

		<b>West Virginia Department of Health and Human Resources</b>			
		<b>MANUAL OF ENVIRONMENTAL HEALTH PROCEDURES</b>			
Section	Food	Date	January 11, 2008	Procedure #	F-8
Subject	Salvage Operation in Association with Food Establishments			Page	1 of 2

In the absence of a regulation controlling food salvage in West Virginia, there is a need to establish a policy pertaining to salvage operations operated in conjunction with Food Establishments. There are firms that engage in the business of acquiring “distressed merchandise” with the intent to recondition the merchandise for sale to the public.

### Definitions:

**Distressed Merchandise** – Any food which has the label lost or which has been subjected to possible damage due to accident, fire, flood, adverse weather or similar cause which may have rendered it unsafe or unsuitable for human consumption or use.

**Food** – Any raw, cooked, or processed edible substance, ice, chewing gum, beverage, or ingredient used or intended for use or sale in whole or in part for human consumption.

**Non-Salvageable Merchandise** – Distressed merchandise which cannot be safely or practically reconditioned.

**Reconditioning** – Any appropriate process or procedure by which distressed merchandise can be made safe for human consumption.

### Cross Contamination Prevention:

In some instances, firms engage in the salvaging of merchandise other than food. When a Food Establishment attempts to recondition food and other merchandise, extreme care must be taken to prevent cross contamination among the various types of merchandise (e.g., animal feed to human food, detergents to food, etc.). The reconditioning operation must be conducted in a designated area sufficiently separated from foods in storage or on display in order to prevent potential splash, spillage, or other inadvertent contamination of wholesome foods.

### Recondition of Distressed Merchandise:

1. All salvageable merchandise shall be reconditioned prior to sale. It must be restored to a condition reasonably comparable to its original condition.
2. Food or containers of food which have been subjected to adverse conditions are unsalvageable if the conditions rendered them unsafe or unsuitable for human consumption or use. Sanitarians must evaluate each incident in keeping with the guidance contained herein.

3. All metal cans shall be essentially free from rust or pitting and dents, especially at the rim, end of double seams, and/or side seams. Leaking cans, "flippers", "springers", and hard or soft swells shall be deemed unfit for sale (see [procedure memo F-5](#)).
4. All other metal containers whose integrity has not been compromised and whose integrity would not be compromised by the reconditioning and which have been subject to mishaps identified in (4) above may be salvaged by a thorough cleaning, and a sanitizing rinse of a concentration of 100ppm available chlorine for a period of one minute or by any other method recognized as accomplishing comparable results.
5. Containers, including metal and glass, with press caps, screw caps, pull rings, or other similar openings which have been in contact with water, smoke, liquid foam, or other substances as a result of a fire, fire fighting efforts, flood, sewer backup, or similar mishap shall be deemed unfit for salvage.
6. Containers other than metal or glass may be salvaged only after evaluation and approval by the Sanitarian. The Sanitarian will examine the condition of the container, cause of contamination, and proposed method of reconditioning.
7. Fresh produce which has been subjected to adverse conditions may not be salvaged.

Labeling:

No food may be sold, offered for sale, or offered without charge for which the original label is missing, or the label is illegible. A relabeling, except by the exact original label, is prohibited.

Non-Salvageable Merchandise:

Non-salvageable foods shall be destroyed and disposed of in a manner approved by the Sanitarian and in keeping with the Department's policies for solid waste disposal. The following shall be deemed unsalvageable:

1. Foods contaminated and/or adulterated by pesticides or other chemicals.
2. Potentially hazardous foods (frozen or requiring refrigeration) which have been exposed to a temperature above 41 °F for a period exceeding two (2) hours.
3. Foods found unfit for salvage on examination.
4. Food packaged in paper or other porous material which have been subjected to contamination.

References

History                      Old procedure number F-50  
                                     Replaces F-50 dated July 1, 1991

Attachments