

REGULATION NO. 2010-01

A REGULATION RELATED TO FOOD HANDLER & FOOD MANAGER TRAINING IN ANDERSON COUNTY, KENTUCKY

BE IT ORDAINED BY THE ANDERSON COUNTY BOARD OF HEALTH, by virtue of authority vested in KRS 212.230 which allows a local board of health to adopt, except as otherwise provided by law, administrative regulations not in conflict with the administrative regulations of the Cabinet for Health and Family Services necessary to protect the health of the people or to effectuate the purposes of this chapter or any other law relating to public health; after passage, approval and publication this regulation as follows:

SECTION (1): FOOD HANDLER CERTIFICATION.

- A. Every person connected with a food service establishment, whose work brings him in contact with the production, processing, serving or handling of food or with the containers or equipment thereof, shall at the commencement of employment, and thereafter every three (3) years, be required to pass an examination as determined by the Health Department pertaining to knowledge of basic food preparation procedures relevant to the prevention of foodborne disease. The Health Department shall make study guides and/or audio visual aids available to the test candidates.
- B. Certification of Food Service Establishment Personnel having passed this testing program requirements shall be kept at the establishment and be made available to Health Department personnel upon request.

SECTION (2): FOOD MANAGER CERTIFICATION.

- A. All food service establishments in Anderson County must be operated by a Certified Manager, who is required to be on duty during normal business hours. To obtain Manager status, individuals must attend the Manager's Certification Course, a service offered through Anderson County Health Department, and must pass the Certification Examination.
- B. Courses equivalent to the Anderson County Managers' Certification Course may be considered for substitution at the discretion of the Health Department. Certification will be valid for three (3) years, at which time renewal will be required. More than one person may be certified as a Manager of a food service establishment.

SECTION (3): FEE SCHEDULE.

- A. A reasonable fee related to the cost of program administration may be charged for the certifications provide by the Health Department.

SECTION (4): ENFORCEMENT PROVISIONS.

- A. All permitted establishments with the exception of temporary permits will be required to comply with this regulation. It shall be the responsibility of the permit holder to ensure Compliance with the provisions of this regulation as set forth above.
- B. Time limits will be allowed for program implementation. Newly hired employees are granted a period of 30 days in which to complete this training. An extension may be obtained from the Health Department as deemed necessary.

- C. Establishments failing to comply with the provisions of the regulation shall be issued by the Department, a written notice or order which shall allow a reasonable time for correction, not to exceed ten (10) days for violation of this regulation.
- D. Any person or establishment issued a notice, provided for in this regulation, will be afforded an opportunity for an Administrative Conference if a written request for such is filed with the Department within ten (10) days of their receiving any official notice or order.
- E. Notices provided for under this regulation shall be deemed to have been properly served when the original of the inspection report form or other notice has been delivered personally to the permit holder or the person in charge, or such notice has been sent by registered or certified mail, return receipt requested, to the last known address of the permit holder or to the agent for service of process for the permit holder.
- F. The Administrative Conferences provided for in this regulation shall be conducted by the Department at a time and place designated by it. Based upon the record of such Administrative Conference the Department shall make a finding and shall sustain, modify, or rescind any official notice or order considered in the Administrative Conference.

SECTION (5): PENALTY.

Any person, firm or corporation or permit holder who violates any provision of these regulations shall be fined not less than ten (\$10.00) dollars nor more than one hundred (\$100.00) dollars for each day the violation continues as provided for by KRS 212.990 (2).

SECTION (6): EFFECTIVE DATE.

This regulation shall become effective August 1, 2010.

SECTION (7): HISTORY.

Original Regulation passage June 23, 2010.

INTRODUCED, AND APPROVED by the Anderson County Board of Health, Kentucky, upon motion of J. Smallwood, seconded by K. Klink, at a duly convened meeting held on the 23 day of June, 2010.

Published in the Anderson News on July 28, 2010.

ANDREW BUSTIN, MD
CHAIRMAN

ATTEST:

BRANDON HURLEY
PUBLIC HEALTH DIRECTOR