

Article 8
Bakeries

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NOTE: Rule-making authority cited for formulation of regulations for the Bakeries Section of the Department of Public Health and Social Services by the Director of Public Health and Social Services, 10 GCA §20105.

These Rules and Regulations were filed with the Legislative Secretary on July 17, 1984.

§4801. Definitions. (1) *Bakery* shall mean any place or building and structure in connecting therewith where bread, rolls, cakes, doughnuts, alimentary pastes, pies, or any food products of which flour or meal is the principal ingredient, and which are processed, handled or stored for sale to the public.

(2) *Bakery Product* shall mean food products, consisting of bread, pies, pastries, cakes, cookies, doughnuts, crackers or other similar products which are baked, cooked, processed, or which are processed to be cooked or baked off the premises.

(3) *Director* means the Director of Public Health and Social Services, and his/her authorized representative.

(4) *Department* means the Department of Public Health and Social Services.

(5) *Employee* means the permit holder, individuals having supervisory or management duties, and any other

person working who handles bakery products, equipment and utensils operates bakery machinery or vehicles, etc.

(6) *Manufacturing* shall mean the preparation, mixing, blending, icing, decorating, baking, or handling of bakery products and food ingredients or materials used therein.

(7) *Perishable Food* means any food of such type of in such condition or physical state as it may spoil or otherwise become unfit for human consumption.

(8) *Potentially Hazardous Food* means any perishable food or food products which consists in whole or in part of milk or milk products, eggs, synthetic fillings, or any other ingredient capable of supporting rapid or progressive growth of infectious and toxigenic microorganisms including but not limited to, cream fillings in pies, cakes or pastries; custard products; meringue topped bakery products; or butter type fillings in bakery products.

(9) *Person* shall mean an individual, partnership, corporation, association, or club.

(10) *Distributor* shall mean any person other than a bakery engaged in selling, marketing, or distributing at wholesale or retail any bakery products but does not include:

(a) Any person distributing solely bakery products manufactured by him/her in a bakery with a sanitary permit.

§4802. Authority. Public Law 15- 96, Guam Environmental Health Act, 10 GCA §2010,5 authorizes the Department to establish rules and regulations governing bakeries and to ensure that all provisions of Public Law 15-96 regarding permit issuance are carried out.

§4803. Construction Permit. Any person, association or corporation before construction a bakery or before making an addition to or conversion of or major alteration of an existing facility shall first submit plans and specifications of such building or changes to the Department, Division of Environmental Health in accordance with separate regulation established for obtaining a construction permit from the Department. Such construction permit shall be obtained before construction or changes begin.

§4804. Sanitary Permit. (a) No person, association, or corporation shall directly or indirectly in any manner, conduct, control, manage, maintain, or operate a bakery

unless a valid sanitary permit issued by the Department to operate such a facility has been obtained and posted.

(b) Before the application for a sanitary permit shall be approved, the Department shall verify that the facility meets the minimum sanitary requirements and standards. This will involve right of entry, inspection, and investigation. Findings of the inspection shall be reported on an official inspection report form which shall accompany the application.

(c) If upon inspection the Department is satisfied that the bakery reasonably meets the qualifications and standards prescribed, a non-transferable sanitary permit designating the type of facility shall be issued. Said sanitary permit shall be posted in a conspicuous area designated by the Director. All sanitary permits shall be valid for no more than 12 months and shall be renewed on June 30 of each year.

(d) If the new application or renewal inspection indicates that the facility does not meet the minimum sanitary requirements and standards, the sanitary permit shall be denied or terminated.

(e) An application for renewal of sanitary permit shall be filed 30 days prior to its expiration date, and upon approval by the Division of Environmental Health a new sanitary permit shall be issued.

(f) Failure to comply with any rule or regulation, or refusal to renew the sanitary permit of any bakery is reason for revocation, suspension, or disapproval of the new permit.

(g) Any person denied a permit or whose permit has been revoked for cause may appeal the Director's action. The appeal shall be in accordance with 10 GCA §21109.

(h) There shall be a \$5.00 charge for any duplicate permits issued.

§4805. Buildings. (a) **Rooms:** Separate rooms shall be provided for manufacturing bakery products, toilet facilities, supply rooms, dressing rooms and lockers where provided and, retail sale of bakery products which may include packaging of bakery products in properly protected area.

(b) **Floors:**

(1) The floors of all rooms shall be easily cleanable, non-absorbent, smooth, and free of cracks.

