

The term vending machine in the Chapter refers only to vending machines owned by a food service establishment permit holder and operated on the premises of the permit holder's food service establishment. Such vending machines are considered to be food service equipment of the establishment.

511-6-1-.02 PROVISIONS

Mission

The mission of DPH Chapter 511-6-1 is to reduce the impact of foodborne illness (FBI) on the citizens of Georgia and her guests (i.e., the General Public). In order to carry-out this mission, DPH Chapter 511-6-1 contains two primary objectives:

1. To ensure that risk factors for foodborne illness are maintained under active managerial control (i.e., management monitoring employees activities, health, and personal hygiene practices, training employees regarding food safety practices, and during monitoring, take corrective action to bring out of control risk factors for FBI back into compliance with the provisions of the Chapter); and
2. Initiate provisions for the establishment's design, equipment layout and installation, and construction that will afford management the necessary support for successfully controlling risk factors for foodborne illness.

Therefore, if DPH Chapter 511-6-1 is applied correctly by a food service establishment's management, the risk factors that affect foodborne illness and its impact on the public can be greatly reduced.

In regards to the impact of FBI, Chapter 511-6-1 Rule -.02's provision for issuing of a permit to operate a food service establishment is the legal means mandated by O.C.G.A. § 26-2-371 for the Health Authority to fulfill its mandated mission which is to protect public health. It is the permit applicant's burden to provide satisfactory evidence to the Health Authority that he or she has the means by which to comply with the provisions within DPH Chapter 511-6-1. Successful presentation of satisfactory evidence to the Health Authority is the "Key" to unlock the Health Authority's permission to operate the proposed food service establishment. However, it is the Health Authority's responsibility to determine to what level of satisfactory compliance with the provisions of DPH Chapter 511-6-1 has been met by the permit applicant prior to issuing a permit to the applicant.

Primary Requirement for the Permit Applicant

The primary requirement of DPH Chapter 511-6-1 Rule -.02(1)(a) is for potential food service operators to obtain approval from the Health Authority before they begin to prepare and serve food to the public. The purpose of this requirement is two fold: (1) to allow the Health Authority to assess the establishment based on the proposed menu, plans, and method of operation to determine whether the food flow (the path that food follows from

receiving through service to the customer), and kitchen layout (equipment arrangement) are sufficiently designed to protect food as it travels through the facility so that management can be successful in controlling the risk factors to foodborne illness and (2) to remind the permit holder that, once the Health Authority has issued the permit to operate, the permit holder's ability to retain the permit to operate a food service establishment is contingent upon the permit holder's continued compliance with the provisions of the Chapter. It is through this continued compliance with the Chapter that the permit holder and his or her management will be able to provide the consumer with food that is safe, unadulterated, and honestly presented which ultimately ensures protection of the public's health.

Requirement to Control Foodborne illness Risk Factors

The issuance of a food service permit must be in accordance with the overall requirement of the Chapter which is to minimize the occurrence of foodborne illness through active managerial control of foodborne illness risk factors. The Centers for Disease Control and Prevention (CDC) have identified the following categories as the top 5 factors contributing to foodborne illnesses:

- Food from Unsafe Sources
- Poor Personal Hygiene
- Inadequate Cooking
- Improper Holding/Time and Temperature
- Contaminated Equipment/Protection from Contamination

To this end, permission from the Health Authority to operate a food service establishment can be given only to one management (i.e., permit holder), to one physical facility and its food equipment at one location (i.e., food service establishment), and to one type of operation (i.e., method of operation or business model). Permits cannot be issued to multiple food service operations separately owned and managed utilizing the same physical facilities and food service equipment that directly impact food safety, such as food service equipment and food preparation facilities; food storage facilities; equipment and utensil cleaning and sanitizing facilities along with the associated storage areas; and janitorial cleaning facilities without varying from the Rule and providing detailed standard operating procedures for how food safety will not be compromised as a result of the proposal. However, two or more permit holders may jointly use some aspects of a facility, such as common public toilet room facilities, utilities, dining areas, and communal garbage storage facilities like a food court of a shopping mall is set up.

Why is Active Managerial Control Necessary?

