

CHAPTER 2

MANAGEMENT AND PERSONNEL

2-1. Supervision

2-201 Responsibility

2-101.11 Assignment*

(A) Except as specified in ¶ (B) of this section, the FOOD ESTABLISHMENT manager shall be the PERSON IN CHARGE (PIC) or shall designate a PIC and shall ensure that a PIC is present at the FOOD ESTABLISHMENT during all hours of operation.

(B) *In a FOOD ESTABLISHMENT with two or more separately operated departments that are the legal responsibility of the same FOOD ESTABLISHMENT manager and that are located on the same PREMISES, the FOOD ESTABLISHMENT manager may designate a single PIC who is present on the PREMISES during all hours of operation, and who (effectively observes and controls all of the FOOD ESTABLISHMENTS, and who is responsible for each separately operated FOOD ESTABLISHMENT on the PREMISES.) For example, food courts where one kitchen is shared by two or more FOOD OPERATIONS.*[†]

2-102 Knowledge

2-102.11 Demonstration*

Based on the RISKS inherent to the FOOD operation, during inspections and upon request the PIC shall demonstrate to the REGULATORY AUTHORITY knowledge of foodborne disease prevention, application of the HACCP principles, and the requirements of this publication. Demonstration of knowledge is achieved by—

(A) Complying with this publication by having no multiple violations of CRITICAL ITEMS during the current inspection;^S and

(B) Being a certified FOOD protection manager who has shown proficiency of required information through passing a test that is part of an ACCREDITED PROGRAM and maintaining current FOOD protection certification; and

(C) Responding correctly to the inspector's questions as they relate to the specific FOOD operation. The areas of knowledge include—^S

(1) Describing the relationship between the prevention of foodborne disease and the personal hygiene of a FOOD EMPLOYEE;

(2) Explaining the responsibility of the PIC for preventing the transmission of foodborne disease by a FOOD EMPLOYEE who has a disease or medical condition that may cause foodborne disease;

(3) Describing the symptoms associated with the diseases that are transmissible through FOOD;

(4) Explaining the significance of the relationship between maintaining the time and temperature of PHF(TCS) foods and the prevention of foodborne illness;

(5) Explaining the HAZARDS involved in the consumption of raw or undercooked MEAT, POULTRY, EGGS, and FISH;

(6) Stating the required FOOD temperatures and times for safe cooking of PHF(TCS) foods including MEAT, POULTRY, EGGS, and FISH;

(7) Stating the required temperatures and times for the safe refrigerated storage, hot holding, cooling, and reheating of PHF(TCS) foods;

(8) Describing the relationship between the prevention of foodborne illness and the management and control of the following:

(a) Cross contamination,

(b) Hand contact with READY-TO-EAT FOODS,

(c) Handwashing, and

(d) Maintaining the FOOD ESTABLISHMENT in a clean condition and in good repair;

(9) Describing FOODS identified as MAJOR FOOD ALLERGENS and the symptoms that a MAJOR FOOD ALLERGEN could cause in a sensitive individual who has an allergic reaction.

(10) Explaining the relationship between FOOD safety and providing EQUIPMENT that is:

(a) Sufficient in number and capacity, and

(b) Properly designed, constructed, located, installed, operated, maintained, and cleaned;

(11) Explaining correct procedures for cleaning and SANITIZING UTENSILS and FOOD-CONTACT SURFACES of EQUIPMENT;

(12) Identifying the source of water used and measures taken to ensure that it remains protected from contamination, such as providing protection from backflow and precluding the creation of CROSS-CONNECTIONS;

(13) Identifying POISONOUS OR TOXIC MATERIALS in the FOOD ESTABLISHMENT and the procedures necessary to ensure that they are safely stored, dispensed, used, and disposed of according to LAW;

(14) Identifying CRITICAL CONTROL POINTS in the operation from purchasing through sale or service that when not controlled may contribute to the transmission of foodborne illness and explaining steps taken to ensure that the points are controlled IAW the requirements of this publication;

(15) Explaining the details of how the PIC and FOOD EMPLOYEES comply with the HACCP PLAN if a plan is required by the LAW, this publication, or an agreement between the REGULATORY AUTHORITY and the FOOD ESTABLISHMENT;

(16) Explaining the responsibilities, rights, and authorities assigned by this publication to the:

(a) FOOD EMPLOYEE,

(b) CONDITIONAL EMPLOYEE,

(c) the PIC,

(d) REGULATORY AUTHORITY; and

(17) Explaining how the PIC, FOOD EMPLOYEES, and CONDITIONAL EMPLOYEES comply with reporting responsibilities and EXCLUSION or RESTRICTION of FOOD EMPLOYEES.

2-102.20 Food protection manager certification

(A) Food Protection Manager certification is achieved through a Food Protection Manager certification examination process that is evaluated and listed by a Conference for Food Protection (CFP)-recognized accrediting agency as conforming to the CFP Standards for Accreditation of Food Protection Manager Certification Program. A PIC who demonstrates knowledge by being a certified Food Protection Manager is deemed to comply with 2-102.11(B) as long as the certification remains current through a recertification exam IAW the certifying organization.

(B) Except as specified in ¶ (C) this section, the following resources are recognized as authorized for providing FOOD protection manager certification:[†]

(1) A list of American National Standards Institute (ANSI)-CFP accredited programs is available through the ANSI website at

<https://www.ansica.org/wwwversion2/outside/CFPdirectory.asp?menuID=8>. *The list of accredited programs is also available through the Conference for Food Protection at <http://www.foodprotect.org/manager-certification/>.*

(2) Army distance learning and residential courses designed for FOOD managers, preventive medicine services, and/or veterinary services personnel and sponsored by the Army Medical Department Center and School (AMEDDC&S) or the Army Quartermaster Center and School, Joint Culinary Center of Excellence (QMS-JCCoE), or U.S. Army Logistics University (ALU). The Food Safety and Protection Certification Course (FSPCC) sponsored by the JCCoE is one example. *Note: FSPCC certification remains valid for 4 years from the date of certification. Future comprehensive food sanitation and food safety courses sponsored by the JCCoE will be recognized as meeting the requirements for achieving FOOD protection manager certification.*

(3) The Navy and Marine Corps Public Health Center Catalog of Navy Training, Course B-322-2101, Food Safety Manager's/Supervisor's Course. For Naval personnel, contractors, and DOD personnel, all training requirements set forth in OPNAVINST 4061.4 and MCO 4061.1, *Food Safety Training Program*, must be adhered to.