(2) When subject to flood type cleaning, floors shall be sloped and provided with drain meeting local plumbing codes or regulations.

(3) Joints at wall-floor junctions shall be covered and sealed.

(4) The floors of all rooms shall be kept clean and in good repair.

(c) Walls and Ceilings:

(1) The surface of walls and ceilings of all rooms shall be reasonably smooth, non-absorbent, and of washable light color.

(2) Storage room walls and ceiling construction shall be tight and designed to be easily cleanable.

(3) The surface of all walls and ceilings shall be kept clean and in good repair.

(4) Walls and ceilings shall be free of crevices or openings which may harbor or serve as passageways for rodents or insects.

(d) Ventilation:

(1) Adequate ventilation shall be provided to maintain all rooms free from strong and undesirable odors, smoke, dusts and excessive condensation.

(2) Permanently installed pressured ventilating equipment shall be equipped with filtered air intake.

(3) Baking ovens and fryers shall be properly hooded and vented to the outside and equipped with exhaust fans where necessary to remove smoke and odors. Exhaust fan vents shall be equipped with insect screens or self-closing louvers.

(4) Windows opening into any product area from the outside atmosphere shall be equipped with screens not coarser than 16 mesh per inch.

(e) Lighting:

(1) Adequate lighting shall be provided in all rooms. A minimum of 25 foot candles light intensity at 30 inches from the floor shall be provided in the rooms where bakery products are processed and/or packaged. There shall be at least a light intensity of 10

foot candles 30 inches from the floor in all other rooms.

(2) Lights in manufacturing, packaging and storage rooms shall be equipped with protective shields.

(f) Toilet Facilities:

(1) Toilet facilities shall be installed according to the latest edition of the Uniform Plumbing Code at the time of construction, shall be conveniently located, and shall be accessible to employees at all times.

(2) Toilets and urinals shall be designed to be easily cleanable.

(3) Toilet rooms shall be completely enclosed and shall have tight-fitting, self-closing, solid doors, which shall be closed except during cleaning or maintenance.

(4) Toilet fixtures shall be kept clean in good repair. A supply of toilet tissues shall be provided at each toilet at all times. Easily cleanable waste receptacles shall be provided for waste materials. Toilet rooms used by women shall have at least one covered waste receptacle.

(5) Toilet rooms shall not open directly into processing or food storage rooms.

(6) Toilet rooms shall be ventilated to the outside atmosphere by either a screened window or by a mechanical ventilator or exhaust fan having no direct connection with the ventilating duct system of the food processing or food storage rooms.

(7) Hand soap or equivalent product and individual single service paper towels or approved heated air hand drying devices shall be provided.

(g) Lavatory Facilities:

(1) Lavatories shall be at least the number required by law, shall be installed according to law, and shall be located to permit convenient use by all employees in bakery areas and utensil washing areas.

(2) Lavatories shall be accessible to employees at all times. Newly constructed or extensively remodeled establishments shall provide handwashing lavatories in the production and/or packaging areas.

(3) Lavatories shall also be located in or immediately adjacent to toilet rooms or vestibules. Sinks used for food preparation or for washing equipment or utensils shall not be used for handwashing.

(4) Each lavatory shall be provided with hot and cold water tempered by means of a mixing valve or combination faucet. Any self-closing, slow-closing, or metering faucet used shall be designated to provide a flow of water for at least 15 seconds without the need to reactivate the faucet. Steam mixing valves are prohibited.

(5) A supply of hand-cleaning soap or detergent shall be available at each lavatory. A supply of sanitary towels or a hand-drying device providing heated air shall be conveniently located near each lavatory. Common or roll towels are prohibited. If disposal towels are used, easily cleanable waste receptacles shall be conveniently located near the handwashing facilities.

(6) Lavatories, soap dispensers, hand-drying devices and all related fixtures shall be kept clean and in good repair.

(h) Dressing and Locker Room Facilities:

(1) If employees routinely change clothes within the establishment, rooms, or areas shall be designated and used for that purpose. These designated rooms or areas shall not be used for food preparation, storage or packaging, or for utensil washing or storage.

(2) Enough lockers or other suitable facilities shall be provided and used for the orderly storage of employee clothing and other belongings. Lockers or other suitable facilities may be located only in the designated dressing rooms or in food storage rooms or areas containing only completely packaged food or packaged single service articles.

§4806. Water Supply. (a) **General:** Enough potable water for the needs of the bakery establishment shall be provided from a source constructed and operated according to law.