Active Managerial Control is evident within Rule -.03 of the Chapter entitled, "Management and Personnel". In Rule -.03, the responsibility is placed on the food service permit holder to ensure that active managerial control of risk factors (i.e. the Priority Items) is achieved in the day-to-day operation of the establishment. The support system (or Priority Foundation and Core Items) for controlling risk factors and ensuring active managerial control can be

found within Rule -.03 such as personnel training or procedures for clean up of vomiting and diarrheal events; provisions in Rule -.04 such as food labeling or shellstock identification; and within Rules -.05 through Rule -.07 such as general sanitation, equipment design, or general maintenance.

Each food service establishment must have its own equipment and physical facilities. Further, it must have its own active managerial control of its operation. Since Core Items contribute to providing the support system for achieving active managerial control of risk factors that most often cause foodborne illness, they must be under the control of management. This is why each permit holder must have active managerial control over his or her own food service equipment and physical facilities. The local Health Authority may obtain a copy of the appropriate permit from the State Environmental Health Office.

Permit Invalidation

Changes may occur after an establishment is permitted. When the change that occurs involves a change of the permit holder, a change in the physical location of the establishment, or a change in the type of operation, it invalidates the permit.

Change in Physical Location: When a food service establishment intends to change its location, the Health Authority must be notified prior to them doing so in order to determine whether the proposed facility will be adequate to meet the needs of the food service establishment's menu, food flow through the establishment, and layout of equipment to control for foodborne illness risk factors.

Changes in Method of Operation: When a food service establishment intends to change its method of operation, the Health Authority must be notified prior to them doing so to determine if the risks involved with the proposed change in operation can be successfully controlled by the permit holder. In doing so, the Health Authority can provide them with the next steps the establishment will need to take to remain in compliance with the Chapter. For example, a fast food establishment may be interested in starting a mobile service operation with two mobile food units. The establishment will need to alert the Health Authority prior to making any purchases of new equipment. This allows the operator to work with the Health Authority in having his or her plans reviewed and evaluated prior to spending unnecessary funds on a project that may or may not be approved. The Health Authority's assessment will focus on determining whether the layout, flow of food through the establishment and mobile units, and the menu (including food preparation processes) will be adequate to help facilitate the management's Active Managerial Control (AMC) of the risk factors for foodborne illness. Additional Health Authority considerations can be found in the Georgia Food Service Design, Installation and Construction Manual's Section B. A change in the type of operation will invalidate the food service establishment's permit so to minimize the lapse in operation it should be discussed with the Health Authority as soon as possible. This is not to say that a food service establishment could not hold more than one type of food service permit. In this example, the food service permit holder could apply for a second food service permit type called "Mobile Food Service Operation". In this case, the permit holder of the establishment would be allowed to operate his establishment as a

“base of operation” at the same time he is operating his fast food service operation upon obtaining both permits. In addition, each mobile unit would need to obtain a permit in each counties that it intends to operate. A copy of the Mobile Food Service Operation permit must be provided to each county in which you intend to operate the mobile unit as evidence that the base of operation has been approved to support a mobile food service unit permit.

Change of Permit Holder: Whenever the name of the establishment is changed may be an indication that the type and method of operation or a change in permit holders has occurred. If the permit holder has changed, a new application must be completed and the establishment must comply with all Rules in the Rules and Regulations for Food Service before a new permit is issued.

Changes that Do Not Invalidate a Permit: Other changes, such as a change of mailing address due to municipality, county or post office restructuring, or a change in the name of the establishment do not invalidate the permit, but do require that a new application be completed and a new permit be issued to indicate the changes.

Provisional Permit.

A provisional permit is a one-time permit that may be issued by the local Health Authority if a food service establishment changes ownership but the menu and equipment layout remains unchanged, and upon inspection the establishment achieves a score of at least 80 with no imminent health hazards. The provisional permit expires within 60 days of permit issuance. This time allows the operator to repair “noncompliant construction or equipment problems” while obtaining their food service permit. All noncompliant construction or equipment problems must be corrected prior to the Provisional permit’s expiration date in order to obtain a food service permit and continuing operation.

Satisfactory Compliance

Qualifications for Permit: The purpose of this provision is to state basic actions to be taken by an applicant to be qualified to receive a food service permit from the Health Authority. The applicant must be the owner of the food service establishment or an appointed officer of the legal owner of the food service establishment. The applicant must agree to allow the Health Authority access to the food service establishment in order for the Health Authority to conduct inspections and investigations as mandated by the Chapter or applicable Laws. The owner or office of the legal owner must provide complete information concerning the proposed food service establishment as requested by the Health Authority. Finally, all assessed fees for services must be remitted in regards to the proposed food service establishment as recommended by the County Board of Health and authorized by the County Commission in which the proposed establishment will be located.