(4) Other comprehensive courses in food safety approved by the REGULATORY AUTHORITY.

2-103 Duties

2-103.11 Person in charge

The PIC shall ensure that—

(A) FOOD ESTABLISHMENT operations are not conducted in a private home or in a room used as living or sleeping quarters as specified under § 6-202.111;

(B) PERSONS unnecessary to the FOOD ESTABLISHMENT operation are not allowed in the FOOD preparation, FOOD storage, or WAREWASHING areas, except that brief visits and tours may be authorized by the PIC if steps are taken to ensure that exposed FOOD; clean EQUIPMENT, UTENSILS, and LINENS; and unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES are protected from contamination;

(C) EMPLOYEES and other PERSONS such as delivery and maintenance PERSONS and pesticide applicators entering the FOOD preparation, FOOD storage, and WAREWASHING areas comply with this publication;

(D) EMPLOYEES are effectively cleaning their hands, by routinely monitoring the EMPLOYEES' handwashing;

(E) EMPLOYEES are checking FOODS as they are received to determine that deliveries are authorized, delivered at the required temperatures, protected from contamination, unADULTERATED and accurately presented, have no evidence of tampering, and all discrepancies are reported to the appropriate REGULATORY AUTHORITY.

(F) EMPLOYEES are properly cooking PHF(TCS) foods, being particularly careful in cooking those FOODS known to cause severe foodborne illness and death, such as EGGS and COMMINUTED MEATS, through daily oversight of the EMPLOYEES' routine monitoring of the cooking temperatures using appropriate temperature measuring devices properly scaled and calibrated as specified under § 4-203.11 and ¶ 4-502.11(B);

(G) EMPLOYEES are using proper methods to rapidly cool PHF(TCS) foods that are not held hot or are not for consumption within 4 hours, through daily oversight of the EMPLOYEES' routine monitoring of FOOD temperatures during cooling;

(H) CONSUMERS who order raw; or partially cooked READY-TO-EAT FOODS of animal origin are informed as specified under § 3-603.11 that the FOOD is not cooked sufficiently to ensure its safety;

(I) EMPLOYEES are properly SANITIZING cleaned multiuse EQUIPMENT and UTENSILS before they are reused, through routine monitoring of solution temperature and exposure time for hot water SANITIZING, and chemical concentration, pH, temperature, and exposure time for chemical SANITIZING;

(J) CONSUMERS are notified that clean TABLEWARE is to be used when they return to self-service areas such as salad bars and buffets as specified under § 3-304.16;

(K) Except when APPROVAL is obtained from the REGULATORY AUTHORITY as specified in ¶ 3-301.11(D), EMPLOYEES are preventing cross-contamination of READY-TO-EAT FOOD with bare hands by properly using suitable UTENSILS such as deli tissue, spatulas, tongs, single-use gloves, or dispensing EQUIPMENT;

(L) EMPLOYEES are properly trained in FOOD safety, including food allergy awareness, as it relates to their assigned duties; and

(M) FOOD EMPLOYEES and CONDITIONAL EMPLOYEES are informed of their responsibility to report IAW LAW, to the PIC, information about their health and activities as they relate to diseases that are transmissible through FOOD, as specified under

¶ 2-201.11(A). DD Form 2971, *Conditional Employee or Food Employee Reporting Agreement*, is discussed in Appendix F.

2-2. Employee health

2-201 Responsibilities of person in charge, food employees, and conditional employees

2-201.10. Deployment health criteria [†]

Health criteria for FOOD EMPLOYEES operating in a deployment setting (i.e., supporting military or humanitarian support operations) are provided in § 9-103.11.

2-201.11 Responsibility of person in charge, food employees, and conditional employees*

(A) The PIC shall require FOOD EMPLOYEES and CONDITIONAL EMPLOYEES to report to the PIC information about their health and activities as they relate to diseases that are transmissible through FOOD. A FOOD EMPLOYEE or CONDITIONAL EMPLOYEE shall report the information in a manner that allows the PIC to reduce the RISK of foodborne disease transmission, including providing necessary additional information, such as the date of onset of symptoms and an illness, or of a diagnosis without symptoms, if the FOOD EMPLOYEE or CONDITIONAL EMPLOYEE has:

(1) **Reportable symptoms.** Has any of the following:

- (a) Vomiting,
- (b) Diarrhea,
- (c) Jaundice,
- (d) Sore throat with fever, or
- (e) A lesion containing pus such as a boil or infected wound that is open or draining

and is:

(i) On the hands or wrists, *unless an impermeable cover such as a finger cot or stall protects the lesion and a SINGLE-USE glove is worn over the impermeable cover,*

(ii) On exposed portions of the arms, *unless the lesion is protected by an impermeable cover, or*

(iii) On other parts of the body, *unless the lesion is covered by a dry, durable, tight-fitting bandage.*

(2) **A reportable diagnosis.** Has an illness diagnosed by a HEALTH PRACTITIONER due to—

- (a) Norovirus,
- (b) Hepatitis A virus,
- (c) *Shigella* spp.,
- (d) ENTEROHEMORRHAGIC (EHEC) or SHIGA TOXIN-PRODUCING *ESCHERICHIA COLI* (STEC), or
- (e) *Salmonella* Typhi;

(3) ***A reportable past illness.*** Had a previous illness, diagnosed by a HEALTH PRACTITIONER, within the past 3 months due to *Salmonella* Typhi, without having received antibiotic therapy, as determined by a HEALTH PRACTITIONER;

(4) ***A reportable history of exposure.*** Has been exposed to, or is the suspected source of, a CONFIRMED DISEASE OUTBREAK, because the FOOD EMPLOYEE or CONDITIONAL EMPLOYEE consumed or prepared FOOD implicated in the outbreak, or consumed FOOD at an event prepared by a PERSON who is infected or ill with—