(b) **Transportation:** All potable water not provided directly by pipe to the bakery establishment from the source shall be transported in an approved bulk water

transport system and shall be delivered to a closed-water system. Both of these systems shall be constructed and operated according to law.

(c) **Bottled Water:** Bottled and packaged potable water shall be obtained from a source that complies with all laws and shall be handled and stored in a way that protects it from contamination. Bottled and packaged potable water shall be dispensed from the original container.

(d) **Water Under Pressure:** Water under pressure at the required temperatures shall be provided to all fixtures and equipment that use water.

(5) **Steam:** Steam used in contact with food or food-contact surfaces shall be free from any materials or additives other than those specified in 21 CFR 173.310.

§4807. Plumbing. (a) **General:** Plumbing shall be sized, installed, and maintained according to law. There shall be no cross-connection between the potable water supply and any non-potable or questionable water supply nor any source of pollution through which the potable water supply might become contaminated.

(b) **Non-Potable Water System:** A non-potable water system is permitted only for purposes such as air-conditioning and fire protection and only if the system is installed according to law and the non-potable water does not contact, directly or indirectly, food potable water, equipment that contacts food, or utensils. The piping of any non-potable water system shall be durably identified so that it is readily distinguishable from piping that carries potable water.

(c) **Backflow:** The potable water system shall be installed to preclude the possibility of backflow. Devices shall be installed to protect against backflow and back-siphonage at all fixtures and equipment where an air gap at least twice the diameter of the water supply inlet and the fixture's flood level rim. A hose shall not be attached top a faucet unless a back-flow prevention device is installed.

(d) **Grease Traps:** If used, grease traps shall be located to be easily accessible for cleaning, shall be cleaned as often as necessary, and shall be maintained to avoid nuisances.

(e) **Garbage Grinders:** If used, garbage grinders shall be installed and maintained according to law.

(f) **Drains:** Except for properly trapped open sinks, there shall be no direct connection between the sewerage systems and any drains originating from equipment in which food, portable equipment, or utensils are placed.

§4808. Sewage. (a) **General:** All sewage, including liquid waste, shall be disposed of by a public sewage system or by a sewage disposal system constructed and operated in accordance with 10 GCA Chapter 39. Non-water carried sewage disposal facilities are prohibited except in remote areas or because of special situations as permitted by the Department.

§4809. Garbage and Refuse. (a) Containers:

(1) Garbage and refuse shall be kept in durable, easily cleanable, insect proof and rodent proof containers that do not leak and do not absorb liquids. Plastic bags and wet-strength paper bags may be used to line these containers, and they may be used for storage inside the bakery.

(2) Where edible garbage will be stored in plastic bags for use as animal feed, National Sanitation Foundation (NSF) approved plastic food storage bags shall be used.

(3) Containers used in food preparation and utensil washing areas shall be kept covered after they are filled.

(4) Containers stored outside the establishment, dumpsters, compactors and compactor systems shall be easily cleanable, shall be provided with tight fitting lids, doors or covers, which shall be kept closed when not in actual use. In containers designed with drains, drain plugs shall be in place at all times, except during cleaning.

(5) There shall be a sufficient number of containers to hold all the garbage and refuse that accumulate.

(6) Soiled containers shall be cleaned at a frequency to prevent insect and rodent attraction. Each container shall be thoroughly cleaned on the inside and outside in a way that does not contaminate food, equipment, utensils, or food preparation areas. Suitable facilities, including hot water and detergent or steam, shall be provided and used for washing

containers. Liquid waste from compacting or cleaning operations shall be disposed of a sewage.

(b) Storage:

(1) Garbage and refuse on the premises shall be stored in a manner to make them inaccessible to insects and rodents. Outside storage of unprotected plastic bags or wet-strength paper bags or baked units containing garbage or refuse is prohibited. Cardboard or other packaging material not containing garbage or food waste need not be stored in covered containers.

(2) Garbage or refuse storage rooms, if used, shall be of easily cleanable, non-absorbent, washable materials, shall be kept clean, shall be insect-proof and shall be large enough to store the garbage and refuse containers that accumulate.

(3) Outside storage areas or enclosures shall be large enough to store the garbage and refuse containers that accumulate and shall be kept clean. Garbage and refuse containers, dumpsters, and compactor systems located outside shall be stored on or above a smooth surface of non-absorbent material such as concrete or machine laid asphalt that is kept clean and maintained in good repair.