To ensure that all provisions of laws other than those found in the Rules and Regulations for Food Service have been complied with, the local Health Authority may want to issue an

agency review sheet upon first contact with the interested food service operator. This sheet would list all agencies, such as building inspector, fire inspector, etc. that must be contacted and approval granted before a food permit is issued or the business begins operation.

Permit Displayed

Specifics as to how and where a food service permit is to be displayed within the food service establishment is found in Rule -.02 of the Chapter. Mobile and extended food service operation permits will be posted as per Rule -.02 of the Chapter as well. A mobile food service unit permit for each county in which a mobile food service unit operates will be publicly displayed on the mobile food service unit.

Property

The purpose of this provision is to notify the permit holder that permits issued belong to the Health Authority and not to the permit holder. The Food Service Permit is the legal permission granted by the Health Authority to an applicant to operate a food service establishment. The permit holder has the or permission to operate until and at such time as the permit is invalidated, suspended, or revoked by the Health Authority for lack of compliance with the Chapter on the part of the permit holder.

Responsibilities of the Permit Holder

The purpose of Rule -.02 subsection (1) (f) is to notify the permit holder of his or her obligation to comply with the requirements of the Chapter in order to retain his or her food service permit and with it, the permission and authorization to operate his food service establishment. This obligation, permission, and authorization to operate a foodservice establishment begins with the receipt of the food service permit.

The permit holder is obligated to the Health Authority to maintain his food service establishment's physical facilities, equipment, and other associated apparatuses in compliance with the Chapter. The permit holder could be required to replace existing physical facilities, equipment, and associated apparatuses should the Local Health Authority determines through inspection and investigation that:

- Findings by the Health Authority indicated conditions that would prohibit food from being safely prepared and handled as required within the Chapter or a nuisance is created as a result of existing conditions of the establishment. Some examples of conditions would be:
- Equipment that has so deteriorated that it cannot be cleaned thereby lending itself as a vehicle for cross-contamination of food and clean and sanitized food contact surfaces;

- Equipment that has so deteriorated that it no longer is capable of functioning for which it was designed and constructed. For example, refrigeration or hot-holding equipment unable to maintain safe product storage or holding temperatures; and
- Physical facilities, equipment, associated apparatuses, and premises has so deteriorated that vermin infestation cannot be controlled, such as, garbage storage equipment and or areas deteriorated to an unsanitary condition contributing to an odor and or vermin attraction that is impacting operations of neighboring business or the health and comfort of individuals within nearby residences. The permit holder could be required by the local Health Authority to replace physical facilities, equipment, associated apparatuses, and premises should it find through inspection and or investigation that such physical facilities, equipment, associated apparatuses, and premises no longer comply with criteria upon which it was originally accepted by the local Health Authority. For example, a piece of equipment was installed without the approval of the local Health Authority. Upon subsequent inspection by the local Health Authority, it was determined that said equipment was not designed and constructed according to ANSI (American National Standards Institute)-accredited certification programs nor as an alternative, it did not meet the Chapter's requirements for materials, design and construction (see Rule -.05 subsection (1) (a) through (j) and (2) (a) through (ii) of the Chapter). In addition, if it was determined by the local Health Authority that the equipment was not correctly installed as per the Chapter (see **Rule -.02** subsection (8) referencing "Interpretation of this Chapter" in regards to "Food Service Establishment for Design, Installation and Construction" of the Chapter and Rule -.05 of the Chapter). In this case, the local Health Authority would require the equipment to be replaced with equipment and installed in such a way that meets the requirements of the Chapter. The Health Authority can require the replacement of non-compliant physical facilities, equipment, associated apparatuses, and premises at the time wherever a food service permit no longer exists (or invalidated) through a change in ownership of the establishment. This statement is true because food service permits are not transferable from one person to another. In order for the local Health Authority to issue a food service permit to the new owner of the establishment, the prospective permit holder must provide evidence of satisfactory compliance with the provisions of the Chapter. In addition, all other provisions of laws that apply to the location, construction and maintenance of the food service establishment and the safety of persons therein must be in compliance. Wherever physical facilities, equipment, associated apparatuses, and premises are replaced due to normal course of operation, new physical facilities, equipment, associated apparatuses, and premises must comply with requirements of the Chapter.

