

MCHR

MCHR 400.00 FOOD WORKER REGULATION

PURPOSE: Protecting the Public Health and Preventing the Spread of Disease Relating to the Food Service Industry.

MCHR 400.100 Every person connected with a food service establishment, whose work brings him in contact with the production, processing, serving or handling of food or with the containers or equipment thereof, shall at the commencement of employment, and thereafter every three years, be required to pass an examination as determined by the Department pertaining to knowledge of basic food preparation procedures relevant to the prevention of foodborne disease. A reasonable fee may be charged for this examination. The Department shall make study guides and audio visual aids available to the test candidates.

Certification of Food Service Establishment Personnel having passed this testing program requirements shall be kept at the establishment and be made available to health department personnel upon request.

400.200 All food service establishments in Madison County must be operated by a Certified Manager, who is required to be on duty during normal business hours. To obtain Manager status, individuals must attend the Manager's Certification Course, a service offered through Madison County Health Department, and must pass the Certification Examination.

Courses equivalent to the Madison County Managers' Certification Course may be considered for substitution at the discretion of the Department. Certification will be valid for three years, at which time renewal will be required. More than one person may be certified as a Manager of a food service establishment.

Reasonable fees may be charged for the application to the Food Managers' Certification Course, for renewal of the certification, and for application for certification re-examination.

400.300 ENFORCEMENT PROVISIONS

1. It shall be the responsibility of the permit holder to ensure Compliance with the provisions of this regulation set forth in 400.10 and 400.200.

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2. Establishments failing to comply with the provisions of the regulation shall be issued by the Department, a written notice or order which shall allow a reasonable time for correction, not to exceed ten (10) days for violation of 400.100.
3. Any person or establishment issued a notice, provided for in this regulation, will be afforded an opportunity for an Administrative Conference if a written request for such is filed with the Department within ten (10) days of their receiving any official notice or order.
4. Notices provided for under this regulation shall be deemed to have been properly served when the original of the inspection report form or other notice has been delivered personally to the permit holder or the person in charge, or such notice has been sent by registered or certified mail, return receipt requested, to the last known address of the permit holder or to the agent for service of process for the permit holder.
5. The Administrative Conferences provided for in this regulation shall be conducted by the Department at a time and place designated by it. Based upon the record of such Administrative Conference the Department shall make a finding and shall sustain, modify, or rescind any official notice or order considered in the Administrative Conference.

MCHR 499.000 PENALTY. Any person, firm or corporation or permit holder who violates any provision of these regulations shall be fined not less than ten (\$10.00) dollars nor more than one hundred (\$100.00) dollars for each day the violation continues as provided for by KRS 212.990 (2).

MCHR 400.001 through 400.005 is repealed with the adoption of 400.100 and 400.200.

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