

**OREGON ADMINISTRATIVE RULES
CHAPTER 333, DIVISION 175**

333-175-0001 Purpose

The food handler training program rules set fees and address requirements for successful completion of a food handler program and issuance of the certificate. Additionally, these rules set out general provisions regarding food handler training programs and provide guidelines for the relationship between the Department of Human Services, Local Public Health Authorities and Designated Agents.

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Stats. Implemented: ORS 624.570

Hist.: PH 21-2004, f. & cert. ef. 6-18-04

333-175-0011 Program Description - General

The program is a Department-approved food handler training program provided through mechanisms such as self-training, computer-based training, or instructor-led training. The goal of the food handler training program is to provide food handlers with a basic understanding of food safety that will assist the manager or person in charge to direct the food handler in preparing and serving food safely. A certificate of program completion confirms that the food handler met the learning objectives.

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333-175-0021 Definitions

- (1) "Approved" means approved by the Oregon Department of Human Services.
- (2) "Assessment" means to determine whether the food worker understood the concepts represented by the learning objectives. The assessment used by the program providers must be provided or approved by the Department.
- (3) "Certificate of Program Completion" confirms that a person has successfully completed the food handler training program.
- (4) "Certified Food Manager" means that a manager has successfully completed a Department-approved food manager program.
- (5) "Computer-Based Training" means self-training through the use of a computer program or the Internet.
- (6) "Designated Agent" means an individual or organization who/that has been authorized by the Department or Local Public Health Authority to provide a food handler training program and issue certificates of program completion.

(7) "Department" means the Oregon Department of Human Services Foodborne Illness Prevention Program.

(8) "Food Handler" means those persons involved in the supervision or preparation or service of food in a restaurant or food service facility licensed under ORS 624.020 or 624.320. This includes, but is not limited to, managers, cooks, wait staff, dishwashers, bartenders and bus persons.

(9) "Local Public Health Authority" means those counties to which the Department has entered into an Intergovernmental Agreement under ORS 624.510.

(10) "Program" means Department-approved food handler training program.

(11) "Program Provider" means the Department of Human Services, Local Public Health Authority or a Designated Agent.

(12) "Self-Training" means a training process wherein the individual learns without the presence or intervention of a trainer or instructor.

(13) "Trainer" means the person actively delivering food handler training to learners.

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333-175-0031 Food Handler Training Required

(1) All food handlers employed in a restaurant, bed and breakfast, mobile unit, commissary, warehouse or vending operation must obtain a certificate of program completion from the Department, Local Public Health Authority or a Designated Agent within 30 days after the date of hire. A food handler must maintain a current certificate of program completion as long as they are employed as a food handler.

(2) A food handler certificate of program completion expires three years after the date of issuance. When a food handler's certificate of program completion expires, the food handler must successfully complete the program and pay the appropriate fee.

(3) The Department and Local Public Health Authority may provide food handler training themselves, through a Designated Agent or both.

(4) At least one person involved in the preparation or service of food in a temporary restaurant who has a valid certificate of program completion must be present at all times during the operation of the facility.

(5) A facility listed in section (1) of this rule that is operated by a benevolent organization must have at least one person with a valid food handler certificate of program completion present at all times during the preparation and service of food. This person is responsible for supervising and educating all workers in the sanitary practices used in food service.

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333-175-0041 Minimum Standards for Program Providers

(1) In order for the Department or Local Public Health Authority to appoint a Designated Agent, the individual or organization must demonstrate that they have sufficient experience in food safety, food science or food service to be knowledgeable in all areas of the food handler training curriculum, and at a minimum are a certified food manager or registered environmental health specialist as defined by ORS 700. This staff member must be reasonably involved in the operation or administration of the training program delivery.

(2) Program providers must also have:

- (a) The ability to provide training and an assessment; and
- (b) The ability to safeguard the training and assessment materials.

(3) The Local Public Health Authority exercising duties pursuant to ORS 624.510 shall ensure that food handler training programs are provided within their jurisdiction. The Local Public Health Authority or Department who authorized a Designated Agent is responsible for the proper program administration and delivery.

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333-175-0051 Content of Food Handler Training Programs

The concept of foodborne illness will be introduced. The training will address personal hygiene, contamination, and temperature control to reinforce the notion that the food handler's behaviors can prevent foodborne illness. The following learning objectives must be included in the food handler training program:

(1) Foodborne Illness

- (a) The food handler will be able to describe foodborne illness as an illness resulting from eating contaminated food.
- (b) The food handler will know food contaminated with organisms (known to cause illness) does not look, smell or taste different from food not contaminated.
- (c) The food handler will know that symptoms vary and may include diarrhea, vomiting, fever, cramping and nausea.
- (d) The food handler will know that depending on the cause, symptoms may develop in a few minutes to several days. Symptoms may last several days and can result in death.
- (e) The food handler will know that foodborne illness is caused by organisms known to cause illness, or is caused by chemicals.