Notification of Menu Change

The purpose Rule 511-6-1-.02 subsection (1) (g) of the Chapter is to require communication between the permit holder and the Health Authority concerning changes in the establishment's menu. This required communication would be necessary

whenever the permit holder plans for a significant change in his menu thus forcing a significant change in food processing within the food service establishment. By notifying the Health Authority of the proposed addition of new menu items, both the permit holder and the Health Authority can work together to assure that risk-factors that are known to cause foodborne illness and associated with the new processing can be assessed to ensure they are controlled or eliminated altogether. Notification may be at the local level as in a non-chain food service establishment or at the State level as in a corporate or chain food service establishments. Some examples involved with menu changes that would require the Health Authority to be notified by the permit holder are described in 1., 2., and 3. of subsection (g) of the Chapter. They are as follows:

- Any addition of a menu item that requires the addition of equipment or structural modifications of the food service establishment, such as the removal or the addition of rooms, exhaust hood ventilation system(s), plumbing system(s), etc that were not accepted by the local Health Authority at the time the establishment's food service permit was issued;
- Any change that involves a food preparation process, such as cooking, cooling or reheating food, that was not previously performed in the establishment prior to the menu change. For instance, a soda-fountain food service operation changes its menu to include preparing hamburgers using raw ground beef. Before this addition of hamburgers to the menu, the soda-fountain food service establishment did not cook any food; but instead, it only offered soft-served ice-cream products and soft drinks. In this case, the permit holder would be required to notify the local Health Authority of its intentions to add the new menu item, hamburgers, prior to actually serving it; and
- Any addition of a menu item that poses a health risk to consumers because it is a raw animal food served raw or undercooked.

The Health Authority must be notified prior to the aforementioned menu changes being made within the food service establishment. For instance, if a soda-fountain food service establishment proposed to add sushi (acidified rice and raw seafood) to its menu, the permit holder would be required to notify the Health Authority prior to placing it on the menu and serving it.

Mobile Food Service Unit

DPH Rule 511-6-1-.02(2) of the Chapter provides guidance to the EHS to view mobile food service operations, which is comprised of the fixed food service establishment (base of operation) with mobile unit(s), as one mobile food service establishment. The mobile unit(s) simply operates as an extension of and under the managerial authority of the permit holder of its permitted base of operation. The local Health Authority, where the base of operation is located, issues the food service permit to authorize the food service establishment to operate as a "Mobile Food Service Operation". Each mobile food service unit operating from its permitted base of operation must obtain a "Mobile Food Service Unit Permit" from

each County Health Department in which they plan to operate the mobile food service unit. Neither the mobile food service unit permit nor the mobile food service operation can operate independently of one another; therefore, if either of the two ceases to exist then both permits are invalidated. The food service permit type “Mobile Food Service Operation” must be issued to the base of operation before any mobile food service unit permit can be issued within the county in which the mobile food service unit is to operate. Local Health Authorities must communicate with each other to ensure that permits are being properly issued.

Schedule of Locations for Mobile Food Service Operations

The purpose of the provision within DPH Rule 511-6-1-.02(3) (e) of the Chapter is to provide a means for local Health Authorities to know when and where each mobile food unit will be located and operating. This requirement is essential for the local Health Authorities in order for them to have the ability to conduct unannounced inspections; to assess management’s active managerial control over foodborne illness risk factors; and to initiate required investigations in the event of a foodborne outbreak. To this end, the Health Authority in the county where the “Base of operation” is located will be the Health Authority where the “Mobile Food Service Operation” will make application for a permit to operate. It is this local Health Authority that will receive the application, menu, and associated plans and specifications for the mobile operation. It will take the lead in the plan review process and the pre-operational inspection prior to the issuance of the permit to operate. It is during the initial contact that the applicant will furnish information concerning the proposed scheduling of mobile food unit(s) as to location and times of their operation. Once the application has been submitted with the proposed schedules of mobile food unit(s) operation location and times, the county Health Authority of origin will notify the applicant that he or she must make application for a permit to operate with any other county Health Authority that is indicated by the proposed schedule of operation.

