

Marshall County Board of Health

(Marshall County Health Department)

Marshall County Food Handlers Regulation

Approved by the Board of Health

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William Mercer, MD. Marshall County Health Officer
Mr. Donald Mason, Marshall County Board of Health Chair

Filed:

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Marshall County Food Handlers Regulation

Purpose: The Marshall County Board of Health has an obligation to ensure that food establishments in the county provide safe food for the public. The Marshall County Board of Health believes that food handlers that serve the public shall all have proper food safety training.

The Marshall County Board of Health further believes a food handler who serves as a Person in Charge must have greater knowledge of the food establishment and the food code to properly supervise food establishment employees and procedures. When inspections are performed, it is the Person in Charge who ensures that the food establishment is meeting the standards set by the food code and any corrections are made.

Authority: Food handler training regulations adopted by a County Board of Health are in accordance with authority granted by West Virginia Code 16-2-11(b)(3), West Virginia Code 16-2-16, and West Virginia Code of State Rules 64-7-23.

Definitions: The following language whenever used in this regulation shall be construed as defined in this section.

Certified Food Protection Manager - means a person who has demonstrated by means of a food safety certification examination to a certification organization that he/she has the knowledge, skills and abilities required to protect the public from foodborne illness. Duties of such persons include but are not necessarily limited to:

- responsibility for identifying hazards in the day-to-day operation of a food establishment that provides food for human consumption;
- development or implementation of specific policies, procedures or standards aimed at preventing foodborne illness;
- coordination of training, supervision or direction of food preparation activities, and responsibility for taking corrective action as needed to protect the health of the consumer; and
- responsibility for completion of in-house self-inspection of daily operations on a periodic basis to see that policies and procedures concerning food safety are being followed.

Food Contact Surface -

- A surface of equipment or a utensil, with which food normally comes into contact; or
- A surface of equipment or a utensil from which food may drain, drip, or splash.
 - Into a food, or
 - Onto a surface normally in contact with food.

Food Establishment - means an operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption.

- Such as a restaurant; satellite or catered feeding location; catering operation if the operation provides food directly to a consumer or to a conveyance used to transport people; market; vending location; conveyance used to transport people; institution; or food bank; and
- That relinquishes possession of food to a consumer directly, or indirectly through a delivery service such as home delivery of grocery orders or restaurant takeout orders, or delivery service that is provided by common carriers.

Food Handler - means an individual working with unpackaged food, food equipment or utensils, or food contact surfaces.

Food Protection Manger Certification Program – means a food handling training program that has been approved by the Conference for Food Protection as conforming to the Conference for Food Protection Standards for Accreditation of Food Protection Manager Certification Program, such as a ServSafe Food Protection Manager Certification through the National Restaurant Association.

Person in Charge (PIC)- means the individual present at a food establishment who is responsible for the operation at the time of inspection and is a Certified Food Protection Manager.

Person in Charge Certification – a valid and approved certificate of training from the Marshall County Health Department or a certificate from an approved Food Protection Manager Certification Program.

Soup Kitchen – means a volunteer agency providing free meals to the public.

Statewide Card – means a food handler’s card that will be accepted in any county in the state of West Virginia.

Section 1. Regulation of who must have a food handler’s permit card:

- A.** All food handlers working in a food establishment in Marshall County must possess a valid food handler’s permit card. Food handlers will not be permitted to continue to work more than 30 days without a valid card. Cards will be valid for a period of two years from the date the food handlers’ training class is taken when issued by Marshall County Health Department. Food handler’s cards are accepted when issued by another county in West Virginia provided they are valid for no more than three years.
- B.** A copy of the food handler’s permit card must be kept at the food establishment, and either posted or be conveniently available to the sanitarian for review at all times.

Section 2. Regulation of how to obtain a food handler’s permit card:

- A.** Food handlers must attend a training class as prescribed by the Marshall County Health Department, or
- B.** Obtain a statewide food handler’s card from another health department in West Virginia in order to work in food service in Marshall County.

Section 3. Regulation of who must have a Person in Charge Certification:

- A.** All Persons-In-Charge working in a food establishment in Marshall County must possess a valid PIC permit card. PICs will not be permitted to continue to work more than 60 days without a valid PIC card. Cards will be valid for a period of two years from the date the PIC training class is taken when issued by Marshall County Health Department or possess a current certification from an approved Food Protection Manager Certification Program.
- B.** A copy of the PIC permit card must be kept at the food establishment, and either posted or be conveniently available to the sanitarian for review at all times.

Section 4. Regulation of how to obtain a PIC certification

- A.** PICs must attend a training class as prescribed by the Marshall County Health Department, or
- B.** If the Person-in-Charge is certified by an approved Food Protection Manager Certification Program, he or she will need to register their certification with the Marshall County Health Department and pay a fee of \$5.00. Upon renewal of the Food Handler Card, the PIC registration must be renewed also.

Section 5. Off-site classes by special request:

Food handlers' classes may be held at locations other than the health department upon request, if there is a minimum of fifteen (15) participants. Off-site classes are subject to a fee in addition to the cost of food handlers' permit fees.

Section 6. Applicable fees:

Marshall County Food Handler Card only	\$10.00
Duplicate Food Handler Card	\$ 5.00
Statewide Food Handler Card	\$20.00
Off-site class	\$50.00
PIC Card	\$75.00
Registration Fee for current FPMC in lieu of PIC	\$ 5.00

Section 7. Penalties Upon Violation

Any person who owns, operates, manages or otherwise controls a Food Establishment and who violates these regulations shall be subject to those penalties as set forth in West Virginia code 16-2-15 (as in effect on the date of the violation), or shall have the permit of the establishment suspended, or both, at the discretion of the Marshall County Board of Health.