(c) Disposal:

(1) Garbage and refuse shall be disposed of often enough to prevent the development of odor and the attraction of insects and rodents.

(2) Where garbage or refuse is burned on the premises, it shall be done by controlled incineration that prevents the escape of particulate matter in accordance with law. Areas around incineration facilities shall be clean and orderly.

(c) No garbage shall be disposed of as animal feed unless the collector has a valid sanitary permit to operate a livestock garbage feeding establishment, and the Division of Environmental Health has been notified in writing of who is collecting garbage for animal feed.

§4810. Construction and Design of Equipment and

Utensils. (a) All utensils and equipment used in the manufacture and packaging of bakery products shall be made of smooth, non-toxic, non-absorbent material and of such construction and design as to be easily cleaned, and must be kept in good repair.

(b) Joints and seams in metal shall be smooth and flush welded or soldered.

(c) Equipments and utensils contact surfaces shall be free of crack, crevices, pits or other imperfection that contribute to insanitary conditions.

(d) Equipment shall be positioned at a minimum distance of six inches from the floor and eight inches from the wall and ceilings for easy cleaning, except for such stationary equipment is sealed to walls, floors or ceilings in a sanitary manner that does not harbor insects, rodents or filth.

(e) The distances between machines shall be large for convenient use of the machines and for accessibility for cleaning and inspection.

(f) Compressed air introduced into the product area shall be filtered. If piston type compressors are used, the airlines shall be equipped with oil and water traps.

(g) The electrical wiring system, including conduits, switch boxes and control panels, shall be so constructed and installed to prevent insect harborage.

(h) Equipment and utensils shall be used only for the purpose intended.

**§4811. Equipment and Utensil Cleaning Facilities. (a)
Manual Cleaning and Sanitizing:**

(1) For manual washing, rinsing and sanitizing of utensils and equipments, a sink with not fewer than three compartments shall be provided and used. Sink compartments shall be large enough to permit the accommodation of the equipment and utensils, and each compartment of the sink shall be supplied with hot and cold potable running water. Fixed equipment and utensils and equipment too large to be cleaned in sink compartments shall be washed manually or cleaned through pressure spray methods.

(2) Drain boards or easily movable dish tables of adequate size shall be provided for proper handling of soiled utensils prior to washing and for clean utensils following sanitizing and shall be located so as not to interfere with the proper use of the dishwashing facilities.

(3) Equipment and utensils shall be pre-flushed or pre-scraped and, when necessary, presoaked to remove gross food particles and soil.

(4) Except for fixed equipment and utensils too large to be cleaned in sink compartments, manual washing, rinsing and sanitizing shall be conducted in the following sequences:

(A) Sinks shall be cleaned prior to use.

(B) Equipment and utensils shall be thoroughly washed in the first compartment with a warm water (100_-120_F) detergent solution that is kept reasonably clean.

(C) Equipment and utensils shall be rinsed free of detergent and abrasive with clean water in the second compartment.

(D) Equipment and utensils shall be sanitized in the third compartment according to one of the methods included in Section 11.1 (E)(1) through (4) of these regulations.

(5) The food-contact surfaces of all equipment and utensils shall be sanitized by:

(A) Immersion for at least one-half (1/2) minute in clean, hot water at a temperature of at least 170_F; or

(B) Immersion for at least one minute in a clean solution containing at least 50 parts per million of available chlorine as a hypo-chlorine and at a temperature of at least 75_F; or

(C) Immersion for at least one minute in a clean solution containing at least 12.5 parts per million of available iodine and having a pH not higher than 5.0 and at a temperature of at least 75_F; or

(D) Immersion in a clean solution containing any other chemical sanitizing agent allowed under 21 C.F.R. 178.1010 that will provide the equivalent bactericidal effect of a solution containing at least 50 parts per million of available chlorine as a hypochlorite at a temperature of at least 75_F for one minutes; or

(E) Treatment with steam free from materials or additives other than those specified in 21 CFR

173.310 in the case of equipment too large to sanitize by immersion, but in which steam can be confined; or

(F) Rinsing, spraying or swabbing with chemical sanitizing solution of at least twice the strength required for that particular sanitizing solution under Section 11.1(E)(4) of these regulations in the case of equipment too large to sanitize by immersion.

