

3701-21-25

**Certification in food protection.**

(A) In accordance with section 3717.09 of the Revised Code, the director of health ~~shall~~ will approve the following categories of food certification courses ~~of study~~:

(1) Person in charge certification ~~covering~~ covers the principles of food safety and the requirements of paragraph (B) of rule 3717-1-02.4 of the Administrative Code. ~~A person in charge certification course approved by the director of health prior to the effective date of this rule shall maintain its approval until a new course is submitted to the director of health no later than nine months after the effective date of this rule, and approved or disapproved by the director of health no later than twelve months after the effective date of this rule. If a new course is not submitted and approved within twelve months of the effective date of this rule, the course will no longer be approved.~~

(2) Manager certification in food protection is a comprehensive food safety training that provides managers with in-depth knowledge of proper food safety practices for use in their facilities. A manager certification in food protection course approved by the director of health prior to April 1, 2019 will retain its approval until a new or amended course is submitted to the director of health no later than nine months after the effective date of this rule and approved or disapproved by the director of health no later than twelve months after the effective date of this rule. If a new or amended course is not submitted and approved within twelve months of the effective date of this rule, the course will no longer be approved.

(B) Any person desiring to apply to the director of health for approval to conduct a food certification course ~~of study~~ shall ~~is obligated to~~ complete an application prescribed by the director and submit the completed application to the director. An application to conduct a person in charge certification course or manager certification in food protection course ~~shall~~ will contain at least the following criteria:

(1) The applicant's name, address, email address and telephone number;

(2) Name of course to be conducted;

(3) Course agenda that identifies the core content as specified in appendix A of this rule for a person in charge certification course ~~of study~~ and as specified in appendix B of this rule for a manager certification in food protection course ~~of study~~;

(4) A description of any methods of training to be used such as classroom instruction, guest speakers, interactive computer programming, ~~interactive or~~ video, ~~or distance learning~~;

- (5) The names of all course instructors and verification that the instructors possess the following qualifications:
- (a) For person in charge certification:
- (i) The instructor is a registered ~~sanitarian~~ environmental health specialist working in food safety ~~or related experience~~; or
- (ii) The instructor ~~has successfully completed~~ possesses a valid manager certification in food protection course in accordance with this rule.
- (b) For manager certification in food protection:
- (i) ~~A minimum of four years of experience either conducting training or teaching food safety; working in the food service industry; working as a registered sanitarian~~ The instructor is a registered environmental health specialist working in food safety; or related food safety experience; and
- (ii) The instructor possesses a valid manager certification in food protection in accordance with this rule; and
- ~~(ii)~~ (iii) Documentation that confirms the instructors possess approval from the course developer to instruct the course.
- (6) The names of all examination proctors and documentation that the proctors possess approval from the examination developer to proctor the examination;
- (7) For a manager certification in food protection course, the name of the examination to be ~~used~~ administered. The examination ~~shall~~ will comply with the criteria set by the conference for food protection standards (April 2016) for food safety certification examination;
- (8) An example of the certificate issued to individuals who attend a person in charge certification course, which ~~shall~~ will contain the following:
- (a) ~~The name of the course provider~~ Name of student;
- (b) ~~The name of the course completed~~ Statement that student completed "Ohio Person-in-Charge" course;
- (c) ~~The date~~ Date of course completion; ~~and~~
- (d) Name of training provider; and

~~(d)~~(e) ~~The course~~Course provider approval number assigned by the director of health.

(C) Person in charge certification and manager certification in food protection courses ~~of study~~.

(1) An application for approval of a person in charge certification or manager certification in food protection course ~~of study~~ shall will be completed on a form prescribed by the director and ~~shall will~~ contain at least the following information:

(a) The applicant's name, address, email address and telephone number; and

(b) A copy of all course materials, such as student manuals, written or verbal exercises, ~~instructor notebooks~~, access to interactive computer program, videos, ~~and handouts~~ or other materials mandated by the director of health;

(2) Amendments to a person in charge or manager certification in food protection course ~~of study~~ approved by the director of health; ~~shall will~~ be submitted to and approved by the director of health for approval prior to implementation.

(D) Person in charge certification and manager certification in food protection ~~courses~~course of study curriculum curriculums.

(1) The core content of a person in charge certification course ~~of study~~ shall will ~~contain a curriculum that complies with~~ address the areas of knowledge and the topics described in appendix A of this rule and contain a verbal or written exercise, without the written exercise containing a passing score.

(2) The core content of a manager certification in food protection course ~~of study~~ shall will ~~contain a curriculum that complies with~~ address the areas of knowledge and the topics described in appendix B of this rule.

(3) A food certification course ~~of study~~ administered through interactive computer programming ~~shall will~~ affirm that the course does not enable an individual to fast forward or skip through course content.

(E) Individuals that submit with their applications proof that they are a service member or veteran, or the spouse or surviving spouse of a service member or veteran will receive priority processing.