(2) The Role of the Food Handler in Foodborne Illness

- (a) The food handler will be able to describe the five major mistakes that cause foodborne illness. The five major mistakes are:
 - (A) Inadequate handwashing;
 - (B) Employees working while ill;
 - (C) Cross contamination;
 - (D) Inadequate final cooking temperatures; and
 - (E) Inadequate temperature control (allowing foods to be in the danger zone).
- (b) The food handler will be able to describe the activities performed by food handlers that prevent foodborne illness from happening. The activities that prevent foodborne illness are:
 - (A) Proper handwashing every time hands may have become contaminated
 - (B) Food handlers working only when healthy;
 - (C) Storing and handling of foods in a manner to prevent contamination;
 - (D) Cook each animal product to its required final cooking temperature; and
 - (E) Maintaining hot and cold temperatures (keeping foods out of the danger zone).

(3) The Role of Management

- (a) The food handler will know that the manager sets the tone of what food safety activities occur or don't occur within the facility.
- (b) The food handler will know that the food service management is responsible for training and ensuring that food handlers practice the activities that prevent foodborne illness.

(4) Handwashing

- (a) The food handler will be able to identify the following as the correct technique for handwashing:
 - (A) Use warm water and soap;
 - (B) Scrub hands thoroughly (approximately 15-20 seconds); and
 - (C) Dry hands with single-use towel, cloth towel roll or air dryer.
- (b) The food handler will be able to identify the following situations for when food handlers must wash their hands:
 - (A) After handling raw food;
 - (B) After smoking, eating, or drinking;
 - (C) After handling dirty dishes or garbage;
 - (D) After cleaning or using other toxic materials; and
 - (E) Before putting on gloves.
- (c) The food handler will be able to identify the following situations for when food handlers must wash their hands twice:
 - (A) After using the toilet and again when entering the work area (double handwash);
 - (B) After blowing nose, sneezing, coughing, or touching eyes, nose or mouth (double handwash);
 - (C) Before starting work (double handwash); and
 - (D) Anytime hands come into contact with bodily fluids including cuts and burns (double handwash).
- (d) The food handler will know that food service gloves are capable of spreading germs and do not substitute for proper handwashing.
- (e) The food handler will know that smoking, eating, and chewing tobacco is prohibited in food preparation and food and utensil storage areas.

(5) Employee Illness

- (a) The food handler will know to call the person in charge at the food service facility when ill with diarrhea, vomiting, fever, jaundice or sore throat with fever.
- (b) The food handler will know to not work in the food service facility while ill with these symptoms.
- (c) The food handler will know to not handle food with an infected cut or infected burn on the hands and wrists, unless an impermeable cover protects the lesion and a single-use glove is worn over the impermeable cover.

(6) Contamination and Cross Contamination

- (a) The food handler will be able to define and identify physical contamination as foreign objects accidentally introduced into food. Food items may arrive already contaminated with dirt, and pebbles.
- (b) The food handler will be able to define and identify cross contamination as happening when microorganisms are transferred from one food or surface to another food.
- (c) The food handler will be able to identify methods to prevent cross contamination such as wash, rinse, and sanitize utensils, work surfaces and equipment between uses.
- (d) The food handler will be able to identify the following storage conditions that will minimize the potential for cross contamination:
 - (A) Store raw meats below and completely separate from ready-to-eat food in refrigeration units;
 - (B) Store chemicals, cleansers and pesticides completely separate from food, utensils, and single service items; and
 - (C) Properly label all chemicals, cleansers and pesticides.

(7) Final Cooking Temperature

The food handler will be able to identify that cooking to the recommended temperature will kill disease-causing germs.

(8) Temperature Control

- (a) The food handler will be able to identify that potentially hazardous food will support bacterial growth when held at temperatures between 41 degrees F and 140 degrees F. The danger zone is any temperature between 41 degrees F and 140 degrees F.
- (b) The food handler will be able to identify that food being cooled or heated must move through the danger zone as rapidly as possible.
- (c) The food handler will be able to identify 140 degrees F as the proper temperature for hot holding potentially hazardous food.
- (d) The food handler will be able to identify 41 degrees F as the proper temperature for cold holding.
- (e) The food handler will know that you cannot make food safe to eat when food has been in the danger zone for four hours or more.