- (a) Norovirus within the past 48 hours of the last exposure,
- (b) EHEC or STEC, *or Shigella* spp. within the past 3 days of the last exposure,
- (c) *Salmonella* Typhi within the past 14 days of the last exposure, or
- (d) Hepatitis A virus within the past 30 days of the last exposure; or

(5) Has been exposed by attending or working in a setting where there is a CONFIRMED DISEASE OUTBREAK, or living in the same household as, and has knowledge about, an individual who works or attends a setting where there is a CONFIRMED DISEASE OUTBREAK, or living in the same household as, and has knowledge about, an individual diagnosed with an illness caused by—

- (a) Norovirus within the past 48 hours of the last exposure,
- (b) EHEC or STEC, *or Shigella* spp. within the past 3 days of the last exposure,
- (c) *Salmonella* Typhi within the past 14 days of the last exposure, or
- (d) Hepatitis A virus within the past 30 days of the last exposure.

(B) ***Responsibility of PIC to notify the regulatory authority.*** The PIC shall immediately notify the REGULATORY AUTHORITY when a FOOD EMPLOYEE is: ^N

- (1) Jaundiced, or
- (2) Diagnosed with an illness due to a pathogen as specified under Subparagraphs (A)(2)(a)-(e) of this section.

(C) ***Responsibility of the PIC to prohibit a conditional employee from becoming a food employee.*** The PIC shall ensure that a CONDITIONAL EMPLOYEE—

(1) Who exhibits or reports a symptom, or who reports a diagnosed illness as specified under Subparagraphs (A)(1) - (3) of this section, is prohibited from becoming a FOOD EMPLOYEE until the CONDITIONAL EMPLOYEE meets the criteria for the specific symptoms or diagnosed illness as specified under § 2-201.13; and

(2) Who will work as a FOOD EMPLOYEE in a FOOD ESTABLISHMENT that serves as a HIGHLY SUSCEPTIBLE POPULATION and reports a history of exposure as specified under Subparagraphs (A)(4) – (5), is prohibited from becoming a FOOD EMPLOYEE until the CONDITIONAL EMPLOYEE meets the criteria as specified under ¶ 2-201.13(1).

(D) ***Responsibility of the PIC to exclude or restrict.*** The PIC shall ensure that a FOOD EMPLOYEE who exhibits or reports a symptom, or who reports a diagnosed illness or a history of exposure as specified under Subparagraphs (A)(1) - (5) of this section is—

(1) EXCLUDED as specified under ¶¶ 2-201.12 (A) - (C), and Subparagraphs (D)(1), (E)(1), (F)(1), or (G)(1) and in compliance with the provisions specified under ¶¶ 2-201.13(A) - (G); or

(2) RESTRICTED as specified under Subparagraphs 2-201.12 (D)(2), (E)(2), (F)(2), (G)(2), or ¶¶ 2-201.12(H) or (I) and in compliance with the provisions specified under ¶¶ 2-201.13(D)-(I).

(E) **Responsibility of food employees and conditional employees to report.** A FOOD EMPLOYEE or CONDITIONAL EMPLOYEE shall report to the PIC the information as specified under ¶ (A) of this section. ^N

(F) **Responsibility of food employees to comply.** A FOOD EMPLOYEE shall—

(1) Comply with an EXCLUSION as specified under ¶¶ 2-201.12(A) - (C) and Subparagraphs 2-201.12(D)(1), (E)(1), (F)(1), or (G)(1) and with the provisions specified under ¶¶ 2-201.13(A) - (G); or

(2) Comply with a RESTRICTION as specified under Subparagraphs 2-201.12(D)(2), (E)(2), (F)(2), (G)(2), or ¶¶ 2-201.12 (H) or (I) and comply with the provisions specified under ¶¶ 2-201.13(D) - (I).

2-201.12 Exclusions and restrictions*

The PIC shall EXCLUDE or RESTRICT a FOOD EMPLOYEE from a FOOD ESTABLISHMENT IAW the following:

(A) **Symptomatic with vomiting or diarrhea.** *Except when the symptom is from a noninfectious condition,* EXCLUDE a FOOD EMPLOYEE if the FOOD EMPLOYEE is:

(1) Symptomatic with vomiting or diarrhea; or

(2) Symptomatic with vomiting or diarrhea and diagnosed with an infection from Norovirus, *Shigella* spp., or EHEC or STEC.

(B) **Jaundiced or diagnosed with hepatitis A infection.** EXCLUDE a FOOD EMPLOYEE who is—

(1) Jaundiced and the onset of jaundice occurred within the last 7 calendar days, *unless the FOOD EMPLOYEE provides to the PIC written medical documentation from a HEALTH PRACTITIONER specifying that the jaundice is not caused by hepatitis A virus or other fecal-orally transmitted infection;*

(2) Diagnosed with an infection from hepatitis A virus within 14 calendar days from the onset of any illness symptoms, or within 7 calendar days of the onset of jaundice; or

(3) Diagnosed with an infection from hepatitis A virus without developing symptoms.

(C) **Diagnosed or reported previous infection due to *S. Typhi*.** EXCLUDE a FOOD EMPLOYEE who is diagnosed with an infection from *Salmonella Typhi*, or reports a previous infection with *Salmonella Typhi* within the past 3 months as specified under Subparagraph 2-201.11(A)(3).

(D) **Diagnosed with an asymptomatic infection from Norovirus.** If a FOOD EMPLOYEE is diagnosed with an infection from Norovirus and is ASYMPTOMATIC:

(1) EXCLUDE the FOOD EMPLOYEE who works in a FOOD ESTABLISHMENT serving a HIGHLY SUSCEPTIBLE POPULATION; or

(2) RESTRICT the FOOD EMPLOYEE who works in a FOOD ESTABLISHMENT not serving a HIGHLY SUSCEPTIBLE POPULATION.