(1) The acceptable proof of service member/veteran status documents are:

- (a) Department of defense identification card (active, retired, temporary disability retirement list (TDRL));
  - (b) DD214 military discharge certificate indicating disposition of discharge;
  - (c) Report of separation from the national archives national personnel records center in St. Louis, Missouri; or
  - (d) Veterans identification card from the department of veterans affairs.
- (2) All acceptable proof documents, except veterans identification card, ~~must~~ are to show the veteran status as honorable, general, general under honorable conditions, or discharged or released under conditions other than dishonorable.
- (F) An approved provider of a person in charge certification course ~~shall~~ will:
- (1) Prior to implementation, submit to the director any changes ~~to the~~ such as course materials, course agenda, instructors, certificate of completion, or provider contact information;
  - (2) Provide adequate facilities, equipment and supplies necessary to administer the approved course; and
  - (3) Provide a certificate of completion to individuals who complete the course.
- (G) An approved provider of a manager certification in food protection course ~~shall~~ will:
- (1) Prior to implementation, submit to the director any changes ~~to the~~ such as course materials, course agenda, instructors, proctors, examination, or provider contact information;
  - (2) Provide adequate facilities, equipment and supplies necessary to administer the approved course;
  - (3) Ensure that, prior to administering the examination:
    - (a) Instructors affirm that students attended the entire course; and
    - (b) Proctors mandate students to provide documentation of completion of a manager course approved by the director of health. Providers will maintain the documentation until the provider has been audited by the director of health.
  - (4) Within thirty days of ~~the course conclusion~~ administering the examination, send to the director of health a copy of the ~~final enrollment~~ examination score report

~~for the course with~~ that includes date of examination, each individual's name, passing grade, name of provider, and name of instructor or proctor; and

~~(4)~~(5) Distribute the Ohio certification to individuals who successfully complete ~~the~~ certification program course and examination within ten business days of receiving the certifications from the director of health.

(H) The director may audit any food certification course ~~of study~~ or provider to determine compliance with the most current requirements in Chapter 3717-1 of the Administrative Code and this rule.

(I) The director ~~shall~~ may disapprove a food certification course ~~of study~~ or provider if the course or provider fails to meet the requirements of this rule. An applicant, course ~~of study~~, or course provider may request that the director reconsider the decision and may submit additional materials to the director in support of their request, provided that the director receives the request for reconsideration and any additional materials within thirty days of the date of the director's notice of disapproval. The director ~~shall~~ will reconsider the disapproval and ~~shall~~ issue a final decision within thirty days of receiving the request for reconsideration.

(J) An individual desiring manager certification in food protection ~~shall~~ is obligated to successfully complete a manager certification in food protection course and ~~successfully pass the approved course~~ examination that meet the requirements of this rule. If the course and examination were administered by a course provider not approved by the director of health, the individual may apply for certification in food protection by submitting an application to the director of health on a form prescribed by the director along with the following:

(1) Documentation that the individual has successfully completed a manager certification in food protection course ~~of study~~ in accordance with this rule; and

(2) A certificate that confirms the individual has successfully completed a course examination that complies with paragraph (B)(7) of this rule within one year of completion of an approved manager certification in food protection course ~~of study~~.

(K) Person in charge certification:

(1) The licenser ~~shall~~ will mandate person in charge certification for at least one person in charge per shift in risk level I, II, III, and IV food service operations and retail food establishments initially licensed after March 1, 2010.

(2) The licenser ~~shall~~ will mandate person in charge certification for all persons in charge in food service operations and retail food establishments initially

licensed prior to March 1, 2010 that have been implicated in a foodborne disease outbreak or the licensor has documented a failure to maintain sanitary conditions as per sections 3717.29 and 3717.49 of the Revised Code.

- (3) A person in charge of a food service operation or a retail food establishment not subject to paragraph (K)(2) of this rule that provides documentation to the licensor that the person in charge has obtained manager certification in food protection issued by the director of health is not ~~required~~ obligated to obtain person in charge certification.
- (4) The licensor will mandate person in charge certification for at least one person in charge per license holder at each individual event in high risk mobile food service operations and high risk mobile retail food establishments initially licensed on or after the effective date of this rule.
- (5) The licensor will mandate person in charge certification for all persons in charge in high risk mobile food service operations and high risk mobile retail food establishments initially licensed prior to the effective date of this rule that have been implicated in a foodborne disease outbreak or the licensor has documented a failure to maintain sanitary conditions as per sections 3717.29 and 3717.49 of the Revised Code.
- (L) A licensor that is an approved course provider in accordance with this rule may charge a fee ~~in accordance with~~ as specified in division (B)(3) of section 3717.25 of the Revised Code for retail food establishments and division (B)(3) of section 3717.45 of the Revised Code for food service operations.

Effective:

Five Year Review (FYR) Dates: 3/11/2024

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Certification

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Date

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