

Chapter 06

FOOD AND BEVERAGE SANITATION

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25.0601 Examination and condemnation of food and drink—Inspection of utensils.

(a) Samples of food, drink and other substances may be taken and examined by the director as often as may be necessary for the detection of unwholesomeness or adulteration.

(b) The director may condemn and forbid the sale of, or cause to be seized, removed or destroyed, any food or drink which is unwholesome or adulterated. Specimen utensils may be taken for bacterial examination.

History: 1972, PL 12-44 § 7.

25.0602 Sanitation of beverage and frozen dessert dispensers.

(a) Any equipment or mechanical device used to sell or dispense soft drinks or other beverages, or ice cream or other frozen desserts, whether by bottle or by open cup, carton, or other container or wrapper, or popcorn or other food, shall be maintained and operated in a clean and sanitary manner, and so as to prevent the contamination of beverage or food sold or dispensed.

(b) The director may order the owner, lessor, or operator of any equipment or device or the owner of the premises where any equipment or device is located, to close down, cease to operate or remove any equipment or devices which he deems to be unsanitary or dangerous to health, or take other such action as may be authorized in accordance with law.

History: 1972, PL 12-44 § 7.

25.0603 Adulterated, misbranded, and unpasteurized milk and milk products—Impoundment.

(a) No person may produce sell offer, or expose for sale, or have in his possession with intent to sell, any milk or milk product, including ice cream and other frozen desserts, which is adulterated or misbranded.

(b) It is unlawful for any person, elsewhere than in a private home, to have in his possession any adulterated or misbranded milk or milk product.

(c) The sale of raw or unpasteurized milk, unpasteurized milk products, ice cream and other frozen desserts made from unpasteurized milk, and the sale of such products when pasteurized in an unapproved plant, is prohibited.

(d) Any adulterated or improperly labeled milk or milk products may be impounded by the director and shall be disposed of as he, after hearing, orders.

(e) The terms used in this section may be defined by regulations of the Governor.

History: 1972, PL 12-44 § 7.

25.0604 Labeling of foods and beverages.

(a) All bottles, cans, packages, and other containers enclosing milk or any milk product shall be

plainly labeled or marked with the name of the contents, the word “reconstituted” or “recombined”, if included in the name of the product, and the word “pasteurized” only if the contents have been pasteurized. The label or mark shall be in letters of an approved kind and color, and shall contain no marks or words which are misleading.

(b) All bottles, cans, packages, and other containers enclosing solid or liquid food products shall be plainly labeled or marked stating clearly the contents thereof and shall contain no marks or words which are misleading.

(c) In furtherance of the intent of this section, the director of medical services is specifically authorized to issue regulations which conform with standards set by the United States Food and Drug Administration pertaining to labeling and quality of food products.

History: 1972, PL 12-44 § 7.

25.0605 Construction requirements of future dairy plants and extensively changed plants.

All dairies, milk plants, and ice cream plants from which milk or milk products are supplied in American Samoa which are hereafter constructed reconstructed or extensively altered shall conform in their construction to regulations promulgated by the Governor.

History: 1972, PL 12-44 § 7.

25.0606 Transportation of milk and milk products.

(a) All vehicles used for the transportation of milk, ice cream, and frozen desserts or their ingredients shall be so constructed and operated as to protect their contents from the sun and contamination.

(b) Such vehicles shall be kept clean, and no substances capable of contaminating milk or frozen desserts, or their ingredients may be transported therewith in such manner as to permit contamination.

(c) All vehicles used for the distribution of milk or frozen desserts shall have the name of the distributor prominently displayed.

History: 1972, PL 12-44 § 7.

25.0607 Food and drink expiration date.

The director may condemn and forbid the sale of, or cause to be seized, removed, or destroyed, any food or drink which has passed the date of expiration appearing on the product or which is, in the director’s opinion, old, stale, or otherwise unwholesome due to the passage of time.

History: 1992, PL 22-24.

25.0608 Unlawful to sell condemned food or drink.

It is unlawful for any person to sell, offer, or expose for sale any food, drink or other substances that have been forbidden for sale by the director pursuant to sections 25.0601 and 25.0607.

History: 1992, PL 22-24.