(E) *Diagnosed with Shigella spp. infection and asymptomatic.* If a FOOD EMPLOYEE is diagnosed with an infection from *Shigella* spp. and is ASYMPTOMATIC:

(1) EXCLUDE the FOOD EMPLOYEE who works in a FOOD ESTABLISHMENT serving a HIGHLY SUSCEPTIBLE POPULATION; or

(2) RESTRICT the FOOD EMPLOYEE who works in a FOOD ESTABLISHMENT not serving a HIGHLY SUSCEPTIBLE POPULATION.

(F) *Diagnosed with EHEC or STEC and asymptomatic.* If a FOOD EMPLOYEE is diagnosed with an infection from EHEC or STEC, and is ASYMPTOMATIC:

(1) EXCLUDE the FOOD EMPLOYEE who works in a FOOD ESTABLISHMENT serving a HIGHLY SUSCEPTIBLE POPULATION; or

(2) RESTRICT the FOOD EMPLOYEE who works in a FOOD ESTABLISHMENT not serving a HIGHLY SUSCEPTIBLE POPULATION.

(G) *Symptomatic with sore throat with fever.* If a FOOD EMPLOYEE is ill with symptoms of acute onset of sore throat with fever:

(1) EXCLUDE the FOOD EMPLOYEE who works in a FOOD ESTABLISHMENT serving a HIGHLY SUSCEPTIBLE POPULATION; or

(2) RESTRICT the FOOD EMPLOYEE who works in a FOOD ESTABLISHMENT not serving a HIGHLY SUSCEPTIBLE POPULATION.

(H) *Symptomatic with uncovered infected wound or pustular boil.* If a FOOD EMPLOYEE is infected with a skin lesion containing pus such as a boil or infected wound that is open or draining and not properly covered as specified under Subparagraph 2-201.11(A)(1)(e), RESTRICT the FOOD EMPLOYEE.

(I) *Exposed to foodborne pathogen and works in food establishment serving HSP.* If a FOOD EMPLOYEE is exposed to a foodborne pathogen as specified under Subparagraphs 2-201.11(A)(4) or (5), RESTRICT the FOOD EMPLOYEE who works in a FOOD ESTABLISHMENT serving a HIGHLY SUSCEPTIBLE POPULATION.

2-201.13 Removal, adjustment, or retention of exclusions and restrictions*

The PIC shall adhere to the following conditions when removing, adjusting, or retaining the EXCLUSION or RESTRICTION of a FOOD EMPLOYEE—

(A) *Except when a FOOD EMPLOYEE is diagnosed with an infection from hepatitis A virus or Salmonella Typhi:*

(1) *Removing exclusion for food employee who was symptomatic and not diagnosed.* Reinstate a FOOD EMPLOYEE who was EXCLUDED as specified under Subparagraph 2-201.12(A)(1) if the FOOD EMPLOYEE—

(a) Provides to the PIC written medical documentation from a HEALTH PRACTITIONER that states the symptom is from a non-infectious condition; or

(b) Provides to the PIC written medical documentation from a HEALTH PRACTITIONER that states that the employee no longer has symptoms and is medically cleared to handle food.[†]

(c) Exclusion removal for host country and third country nationals supporting military operations in deployment shall be based on standards set by LAW and approved by the senior MEDICAL AUTHORITY, such as the Task Force Medical Surgeon.[†]

(2) ***Norovirus diagnosis—adjusting exclusion for food employee who was symptomatic and is now asymptomatic.*** If a FOOD EMPLOYEE was diagnosed with an infection from Norovirus and EXCLUDED as specified under Subparagraph 2-201.12(A)(2):

(a) RESTRICT the FOOD EMPLOYEE, who is ASYMPTOMATIC for at least 24 hours and works in a FOOD ESTABLISHMENT not serving a HIGHLY SUSCEPTIBLE POPULATION, until the conditions for reinstatement as specified under Subparagraphs (D)(1) or (2) of this section are met; or

(b) ***Retaining exclusion for food employee who was asymptomatic and is now asymptomatic and works in food establishment serving highly susceptible populations (HSP.)*** Retain the EXCLUSION for the FOOD EMPLOYEE, who is ASYMPTOMATIC for at least 24 hours and works in a FOOD ESTABLISHMENT that serves a HIGHLY SUSCEPTIBLE POPULATION, until the conditions for reinstatement as specified under Subparagraphs (D)(1) or (2) of this section are met.

(3) ***Shigella spp. diagnosis—adjusting exclusion for food employee who was symptomatic and is now asymptomatic.*** If a FOOD EMPLOYEE was diagnosed with an infection from *Shigella* spp. and EXCLUDED as specified under Subparagraph 2-201.12(A)(2)–

(a) RESTRICT the FOOD EMPLOYEE, who is ASYMPTOMATIC for at least 24 hours and works in a FOOD ESTABLISHMENT not serving a HIGHLY SUSCEPTIBLE POPULATION, until the conditions for reinstatement as specified under Subparagraphs (E)(1) or (2) of this section are met; or

(b) ***Retaining exclusion for food employee who was asymptomatic and is now asymptomatic.*** Retain the EXCLUSION for the FOOD EMPLOYEE, who is ASYMPTOMATIC for at least 24 hours and works in a FOOD ESTABLISHMENT that serves a HIGHLY SUSCEPTIBLE POPULATION, until the conditions for reinstatement as specified under Subparagraphs (E)(1) or (2), or (E)(1) and (3)(a) of this section are met.

(4) ***EHEC or STEC diagnosis.*** If a FOOD EMPLOYEE was diagnosed with an infection from EHEC or STEC and EXCLUDED as specified under Subparagraph 2-201.12(A)(2)–

(a) ***Adjusting exclusion for food employee who was symptomatic and is now asymptomatic.*** RESTRICT the FOOD EMPLOYEE, who is ASYMPTOMATIC for at least 24 hours and works in a FOOD ESTABLISHMENT not serving a HIGHLY SUSCEPTIBLE POPULATION, until the conditions for reinstatement as specified under Subparagraphs (F)(1) or (2) of this section are met; or

(b) ***Retaining exclusion for food employee who was symptomatic and is now asymptomatic and works in food establishment serving HSP.*** Retain the EXCLUSION for the FOOD EMPLOYEE, who is ASYMPTOMATIC for at least 24 hours and works in a FOOD ESTABLISHMENT that serves a HIGHLY SUSCEPTIBLE POPULATION, until the conditions for reinstatement as specified under Subparagraphs (F)(1) or (2) are met.