Within each county Health Authority that each mobile food service unit will be operating, the applicant will need to submit an application that lists the location and times when each mobile food service unit will be parked and operating. The mobile food service operation’s permit holder will have the responsibility to keep both the county of origin and each county Health Authority updated as to changes in how its mobile food unit(s) are scheduled to operate. Failure of the permit holder to notify county Health Authorities of changes in scheduling of mobile food unit locations and times of operation will invalidate a mobile food unit permit.

When Plans Are Required:

Approval of Plans:

1. Whenever a new food service establishment is to be built or when extensive remodeling of an existing food service establishment; or when an existing structure that was not previously a food service establishment is to be converted into a food service

establishment, properly prepared plans and specifications must be submitted to the county Health Authority in which the establishment is to be located. The county Health Authority will then review such plans and specifications. When it deems that the review process has shown compliance with the Chapter, the county Health Authority will issue documents of plans and specifications approval to the proposed permit holder.

2. No construction of the proposed food service establishment can take place until the applicant receives the reviewing county Health Authority's documentation approving the proposed plans and specification.

3. See the "Food Service Establishment Manual for Design, Installation and Construction" for guidance in food service plans and specification review.

Submission of Plans:

1. The purpose of DPH Rule 511-6-1-.02 subsection (4) (b) of the Chapter is to allow enough time for the Health Authority to adequately review food service plans and specification once they are received from the applicant. The fourteen (14) day minimum time of receipt of plans and specifications from the date of that construction will begin is to provide the Health Authority an opportunity to do so.

2. If the application is not completed with all the necessary information and fees paid, the Health Authority may extend the time it needs to receive such information and fees to complete the review process.

Construction Inspection and Approval

Contents of the Plans and Specifications. Preoperational Inspections.

At the plan review stage, the regulatory authority may be dealing with an agent of the permit applicant who is seeking a building permit and who is not in a position to discuss plans for safely conducting the food operation. Nonetheless, the plan review step presents a unique opportunity to lay a foundation that enables the proposed operation to proactively sustain compliance with the Chapter over time. Standard operating procedures (SOPs) are a part of that foundation and ideally are developed in tandem with designing the facility. Consequently, as an integral part of the plan review process, discussion needs to occur about such procedures and their scope.

SOPs need to be developed by the time of the preoperational inspection and put into effect when the food operation begins. It is recommended that such procedures be written, available for reference by the person in charge, conveyed to the appropriate employees, and available for review by the regulatory authority during inspections. Operating procedures should include definitive practices and expectations that ensure that:

- (1) The transmission of foodborne disease is prevented by managing job applicants and food employees,
- (2) Food is received from approved sources,
- (3) Food is managed so that the safety and integrity of the food from the time of delivery to the establishment throughout its storage, preparation, and transportation to the point of sale or service to the consumer is protected,
- (4) Time/temperature control for safety food is maintained, including freezing, cold holding, cooking, hot holding, cooling, reheating, and serving in conformance with the temperature and time requirements
- (5) Warewashing is effective, including assurance that the chemical solutions and exposure times necessary for cleaning and sanitizing utensils and food-contact surfaces of equipment are provided, and
- (6) Records that are specified within the Chapter are retained for inspection.

During the plan review stage, the local Health authority and a management representative of the proposed food establishment should discuss available training options that may be used to train food employees and the person in charge regarding food safety as it relates to their assigned duties. By the time of the preoperational inspection, operating procedures for training should include definitive practices and expectations of how the management of the proposed food establishment plans to comply with the requirement for the person in charge to assure that food employees are properly trained in food safety as it relates to their assigned duties.

When a HACCP Plan is required - Rule 511-6-1-.02 (5)(a) and (b):

Many establishments such as public schools utilize voluntary HACCP plans in their daily operation. Voluntary HACCP plans that are not required by with the Rules and Regulations for Food Service do not need review and approval by the local (county) and state Health Authorities. However, any HACCP plan that utilizes a process that does not fully comply with Chapter 511-6-1 requires a variance and must have joint approval by the local (county) and state Health Authorities.

HACCP Plans that will be submitted to the State Environmental Health Office (or State Office) for review and processing must be first reviewed by the local Health Authority, along with submitted variances. The local Health Authority will make all initial contact with the permit holder in regards to any variance requests and or HACCP Plans unless it is in regards to a chain (multi-unit corporation). The local Health Authority will review submitted variance request forms and HACCP Plans for proper structure and completion prior to submittal to the State Office for review and processing. In addition, the Health Authority will provide a letter of recommendation for or against the proposal because the Health Authority is familiar with the layout of the establishment, history of

compliance, establishment's capacity in regards to whether it can successfully ensure active managerial control of the proposed activity, etc. and submit it along with the variance request and HACCP plans to the State Environmental Health Office. The letter of recommendation must fully explain the local Health Authority's position concerning its review of the proposed variance/HACCP plan. This process would be the same for HACCP plans that do not require a variance.