(6) When hot water is used for sanitizing, the following facilities shall be provided and used:

(A) A integral heating device or fixture installed in, on, or under the sanitizing compartment of the sink capable of maintaining the water at a temperature or at least 17-F, and

(B) A numerically scaled indicating thermometer accurate to 3F, convenient to the sink for frequent checks of water temperature; and

(C) Dish baskets of such size and design to permit complete immersion of the utensils and equipment in the hot water.

(7) When chemicals are used for sanitization, they shall not have concentrations higher than the maximum permitted under 21 CFR 178.1010² and a test kit or other device that accurately measures the parts per million concentration of the solution shall be provided and used.

§4812. Storage and Handling of Equipment. (a) After cleaning and sanitizing, utensils, and equipment shall be stored in a clean, dry place, protected from insects, dust, and any other contamination, and shall be handled in such a manner and to prevent contamination of food contact surfaces.

(b) Cleaned and sanitized utensils and equipments shall be stored at least six inches above the floor in a clean, dry location in a way that protects them from contamination by splash, dust, and other means. The food contact surfaces of fixed equipment shall also be protected from contamination. Equipment and utensils shall not be placed under exposed sewer lines or water lines, except for automatic fire protection sprinkler heads that may be required by law.

(c) Utensils shall be air dried before being stored or shall be stored in a self- draining position. Nesting of pots or pans is prohibited during drying.

(d) Single-Service Articles:

(1) Single-service articles shall be stored at least six inches above the floor in closed cartons or containers which protect them from contamination and shall not be placed under exposed sewer lines or water lines, except for automatic fire protection sprinkler heads that may be required by law.

(2) Single-service articles shall be handled and dispensed in a manner that prevents contamination of surfaces which may come in contact with food.

(e) Prohibited Storage Area: The storage of equipment, utensils or single service articles in toilet rooms or vestibules is prohibited.

§4813. Refrigeration. (a) Adequate refrigeration facilities of an approved type shall be provided to hold all perishable or potentially hazardous raw materials and finished products.

(b) Potentially hazardous foods as well as perishable foods shall be stored at a temperature not to exceed 45 degrees Fahrenheit.

(c) Frozen food shall be stored at a temperature to keep them in a solid frozen state.

(d) Refrigerated bakery product ingredients removed for processing purposes must not be left standing at room temperature for undue length of time. When practical only the amount or portion of refrigerated ingredients necessary for prompt processing use should be removed. Refrigerated food shall not be kept uncovered except when being dispensed for processing purposes.

(e) Frozen food ingredients shall be thawed for processing use by one of the following methods:

(1) Frozen food placed in refrigerated coolers which do not exceed 45_F and such food should be used within eight hours after thawing.

(2) Running water (potable) at a temperature not in excess of 60_F may be used if all frozen food will be used upon thawing.

§4814. Storage of Bakery Product Ingredients and Supplies. (a) Adequate storage facilities shall be provided

to protect bakery product ingredients and supplies from contamination and/or spoilage.

(b) Bulk bakery product ingredients may be stored in manufacturing rooms in properly constructed covered bins, cabinets or containers.

(c) Packaged bakery products, ingredients and packaging supplies shall be stored at least six inches off the floor and not less than 18 inches from the wall to facilitate cleaning and control of vermin.

(d) The storage areas shall be kept clean and free of vermin.

(e) Detergents, bleaches, cleaning compounds and similar materials shall be properly stored separate from foods and pesticides and specifically labeled as to contents and use.

(f) Pesticides and rodenticide shall be stored in properly labeled containers in a closed cabinet outside food storage, manufacturing, packaging and retail sales room.

§4815. Food Supplies. (a) General: Food shall be in sound condition, free from spoilage, filth, or other contamination and shall be safe for human consumption. Food shall be obtained from sources that comply with all laws relative to food and labeling. The use of food in hermetically sealed containers that was not prepared in an approved food processing establishment is prohibited.

(b) Special requirements:

(1) Fluid milk and fluid milk products used shall be pasteurized and shall meet the quality standards as established by law. Dry milk and dry milk products shall be made from pasteurized milk and milk products.

(2) Only clean whole eggs, with shell intact and without cracks or checks, or pasteurized liquid, frozen, or dry eggs or pasteurized dry egg products shall be used, except that hard-boiled, peeled eggs, commercially prepared and packaged, may be used.

§4816. Protection from Contamination. (a) All ingredients used in the preparation of bakery products shall be wholesome, free from spoilage and properly stored as to be protected from contamination.

(b) No room of any bakery shall be used for domestic purposes.

(c) No live animal or fowl shall be permitted in any of the bakery rooms.