(B) *Hepatitis A virus or jaundice diagnosis—removing exclusions.* Reinstate a FOOD EMPLOYEE who was EXCLUDED as specified under ¶ 2-201.12(B) if the PIC obtains APPROVAL from the REGULATORY AUTHORITY and one of the following conditions is met—

- (1) The FOOD EMPLOYEE has been jaundiced for more than 7 calendar days;
- (2) The anicteric FOOD EMPLOYEE has been symptomatic with symptoms other than jaundice for more than 14 calendar days; or
- (3) The FOOD EMPLOYEE provides to the PIC written medical documentation from a HEALTH PRACTITIONER stating that the FOOD EMPLOYEE is free of a hepatitis A virus infection.

(C) *S. Typhi diagnosis—removing exclusions.* Reinstate a FOOD EMPLOYEE who was EXCLUDED as specified under ¶ 2-201.12(C) if—

- (1) The PIC obtains APPROVAL from the REGULATORY AUTHORITY; and
- (2) The FOOD EMPLOYEE provides to the PIC written medical documentation from a HEALTH PRACTITIONER that states the FOOD EMPLOYEE is free from *S. Typhi* infection as determined by the following stool analysis criteria: The EMPLOYEE'S stools are negative for *S. Typhi* based on testing of at least three consecutive stool specimen cultures that are taken—
 - (a) Not earlier than 1 month after onset; [†]
 - (b) At least 48 hours after discontinuance of antibiotics; [†] and
 - (c) At least 24 hours apart; then—[†]
 - (d) If one of the cultures taken is positive, repeat cultures are taken at intervals of 1 month until at least three consecutive negative stool specimen cultures are obtained. [†]

(D) *Norovirus diagnosis—removing exclusion or restriction.* Reinstate a FOOD EMPLOYEE who was EXCLUDED as specified under Subparagraphs 2-201.12(A)(2) or (D)(1) who was RESTRICTED under Subparagraph 2-201.12(D)(2) if the PIC obtains APPROVAL from the REGULATORY AUTHORITY and one of the following conditions is met:

- (1) The EXCLUDED or RESTRICTED FOOD EMPLOYEE provides to the PIC written medical documentation from a HEALTH PRACTITIONER stating that the FOOD EMPLOYEE is free of a Norovirus infection;
- (2) The FOOD EMPLOYEE was EXCLUDED or RESTRICTED after symptoms of vomiting or diarrhea resolved, and more than 48 hours have passed since the FOOD EMPLOYEE became ASYMPTOMATIC; or
- (3) The FOOD EMPLOYEE was EXCLUDED or RESTRICTED and did not develop symptoms and more than 48 hours have passed since the FOOD EMPLOYEE was diagnosed.

(E) *Shigella spp. diagnosis—removing exclusion or restriction.* Reinstate a FOOD EMPLOYEE who was EXCLUDED as specified under Subparagraphs 2-201.12(A)(2) or (E)(1) or who was RESTRICTED under Subparagraph 2-201.12(E)(2) if the PIC obtains APPROVAL from the REGULATORY AUTHORITY and one of the following conditions is met:

- (1) The EXCLUDED or RESTRICTED FOOD EMPLOYEE provides to the PIC written medical documentation from a HEALTH PRACTITIONER stating that the FOOD EMPLOYEE is free of a *Shigella* spp. infection based on test results showing two consecutive negative stool specimen cultures that are taken:

- (a) Not earlier than 48 hours after discontinuance of antibiotics, and
- (b) At least 24 hours apart;
- (2) The FOOD EMPLOYEE was EXCLUDED or RESTRICTED after symptoms of vomiting or diarrhea resolved, and more than 7 calendar days have passed since the FOOD EMPLOYEE became ASYMPTOMATIC; or
- (3) The FOOD EMPLOYEE was EXCLUDED or RESTRICTED and did not develop symptoms and more than 7 calendar days have passed since the FOOD EMPLOYEE was diagnosed.

(F) ***EHEC or STEC diagnosis—removing exclusion or restriction.*** Reinstate a FOOD EMPLOYEE who was EXCLUDED or RESTRICTED as specified under Subparagraphs 2-201.12(A)(2) or (F)(1) or who was RESTRICTED under Subparagraph 2-201.12(F)(2) if the PIC obtains APPROVAL from the REGULATORY AUTHORITY and one of the following conditions is met:

(1) The EXCLUDED or RESTRICTED FOOD EMPLOYEE provides to the PIC written medical documentation from a HEALTH PRACTITIONER stating that the FOOD EMPLOYEE is free of an infection from EHEC or STEC based on test results that show two consecutive negative stool specimen cultures that are taken:

- (a) Not earlier than 48 hours after discontinuance of antibiotics; and
- (b) At least 24 hours apart;
- (2) The FOOD EMPLOYEE was EXCLUDED or RESTRICTED after symptoms of vomiting or diarrhea resolved and more than 7 calendar days have passed since the FOOD EMPLOYEE became ASYMPTOMATIC; or
- (3) The FOOD EMPLOYEE was EXCLUDED or RESTRICTED and did not develop symptoms and more than 7 days have passed since the FOOD EMPLOYEE was diagnosed.

(G) ***Sore throat with fever—removing exclusion or restriction.*** Reinstate a FOOD EMPLOYEE who was EXCLUDED or RESTRICTED as specified under Subparagraphs 2-201.12(G)(1) or (2) if the FOOD EMPLOYEE provides to the PIC written medical documentation from a HEALTH PRACTITIONER stating that the FOOD EMPLOYEE meets one of the following conditions:

- (1) Has received antibiotic therapy for *Streptococcus pyogenes* infection for more than 24 hours;
- (2) Has at least one negative throat specimen culture for *Streptococcus pyogenes* infection; or
- (3) Is otherwise determined by a HEALTH PRACTITIONER to be free of a *Streptococcus pyogenes* infection.

