

Representative Johnny Anderson proposes the following substitute bill:

FOOD HANDLER TRAINING AMENDMENTS

2012 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Johnny Anderson

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies the general sanitation chapter in the Health Code by amending provisions related to a food handler.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ prohibits a person from acting as a food handler for a food service establishment unless the person obtains a valid food handler training certificate and holds a valid food handler permit;
- ▶ provides for a food handler training certificate and a food handler permit including content of the training, testing, fees, certificate, and validation period;
- ▶ allows the Department of Health to establish procedures to allow certain entities to provide the food handler training certificate course and test; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill takes effect on July 1, 2012.



26 **Utah Code Sections Affected:**

27 AMENDS:

28 **26-15-5**, as enacted by Laws of Utah 1981, Chapter 126



30 *Be it enacted by the Legislature of the state of Utah:*

31 Section 1. Section **26-15-5** is amended to read:

32 **26-15-5. Requirements for food handlers.**

33 (1) As used in this section:

34 (a) "Approved training provider" means an entity:

35 (i) ~~H~~→ **using a training program** ←~~H~~ accredited by the American National Standards

35a Institute under ANSI ASTM

36 International E2659-09 Standard Practice for Certificate Programs; ~~H~~→ [and] or ←~~H~~

37 (ii) approved by the department under Subsection (7) to provide a food handler training
38 certificate course and test.

39 (b) "Food handler" means a person who prepares, stores, or serves food for a food
40 service establishment.

41 (c) "Food handler permit" means a permit issued by the a local health department to
42 allow a person to serve as a food handler.

43 (d) "Food handler training certificate" means a certificate indicating successful
44 completion of a training course and test:

45 (i) related to the standards under Subsections (1)(a)(i) and (6)(b); and

46 (ii) administered by an approved training provider;

47 (e) "Food service establishment" has the same meaning as provided in Section
48 26-15a-102.

49 (2) A person may not serve as a food handler for a food service establishment unless
50 the person:

51 (a) obtains a valid food handler training certificate as provided under this section; and

52 (b) holds a valid food handler permit as provided under this section.

53 (3) (a) A person may obtain a food handler training certificate by successfully
54 completing a food handler training certificate course from an approved training provider.

55 (b) A food handler training certificate may be used for one year after issuance to obtain
56 a food handler permit.

57 (4) (a) A person may obtain a food handler permit by:
 58 (i) presenting a valid food handler training certificate to a local health department; and
 59 (ii) paying a food handler permit fee to the local health department.

60 (b) A local health department may not charge more than \$10 for a food handler permit.

61 (5) (a) A person serving as a food handler for a food service establishment shall obtain
 62 a food handler permit:

63 (i) within 30 days of initial employment with a food service establishment ~~H~~→ or prior to
 63a handling any food ←~~H~~ ;

64 (ii) immediately upon expiration of the person's food handler permit; and

65 (iii) every three years thereafter.

66 (b) A person who holds a valid food handler permit under this section may serve as a
 67 food handler throughout the state without restriction.

68 (c) A food handler permit is valid for three years from the date of issuance.

69 (6) The food handler training certificate course required under Subsection (3), shall:

70 (a) be designed to be completed within approximately two and a half hours;

71 (b) provide basic instruction on the Center for Disease Control and Prevention's Top
 72 Five Foodborne Illness Risk Factors, including:

73 (i) improper hot/cold holding temperatures of potentially hazardous food;

74 (ii) improper cooking temperatures of food;

75 (iii) dirty or contaminated utensils and equipment;

76 (iv) poor employee health and hygiene; and

77 (v) food from unsafe sources;

78 (c) be offered through:

79 (i) a trainer-led class;

80 (ii) online through the Internet; or

81 (iii) through a combination of Subsections (6)(c)(i) and (ii); and

82 (d) include a food handler training certificate to indicate the successful completion of
 83 the course, which:

84 (i) shall include identifying information determined by department rule;

85 (ii) may be delivered digitally or on-line; and

86 (iii) is not required to include a photo of the certificate holder.

87 (7) The department shall establish procedures to allow qualified entities to be an

88 approved training provider.

89 (8) The entity that provides the food handler training certificate may charge a
90 reasonable fee.

91 ~~[The]~~ (9) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking
92 Act, and as necessary to promote general sanitation and protect the public health the
93 department shall make rules to establish minimum requirements for;

94 (a) a food handler ~~[certification and]~~ training ~~[necessary to promote general sanitation~~
95 and protect the public health.] certificate;

96 (b) an approved training provider; and

97 (c) a food handler permit.

98 Section 2. **Effective date.**

99 This bill takes effect on July 1, 2012.