

**Representative Johnny Anderson** proposes the following substitute bill:

**FOOD HANDLER TRAINING AMENDMENTS**

2012 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Johnny Anderson**

Senate Sponsor: \_\_\_\_\_

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**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 holds a valid food handler training certificate;
- ▶ provides for a food handler training certificate 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;
- ▶ provides for exceptions from the food handler training certificate requirements; 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

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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) accredited by the American National Standards Institute under ANSI ASTM

36 International E2659-09 Standard Practice for Certificate Programs; and

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 training certificate" means a certificate indicating successful  
42 completion of a training course and test:

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

44 (ii) administered by an approved training provider;

45 (d) "Food service establishment" has the same meaning as provided in Section  
46 26-15a-102.

47 (2) Except as provided under Subsection (9), a person may not serve as a food handler  
48 for a food service establishment unless the person holds a valid food handler training certificate  
49 as provided under this section.

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

52 (4) (a) A person serving as a food handler for a food service establishment shall obtain  
53 a food handler training certificate:

54 (i) within 30 days of initial employment with a food service establishment;

55 (ii) immediately upon expiration of the person's food handler training certificate; and

56 (iii) every three years thereafter.

57 (b) A person who holds a valid food handler training certificate under this section may  
58 serve as a food handler throughout the state without restriction.

59 (c) A food handler training certificate is valid for three years from the date of issuance.

60 [The] (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking  
61 Act, the department shall make rules to establish minimum requirements for a food handler  
62 [certification and] training certificate and for an approved training provider necessary to  
63 promote general sanitation and protect the public health.

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

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

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

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

69 (ii) improper cooking temperatures of food;

70 (iii) dirty or contaminated utensils and equipment;

71 (iv) poor employee health and hygiene; and

72 (v) food from unsafe sources;

73 (c) be offered through:

74 (i) a trainer-led class;

75 (ii) online through the Internet; or

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

77 (d) include a food handler training certificate to indicate the successful completion of  
78 the course, and which:

79 (i) includes identifying information determined by department rule;

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

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

82 (7) The department shall establish procedures to allow qualified entities to be an  
83 approved training provider.

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

86 (9) The requirements of this section do not apply to a person providing food handler  
87 services for an event, establishment, provider, or venue exempted from food service

88 establishment requirements under Section 26-15a-105.

89 Section 2. **Effective date.**

90 This bill takes effect on July 1, 2012.