(H) ***Uncovered infected wound or pustular boil—removing restriction.*** Reinstate a FOOD EMPLOYEE who was RESTRICTED as specified under ¶ 2-201.12(H) if the skin, infected wound, cut, or pustular boil is properly covered with one of the following:

- (1) An impermeable cover such as a finger cot or stall and a single-use glove over the impermeable cover if the infected wound or pustular boil is on the hand, finger, or wrist;
- (2) An impermeable cover on the arm if the infected wound or pustular boil is on the arm; or

(3) A dry, durable, tight-fitting bandage if the infected wound or pustular boil is on another part of the body.

(I) ***Exposure to foodborne pathogen and works in food establishment serving HSP—removing restriction.*** Reinstate a FOOD EMPLOYEE who was RESTRICTED as specified under ¶ 2-201.12(I) and was exposed to one of the following pathogens as specified under Subparagraph 2-201.11(A)(4) or (5):

(1) ***Norovirus.*** Norovirus and one of the following conditions is met:

(a) More than 48 hours have passed since the last day the FOOD EMPLOYEE was potentially exposed; or

(b) More than 48 hours have passed since the FOOD EMPLOYEE'S household contact became ASYMPTOMATIC.

(2) ***Shigella spp., EHEC, or STEC.*** *Shigella* spp. or EHEC or STEC and one of the following conditions is met:

(a) More than 3 calendar days have passed since the last day the FOOD EMPLOYEE was potentially exposed; or

(b) More than 3 calendar days have passed since the FOOD EMPLOYEE'S household contact became ASYMPTOMATIC.

(3) ***S. Typhi.*** *S. Typhi* and one of the following conditions is met:

(a) More than 14 calendar days have passed since the last day the FOOD EMPLOYEE was potentially exposed; or

(b) More than 14 calendar days have passed since the FOOD EMPLOYEE'S household contact became ASYMPTOMATIC.

(4) ***Hepatitis A.*** Hepatitis A virus and one of the following conditions is met:

(a) The FOOD EMPLOYEE is immune to hepatitis A virus infection because of a prior illness from hepatitis A;

(b) The FOOD EMPLOYEE is immune to hepatitis A virus infection because of vaccination against hepatitis A;

(c) The FOOD EMPLOYEE is immune to hepatitis A virus infection because of Immunoglobulin G (IgG) administration;

(d) More than 30 calendar days have passed since the last day the FOOD EMPLOYEE was potentially exposed;

(e) More than 30 calendar days have passed since the FOOD EMPLOYEE'S household contact became jaundiced; or

(f) The FOOD EMPLOYEE does not use an alternative procedure that allows bare hand contact with READY-TO-EAT FOOD until at least 30 days after the potential exposure, as specified in Subparagraphs (I)(4)(d) and (e) of this section, and the FOOD EMPLOYEE receives additional training about—

(i) Hepatitis A symptoms and preventing the transmission of infection,

(ii) Proper handwashing procedures, and

(iii) Protecting READY-TO-EAT FOOD from contamination introduced by bare hand contact.

2-201.20 Medical screening criteria [†]

A determination of medical screening criteria for FOOD EMPLOYEES should be established in a local policy by the Command Surgeon or MEDICAL AUTHORITY. This publication establishes minimum reporting and exclusion criteria. Other considerations include screening for upper respiratory infections, such as Tuberculosis.

2-3. Personal cleanliness

2-301 Hands and arms

2-301.11 Clean condition*

(A) FOOD EMPLOYEES shall keep their hands and exposed portions of their arms clean.

(B) Hand sanitizers may supplement hand washing procedures for food employees as specified under § 2-301.16, but shall not be substituted for the cleaning procedure specified under § 2-301.12.[†]

2-301.12 Cleaning procedure*

(A) FOOD EMPLOYEES shall clean their hands and exposed portions of their arms, including surrogate prosthetic devices for hands or arms, for at least 20 seconds, using a cleaning compound in a HANDWASHING SINK that is equipped as specified under § 5-202.12 and Subpart 6-301.

(B) FOOD EMPLOYEES shall use the following cleaning procedure in the order stated to clean their hands and exposed portions of their arms, including surrogate prosthetic devices for hands and arms:

- (1) Rinse under POTABLE, running warm water;
- (2) Apply an amount of cleaning compound recommended by the cleaning compound manufacturer;
- (3) Rub together vigorously for at least 10 to 15 seconds while—
 - (a) Paying particular attention to removing soil from underneath the fingernails during the cleaning procedure, and
 - (b) Creating friction on the surfaces of the hands and arms or surrogate prosthetic devices for hands and arms, the fingertips, under the fingernails, the cuticles, the areas between the fingers, and any exposed areas on the forearms;
- (4) Thoroughly rinse under POTABLE, running warm water; and
- (5) Immediately follow the cleaning procedure with thorough drying using a method as specified under § 6-301.12.

(C) *To avoid recontaminating their hands or surrogate prosthetic devices, FOOD EMPLOYEES should use disposable paper towels or similar clean barriers when touching surfaces such as manually operated faucet handles on a HANDWASHING SINK or the handle of a restroom door.*

(D) *If APPROVED and capable of removing the types of soils encountered in the FOOD operations involved, an automatic handwashing facility may be used by FOOD EMPLOYEES to clean their hands or surrogate prosthetic devices.*

2-301.13 Special hand wash procedures

Reserved.

2-301.14 When to wash*

FOOD EMPLOYEES shall clean their hands and exposed portions of their arms as specified under § 2-301.12 immediately before engaging in FOOD preparation including working with exposed FOOD, clean EQUIPMENT and UTENSILS, and unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES and:

- (A) After touching bare human body parts other than clean hands and clean, exposed portions of arms;
- (B) After using the toilet room;
- (C) After caring for or handling SERVICE ANIMALS or aquatic animals as specified in ¶ 2-403.11(B);
- (D) Except as specified in ¶ 2-401.11(B), after coughing, sneezing, using a handkerchief or disposable tissue, using tobacco, eating, or drinking;
- (E) After handling soiled EQUIPMENT or UTENSILS;
- (F) During FOOD preparation, as often as necessary to remove soil and contamination and to prevent cross-contamination when changing tasks;
- (G) When switching between working with raw FOOD and working with READY-TO-EAT FOOD;
- (H) Before donning gloves for working with FOOD; and
- (I) After engaging in other activities that contaminate the hands.

