

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## An Act To Reduce Regulations for Small Nonalcoholic Beverage Producers

Be it enacted by the People of the State of Maine as follows:

**Sec. 1. 32 MRSA §1751, sub-§4-A** is enacted to read:

**4-A. Small beverage producer.** "Small beverage producer" means a person or beverage plant that manufactures or bottles no more than 50,000 gallons of beverages a year.

**Sec. 2. 32 MRSA §1852** is amended to read:

### § 1852.Plant requirements

Every beverage plant used for the preparation, manufacture and bottling of any beverage ~~shall~~must be adequately lighted and ventilated and all floors ~~shall~~must be constructed of cement, concrete or tile laid in cement or other material impervious to water, and ~~shall~~must have sufficient pitch to ~~insure~~ensure drainage; walls and ceilings ~~shall~~must be varnished or painted in light color and kept clean; doors, windows and other openings of any room in which beverages or the ingredients of such beverages ~~shall~~must be prepared ~~shall~~must be screened. Wash basins, sinks and toilets ~~shall~~must be provided for employees. ~~No~~A toilet ~~shall~~may not open directly into any room used for the preparation or bottling of any beverage. The syrup room ~~shall~~must be separately enclosed, well ventilated and lighted, provided with sinks and taps for hot and cold water, thoroughly protected against vermin, flies, dirt and dust and so constructed as to be easily cleaned.

~~Every~~Except for a small beverage producer, every beverage plant ~~shall~~must be equipped with mechanical container-washing apparatus and machinery, and with mechanical and sanitary machines for bottling and for carbonating, if carbonated beverages are manufactured. A small beverage producer may wash, bottle and carbonate glass beverage containers by hand if all other requirements of this section are met.

All machines, apparatus, vessels, fountains, tanks or other equipment, caps and ingredients used in the manufacture of beverages ~~shall~~must be kept in a sanitary condition. No vessels or tanks ~~shall~~must be used for syrup mixing or for storing such mixed syrup unless they are of glass or stainless steel, porcelain lined, block tin lined or made of some other suitable impervious material.

Beverage plants ~~shall~~must be located in buildings so constructed that the bottling operation is performed in separate rooms, but such construction ~~shall~~must allow for modern practices in the loading or unloading of trucks in the same rooms, and for modern practices in the use of conveyor systems or other means of mechanical handling.

**Sec. 3. 32 MRSA §1854**, as amended by PL 1979, c. 731, §19 and PL 2011, c. 657, Pt. W, §6, is further amended to read:

### § 1854.Cleaning of containers

~~All~~Except for reusable glass containers used by a small beverage producer, all reusable glass containers used in the manufacture of beverages shall~~must~~, before being filled or refilled, be thoroughly cleaned and sanitized by washing in an automatic washing machine in a solution of not less than 3% caustic alkali; at a temperature not lower than 110° Fahrenheit to be followed by a rinsing in potable water. All other reusable and all single service containers ~~shall~~must be cleaned and sanitized before being filled or refilled by suitable means approved by the Commissioner of Agriculture, Conservation and Forestry. A small beverage producer may clean and sanitize reusable glass beverage containers by washing the containers by hand if all other requirements of this section are met.

## SUMMARY

This bill allows small nonalcoholic beverage producers that manufacture or bottle no more than 50,000 gallons of beverages a year to clean and sanitize reusable beverage containers by washing by hand and bottle and carbonate the containers by hand as long as all other cleaning and sanitizing requirements are met.