foods shall be required to wash hands before handling food after visiting toilet.

(k) No employer shall require, permit or allow any person to work in a cold storage warehouse, who is afflicted with any communicable disease.

(l) The license granted by the Department of Health to operate locker plant shall be displayed in the plant.

Recodified from N.J.A.C. 8:21-2.14 by R.2000 d.427, effective October 16, 2000.

See: 32 N.J.R. 2386(a), 32 N.J.R. 3831(a).

8:21-2.2 Sale of enriched white flour and unenriched white flour

(a) All flour, excepting that sold under a certificate as provided in N.J.S.A. 24:11A-4, intended for sale for human consumption in New Jersey shall be held in containers which are marked in a plain and conspicuous manner with the words, "Enriched Flour" and with the name and address of the manufacturer, packer or distributor.

(b) All flour sold to distributors, bakers or other processors under the proviso contained in N.J.S.A. 24:11A-4, which allows the sale of unenriched flour under certain conditions, shall be held in containers which are marked in a plain and conspicuous manner with the words, "Unenriched Flour", and the name and address of the manufacturer, packer or distributor.

(c) All persons purchasing flour which has not been enriched and which is to be resold or used as outlined in the proviso contained in N.J.S.A. 24:11A-4 shall furnish a certificate to the seller on the form adopted by the Board of Health of the State of New Jersey, and this certificate shall be kept on file by the seller for a period of two years. The purchaser shall keep a copy of each certificate for a period of two years.