2-301.15 Where to wash

FOOD EMPLOYEES shall clean their hands in a HANDWASHING SINK or APPROVED automatic handwashing facility and may not clean their hands in a sink used for FOOD preparation or WAREWASHING, or in a service sink or a curbed cleaning facility used for the disposal of mop water and similar liquid waste.

2-301.16 Hand antiseptics

(A) A hand antiseptic used as a topical application, a hand antiseptic solution used as a hand dip, or a hand antiseptic soap shall—

(1) Comply with one of the following:

(a) Be an APPROVED drug that is listed in the FDA publication *Approved Drug Products with Therapeutic Equivalence Evaluations* as an APPROVED drug based on safety and effectiveness; or

(b) Have active antimicrobial ingredients that are listed in the FDA monograph for over-the-counter Health-Care Antiseptic Drug Products as an antiseptic hand wash, and

(2) Comply with one of the following:

(a) Have components that are exempted from the requirement of being listed in Federal FOOD ADDITIVE regulations as specified in Title 21, Code of Federal Regulations (CFR), Part 170.39 - Threshold of regulation for substances used in food-contact articles; or

(b) Comply with and be listed in:

(i) 21 CFR 178 - Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers as regulated for use as a FOOD ADDITIVE with conditions of safe use, or

(ii) 21 CFR 182 - Substances Generally Recognized as Safe, 21 CFR 184 - Direct Food Substances Affirmed as Generally Recognized as Safe, or 21 CFR 186 - Indirect Food Substances Affirmed as Generally Recognized as Safe for use in contact with food, and

(3) Be applied only to hands that are cleaned as specified under § 2-301.12.

(4) Alcohol-based hand sanitizers shall contain a minimum of 60 percent ethyl alcohol and be used IAW label instructions. †

(B) If a hand antiseptic or a hand antiseptic solution used as a hand dip does not meet the criteria specified under Subparagraph (A)(2) of this section, its use shall be—

(1) Followed by thorough hand rinsing in clean DRINKING water before hand contact with FOOD or by the use of gloves; or

(2) Limited to situations that involve no direct contact with FOOD by the bare hands.

(C) A hand antiseptic solution used as a hand dip shall be maintained clean and at a strength equivalent to at least 100 milligrams per liter (mg/L) chlorine.

2-302 *Fingernails*

2-302.11 Maintenance

(A) FOOD EMPLOYEES shall keep their fingernails trimmed, filed, and maintained so the edges and surfaces are cleanable, are not rough, and do not extend more than ¼ inch above the fingertip.

(B) A FOOD EMPLOYEE shall not wear fingernail polish, artificial fingernails, or fingernail jewelry when working with exposed FOOD.

2-303 *Jewelry*

2-303.11 Prohibition

Except for *a plain ring such as a wedding band*, while preparing FOOD, FOOD EMPLOYEES may not wear jewelry, including medical information jewelry, on their arms and hands.

2-304 *Outer clothing*

2-304.11 Clean condition

FOOD EMPLOYEES shall wear clean outer clothing to prevent contamination of FOOD, EQUIPMENT, UTENSILS, LINENS, and SINGLE-SERVICE and SINGLE-USE ARTICLES.

2-4. Hygienic practices

2-401 Food contamination prevention

2-401.11 Eating, drinking, or using tobacco

(A) Except as specified in ¶¶ (B) and (C) of this section, an EMPLOYEE shall eat, drink, or use any form of tobacco only in designated areas where the contamination of exposed FOOD; clean EQUIPMENT, UTENSILS, and LINENS; unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES; or other items needing protection cannot result.

(B) *A FOOD EMPLOYEE may drink from a closed BEVERAGE container if the container is handled to prevent contamination of—*

- (1) The EMPLOYEE'S hands;*
- (2) The container; and*
- (3) Exposed FOOD; clean EQUIPMENT, UTENSILS, and LINENS; and unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES.*

(C) Recipe testing. A FOOD EMPLOYEE may taste portions of the FOOD during preparation provided the following steps are followed: †

- (1) The EMPLOYEE shall use a clean sanitized utensil or single service disposable utensil to withdraw the FOOD sample.
- (2) The FOOD shall be tasted away from the FOOD and in a manner which does not risk contamination of the FOOD.
- (3) The utensil shall be used only once.

2-401.12 Discharges from the eyes, nose, and mouth

FOOD EMPLOYEES experiencing persistent sneezing, coughing, or a runny nose that causes discharges from the eyes, nose, or mouth may not work with exposed FOOD; clean EQUIPMENT, UTENSILS, and LINENS; or unwrapped SINGLE-SERVICE or SINGLE-USE ARTICLES.

2-402 Hair restraints

2-402.11 Effectiveness

(A) Except as provided in ¶ (B) of this section, FOOD EMPLOYEES shall wear hair restraints such as hats, hair coverings or nets, beard restraints, and clothing that covers body hair, that are designed and worn to effectively keep their hair and sweat from contacting exposed FOOD; clean EQUIPMENT, UTENSILS, and LINENS; and unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES.

(B) *This section does not apply to FOOD EMPLOYEES such as counter staff who only serve BEVERAGES and wrapped or PACKAGED FOODS; hostesses; and wait staff if they present a minimal RISK of contaminating exposed FOOD; clean EQUIPMENT, UTENSILS, and LINENS; and unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES.*

2-403 Animal

2-403.11 Handling prohibition

(A) Except as specified in ¶ (B) of this section, FOOD EMPLOYEES may not care for or handle animals that may be present such as patrol dogs, SERVICE ANIMALS, or pets that are allowed as specified in Subparagraphs 6-501.115(B)(2)-(5).

