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FOOD PROTECTION PROGRAM GUIDELINE

***Idaho Food Code* Guideline 21**

Updated April 24, 2017

ACCREDITED FOOD PROTECTION MANAGER REQUIREMENT

The adoption of the updated *Idaho Food Code* has resulted in questions concerning the application of Paragraphs 2-102.12(A) and 2-102.12(B). Subparagraph A relates to who qualifies as the "accredited manager" and subparagraph B relates to a possible exemption of the requirement to have an accredited food protection manager. This guideline serves to clarify these questions.

Paragraph 2-102.12(A)

An accredited food protection manager must meet the following criteria:

1. Have supervisory authority to direct and control food preparation activities.
2. Have supervisory authority to correct food safety violations.
3. Have successfully completed one of the nationally accredited food safety examinations. As of the date of this guidance, those examinations are provided by one of the following organizations.
 - 360 Training®
 - Above Training/State Food Safety®
 - National Registry of Food Safety Professionals®
 - Prometric®
 - ServSafe® (National Restaurant Association)

An accredited food protection manager does NOT need to be present at the establishment during all hours of food service and preparation. The accredited food protection manager may designate another person to serve as the accredited food protection manager.

One example of how this situation might arise is a corporate level person having met the accredited food protection manager criteria. If the corporate level person

has responsibility for a large number of stores, he or she can then designate an area or regional manager to cover responsibilities for a smaller number of stores. In this case, the area or regional manager would be expected to meet the accredited manager criteria.

Paragraph 2-102.12(B)

It is acceptable for a Public Health District to allow an exemption to this requirement. The exemption should be requested by the food establishment through a variance process. When evaluating whether the variance request should be granted, the following considerations should be made:

1. What types of foods are being prepared and what steps are taken to prepare the food?
 - a. Variance requests for this requirement by establishments that prepare TCS items and/or that prepare foods using extensive handling techniques should not be approved.
 - b. Licensed food processing establishments that have limited preparation (dry mixes, baked goods) or are subject to the Code of Federal Regulations could be considered for approval.
2. What types of foods are being served?
 - a. Variance requests for this requirement from establishments that serve only factory sealed foods or pre-packaged foods that are served directly to a consumer without being hot held or cold held could be considered for approval.
 - b. Other considerations should be given to
 - i. the number of staff,
 - ii. hours of operation, and
 - iii. meals served.For example, a very small establishment (3 or less employees) that serves a limited menu (hot dogs), for 4 hours or less could be considered for approval.
3. What type of population is being served? If the establishment is considered a Highly Susceptible Population (HSP) facility, then a variance request for this requirement should not be approved.
4. Is the establishment a temporary food establishment (TFE) where it might be impractical to require an Accredited Manager?
 - a. If this consideration is applied, limiting menu items (hamburgers, hot dogs) should be considered.
 - b. Other considerations should include:
 - i. If the TFE only operates at this location and for this one-time event a variance may be approved,
 - ii. if a TFE is going to operate at multiple events during the course of a year, it is advisable to not approve a variance request for the Accredited Manager.

- iii. If the TFE is operating at a Farmer's Market with a limited menu a variance may be approved, but it should be emphasized with the operator/management that the Demonstration of Knowledge criteria are still required.
5. Is the food establishment exempt from licensure requirements as defined in the *Idaho Food Code* and Title 39, Chapter 16, Idaho Code? Establishments that are exempted from licensure requirements need not request a variance to the Accredited Manager requirement.
6. In all cases, the proposed menu and proposed operations should be reviewed and evaluated against the criteria in this guidance.
7. If any further guidance is desired, the Public Health District should contact the Idaho Food Protection Program.

A handwritten signature in black ink, appearing to read "Patrick L. Guzzle", with a long horizontal flourish extending to the right.

Patrick L. Guzzle, Manager
Food Protection Program