(d) Ice used in the preparation or cooking of bakery products must be from an approved source and made from potable water.

(e) Only approved pesticides and rodenticide cleaning compounds and sanitizer shall be used in accordance with, and used based on the manufacturer's directions.

(f) The bakery shall not be used for any other purposes than the manufacture and packaging of bakery products and the operations incident hereto, except as not detrimental to the manufacture of bakery products and public safety.

(g) There shall be no public passageway through manufacturing areas.

(h) There shall be no exposed overhead drain or waste disposal piping, or any other piping which may cause condensation problem in the manufacturing room and rooms where products and supplies are stored.

§4817. Insect and Rodent Control. (a) **General:** Effective measures intended to minimize the presence of rodents, flies, cockroaches, and other insects on the premises shall be utilized. The premises shall be kept in such condition as to prevent the harborage or feeding of insects or rodents.

(b) **Openings:** Openings to the outside shall be effectively protected against the entrance of rodents. Outside openings shall be protected against the entrance of insects by tight-fitting, self-closing doors, closed windows, screening, controlled air currents, or other means. Screen doors shall be self-closing, an screens for windows, doors, skylights, transoms, intake and exhaust air ducts, and other openings to the outside shall be tight-fitting and free of breaks. Screening materials shall not be less than 16 mesh to the inch.

§4818. Packaging and Transportation. (a) Vehicles used in the transportation of bakery products shall be of an enclosed van type and constructed so as to give adequate sanitary protection from air-borne and manual contamination to the products being transported. All vehicles shall be kept clean and in good repair.

(b) All potentially hazardous foods as defined herein carried in delivery vehicles, for wholesale and retail sales shall be stored and maintained at a temperature not to exceed 45_F.

§4819. Personnel Cleanliness and Health. (a) **Employee Health:** Any person, while infected with a disease in a communicable form that can be transmitted by foods or who is a carrier of organisms that cause such a disease or while afflicted with a boil, an infected wound, or an acute respiratory infection shall not work in a bakery establishment in any capacity in which there is a likelihood of such person contaminating food or food - contact surfaces with pathogenic organisms or transmitting disease to other persons.

(b) **Personal Cleanliness:** Employees shall thoroughly wash their hands and exposed portions of their arms with soap and warm water before starting work, during work as often as is necessary to keep them clean, after smoking, eating, drinking, or using the toilet. Employees shall keep their fingernails clean and trimmed.

(c) Clothing:

(1) The outer clothing of all employees shall be clean.

(2) Employees shall use effective hair restraints to prevent the contamination of food or food-contact surfaces.

(d) Employee Practices:

(1) Employees shall consume food only in designated dining areas. An employee dining area shall not be so designated if consuming food there may result in contamination of other food, equipment, utensils, or other items needing protection.

(2) Employees shall not use tobacco in any form while engaged in food preparation nor while in areas used for equipment or utensils washing or food preparation. Employee shall use tobacco only in designated areas. An employee tobacco use area shall not be designated for that purpose if the use of tobacco there may result in contamination of food, equipment, utensils, or other items needing protection.

(3) Employees shall maintain a high degree of personal cleanliness and shall conform to good

hygienic practices during all working periods in the bakery establishment.

§4820. Bakery Product Labeling and Marking. (a) Labeling or marking of containers and packages for bakery products must comply with the requirement of the Guam Food, Drug and Cosmetic Act and regulations adopted thereunder.

(b) Bakery products in packages sold at retail outlets shall be date coded in the following manner:

(1) The date of production shall be printed on or attached by tag to the product package giving the month, day, and year of production, or

(2) A colored tag shall be affixed to the product package to indicate the date of production. Only one color may correspond to one day of a week. When colored tags are used, the product manufacturer shall provide all retail outlets they service with a chart stating the meaning of the color tag corresponding to the day of the week the product is manufactured. A copy of the color code explanation chart shall also be provided to the Division of Environmental Health, and when any changes occur, the DEH shall be notified in writing within five working days.

§4821. Health Certificate. Health Certificates must be obtained by all employees working in bakery establishment in accordance with separate regulations established by the Division of Environmental Health, Department of Public Health and Social Services for obtaining health certificates.

§4822. Repealer. These regulations shall be effective 45 days after their adoption and publication in accordance with law. At that time, all regulations and parts of regulations that conflict with these regulations are repealed.

§4823. Separability. If any provision or application of any provision of these regulations are held invalid, that invalidity shall not affect other provisions or applications of these regulations.