(B) *FOOD EMPLOYEES with SERVICE ANIMALS may handle or care for their SERVICE ANIMALS, and FOOD EMPLOYEES may handle or care for FISH in aquariums or MOLLUSCAN SHELLFISH or crustacea in display tanks if the FOOD EMPLOYEES wash their hands as specified under § 2-301.12 and ¶ 2-301.14(C) and change their outer garments if they become wet or soiled as a result of the handling activities.*

2-5. Training

2-501 General principles

2-501.11 Training requirements[†]

(A) FOOD EMPLOYEES shall be—

(1) Trained to perform their duties in a safe manner and with the ability to protect themselves and others from intentional and unintentional food contamination.

(2) Trained in the basic principles of FOOD safety, which includes but is not limited to the CDC five foodborne illness risk factors:

- (a) FOOD from unsafe sources;
- (b) Inadequate cooking;
- (c) Improper holding/time-temperature;
- (d) Contaminated equipment/cross contamination protection. Discussion shall

include general sanitation and food allergens; and

(e) Poor personal hygiene. Discussion shall include the impact to public health, communicable diseases transmitted by FOOD EMPLOYEES, and EMPLOYEE health and hygiene.

(B) Except as specified under §2-503.12, each FOOD EMPLOYEE shall receive a minimum of 4 hours of FOOD sanitation refresher training annually to reinforce training subjects identified in Subparagraph (A)(2) of this section.

(C) Refresher training—

(1) Shall be conducted within a 12-month period beginning no earlier than one month following an EMPLOYEE'S initial training.

(2) May be executed incrementally throughout the year to achieve the 4-hour requirement.

(D) *FOOD ESTABLISHMENTS hold primary responsibility for funding and coordinating required training and certification of FOOD EMPLOYEES.*

2-502 Supervisor training

2-502.11 Requirements and renewal[†]

Foodservice managers, supervisors, and designated PIC shall complete an APPROVED Food Manager Certification process as specified under § 2-102.20 and recertify IAW the interval prescribed by the certifying organization.

2-503 Food employee training

2-503.11 General requirement[†]

Except as specified in §§ 2-503.12 and 2-503.13, new FOOD EMPLOYEES shall receive a minimum of 4 hours of initial FOOD sanitation and safety training, as specified in ¶ 2-501.11(A), within 30 days of beginning foodservice duties.

2-503.12 Bartenders, hostesses, wait staff, and counter staff[†]

(A) Except as specified in ¶ (B) of this section, bartenders, hostesses, waiters, waitresses, and counter staff who do not prepare FOOD shall receive—

(1) Four hours of initial FOOD sanitation and safety training within 30 days of beginning work in an establishment that serves FOOD; and

(2) Two hours of FOOD sanitation refreshers training annually.

(B) Bartenders, hostesses, waiters, waitresses, and counter staff who periodically prepare FOOD, such as plating salads or managing items on salad or buffet bars, shall receive the same training as other FOOD EMPLOYEES as specified under Subparagraph (A)(1) of this section and ¶ 2-501.11(B).

2-503.13 Temporary employees[†]

(A) Except as specified in ¶ (B) of this section, temporary FOOD EMPLOYEES assigned for 30 days or less shall receive training as specified under Subparagraph 2-501.11(A)(1), prior to working in a FOOD ESTABLISHMENT.

(B) Military personnel assigned additional duty as a dining facility attendant, Food Service Assistant (FSA), or Kitchen Patrol (KP) and the assigned duties do not involve food handling shall receive specific food service sanitation training that is relevant to the assigned tasks.

2-503.20 Training resources[†]

Initial and annual refresher FOOD EMPLOYEE FOOD safety training may be obtained from:

(A) A QUALIFIED FOOD SAFETY INSTRUCTOR; or

(B) A web-based presentation; audio/visual presentation, televised program, or other media that—

(1) Meets the basic requirements for FOOD safety annual training as specified under § 2-501-11; and

(2) Is initiated and supervised by a person specified in ¶ (C) of this section.

(C) FOOD sanitation and safety training may be conducted by the following individuals:

- (1) Any person who meets the requirements as specified in ¶ (A) of this section;
- (2) Public health officers and technicians as specified in ¶ 8-6.b.;
- (3) A FOOD ESTABLISHMENT manager, PIC, or supervisor who has completed a Food Protection Manager Certification process as specified in § 2-102.20.

2-504 Other personnel requiring training

2-504.10 Public health inspection personnel[†]

Reserved.

2-504.20 Contracting officer's representatives[†]

CONTRACTING OFFICER'S REPRESENTATIVES (COR), quality assurance evaluators, and other representatives responsible for evaluating foodservice contract performance or providing management or operation oversight of a FOOD ESTABLISHMENT should complete a FOOD Manager Certification and recertification process as specified in § 2-102.20.

2-504.30 Non-food employee, supervisors[†]

(A) Except as specified in ¶ (B) of this section, individuals who are not FOOD EMPLOYEES (i.e., drill sergeants, cadre, platoon sergeants) but are designated to supervise PSAs, dining facility attendants or military personnel detailed to foodservice operations such as KPs should receive a minimum of 4 hours of training in FOOD safety, proper FOOD handling, EQUIPMENT and general sanitation, and basic vegetable preparation.

(B) This requirement may be waived by the REGULATORY AUTHORITY in a deployment setting or other non-garrison or non-permanent installation, base, or post setting.

2-504.40 Food service and food safety instructors[†]

Instructors at military training institutions who teach foodservice, food safety, and related food sanitation compliance criteria introduce and enforce regulatory requirements for food protection. Position descriptions for these instructors should include requirements for attaining and maintaining FOOD Manager Certification as specified in § 2-102.20.

2-505 Training records

2-505.11 Documentation, retention and presentation[†]

(A) Training shall be documented, including the topics presented, the presenter's name, the names of personnel in attendance, the duration of the training, and the training date.

(B) Except as specified in Subparagraph (B)(2) and ¶ (C) of this section, an original or copy of a FOOD EMPLOYEE'S certification document and training records shall be—

- (1) Maintained at the FOOD ESTABLISHMENT, or where the EMPLOYEE works; and
- (2) Available upon request by the REGULATORY AUTHORITY.

(C) If an EMPLOYEE works at more than one FOOD ESTABLISHMENT, copies of his/her record should be available at each establishment.

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