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333-175-0061 Administration of Food Handler Training Program

- (1) Program providers may provide the food handler training program through a trainer-led class and assessment, self-training materials and assessment or other method approved by the Department.
- (2) The Department must provide or approve all food handler training program materials, including instructional delivery methods, materials and assessment tools based on criteria established by the Department.
- (3) Each food handler training assessment must determine that the food worker met the learning objectives stated in OAR 333-175-0051.
- (4) When being assessed, food handlers may refer to the training manual or printed text. Food handlers may also refer to handwritten notes developed onsite during training.
- (5) Upon successful completion of the program, the food handler must be allowed to keep the food handler training materials distributed.
- (6) Workers with special needs may be allowed the option to take the assessment orally on specific job duties or to receive assistance in reading the assessment.
- (7) A restricted certificate of program completion may be issued according to Department guidelines.
 - (a) The certificate must identify the specific duties that may be performed by this individual;
 - (b) Removal of the restrictions can be accomplished by successfully completing the food handler training program. The food handler will then be issued a new certificate of program completion.
- (8) Program providers, if requested, must provide food handlers specific feedback on the assessment questions missed.
- (9) Program providers will ensure that a knowledgeable person is available to answer questions about the assessment and program content. It is not necessary that the knowledgeable person be present at all times to answer questions.
- (10) Program providers will rotate the written assessment versions at least quarterly.
- (11) At least triennially or when deemed necessary, the Department or Local Public Health Authority that approved the Designated Agent will perform an onsite review of the training programs. The review will examine:
 - (a) Written assessment security, including rotation, physical security, and compliance with availability of reference materials during assessment;
 - (b) Instructor qualification and availability of qualified assistance for individuals with questions on the training materials.

(12) Annually, program providers will submit information to the Department on the number of assessments taken for the year and the number of assessments passed by assessment type (e.g., language, written, oral, and online).

(13) Failure to follow rules may result in the removal of the ability of a program provider to provide food worker training:

- (a) Upon failure to follow rules, unless immediately correctable, the program provider will develop a remediation plan. The Local Public Health Authority or the Department that approved the training will follow up within 90 days to ensure that the program provider is in compliance with training requirements. The Local Public Health Authority or the Department may allow for additional time to achieve compliance with the training requirements;
- (b) Continued failure to achieve compliance with the training requirements will result in the termination of the program provider's training approval.

(14) Program provider shall take reasonable measures to ensure identity of food worker being assessed.

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333-175-0071 Requirements for Food Handler Training Program Qualifications

(1) Any trainer providing food handler training must either be a Registered Environmental Health Specialist, Registered Environmental Health Specialist Trainee or have a current certificate of completion from an approved food manager training course or the equivalent as determined by the Department.

(2) Trainer requirements do not apply when food handlers are trained using self-training materials.

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333-175-0081 Successful Completion of Food Handler Training Program

(1) In order to receive a certificate of program completion, a food handler must pass the written assessment with a minimum score of 75%.

(2) If a person successfully completes a food handler training program and pays the appropriate fee, the program provider shall issue a certificate of program completion.

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333-175-0091 Reciprocity and Equivalency

- (1) A food handler certificate of program completion is valid statewide.
- (2) Any person who has a current certification from a Department-approved food manager training program need not obtain a food handler certificate of program completion.
- (3) To be accepted in lieu of a food handler certificate of program completion, a food manager certification must be renewed every five years.

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333-175-0101 Fees

- (1) Program providers may charge a fee up to a maximum of \$10 per person for the administration of the program and the issuance of a certificate of program completion.
- (2) Program providers shall not require a fee of any food handler listed in OAR 333-175-0091.
- (3) Program providers may charge a fee for food handler materials and deduct the cost from the food handler training and certificate of program completion as long as the total cost does not exceed \$10 to each individual.
- (4) Notwithstanding sections (1) and (3) of this rule, program providers may assess a new program fee each time a participant takes or retakes all or part of a program or certification assessment.
- (5) Program providers may charge a fee not to exceed \$5 for duplicate certificates of program completion.

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333-175-0111 General

- (1) Upon request by the Department or a Local Public Health Authority, a licensee of a facility licensed under ORS 624.020 or 624.320 shall make available the certificate of program completion for each food handler in the licensed facility. For purposes of complying with this rule, the licensee may keep photocopies of the food handler certificates of program completion.
- (2) If a food handler uses their food manager training program certification in lieu of a food handler certificate of program completion, the licensee shall make available to the inspecting authority the food handler's food manager training certification.

(3) Consistent with civil rights and disability laws, all program providers will make reasonable accommodations for training workers with disabilities, including the issuing of restricted certificates of program completion, and providing culturally, developmentally, and linguistically appropriate training.

(4) The Local Public Health Authority that approves a Designated Agent must provide the Department with the name, address and telephone number of the individual or organization that has been approved. Such notification must be in writing and must occur before the Designated Agent can commence training and/or certification of food workers.

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