The recommendation letter must be included with the submitted variance/HACCP plan for the State Environmental Health Office's review. Once it is determined that all documentation is complete, the packet will be referred to the DPH Legal Section for disposition.

Once the State Office State Environmental Health Section has received the local Health Authority's documentation, it will review the documents. If there is a need for further information concerning the submitted documents, the State Office will refer back to the local Health Authority that submitted the plans (the checklists should help to minimize this turnaround time by submitting the bulk of the documents to the local Health Authority). After review of the submitted documents has been completed and a decision has been rendered by the Department's Division of Public Health in terms of variances, the State Office will distribute the decisions to all parties involved.

Should a chain (multi-unit corporation) submit documents directly to the State Environmental Health Office, the district health offices will be notified of the submittal. Approval of HACCP plans in chain establishments will be shared with all district health offices.

Food processes that require a HACCP plan and variance include the following:

- Smoking Food as a method of Food preservation rather than as a method of flavor enhancement.
- Curing Food
- Using Food Additives or adding components such as vinegar as a method of food preservation or to render a Food non-potentially hazardous.
- Packaging Food using a Reduced Oxygen packaging without a second barrier except when Rule -.04(6)(k)4. is followed precisely
- Custom processing animals that are for personal use as Food and not for sale or service in a Food Establishment
- Preparing food by another method that is determined by the regulatory authority to require a HACCP plan
- Molluscan shellfish life-support system.

A HACCP plan for a Molluscan shellfish life-support system must the following (at minimum):

- Ensure that water used with fish other than the shellfish does not flow into the molluscan shellfish tank.
- Ensure the safety and quality of the shellfish

- Ensure the identity of the source of the shellstock is retained for 90 days after consumption

Note: Food processing criteria for “Reduced Oxygen Packaging” and “Smoking and Curing” can be found within Annex #6 in the 2013 FDA Model Food Code.

Hazard Analysis and Critical Control Point (HACCP) is a systematic approach to identifying, evaluating, and controlling food safety hazards. Food safety hazards are biological, chemical, or physical agents that are reasonably likely to cause illness or injury in the absence of their control. Because a HACCP plan is designed to ensure that hazards are prevented, eliminated, or reduced to an acceptable level before a food reaches the consumer, it embodies the preventive nature of “active managerial control.” Active managerial control using HACCP principles can be achieved by identifying the food safety hazards attributed to products, determining the necessary steps that will control the identified hazards, and implementing on-going practices or procedures that will ensure safe food.

Contents of a HACCP Plan

For a food service establishment that is required in DPH Rule 511-6-1-.02 (5) to have a HACCP plan, the plan and specifications shall indicate:

- A categorization of the types of POTENTIALLY HAZARDOUS FOODS (TIME/TEMPERATURE CONTROL FOR SAFETY FOODS) that are specified in the menu such as soups and sauces, salads, and bulk, solid foods such as meat roasts, or of other foods that are specified by the Health Authority;
- A flow diagram by specific food or category type identifying critical control points and providing information on the following:
 - Ingredients, materials, and equipment used in the preparation of that food, and formulations or recipes that delineate methods and procedural control measures that address the food safety concerns involved;
 - Food employee and supervisory training plan that addresses the food safety issues of concern;
 - Standard operating procedures for the plan under consideration including clearly identifying:
 - Each CRITICAL CONTROL POINT,
 - The CRITICAL LIMITS for each CRITICAL CONTROL POINT,
 - The method and frequency for monitoring and controlling each CRITICAL CONTROL POINT by the FOOD EMPLOYEE designated by the PERSON IN CHARGE,
 - The method and frequency for the PERSON IN CHARGE to routinely verify that the FOOD EMPLOYEE is following standard operating procedures and monitoring CRITICAL CONTROL POINTS,
 - Action to be taken by the PERSON IN CHARGE if the CRITICAL LIMITS for each CRITICAL CONTROL POINT are not met, and

- Records to be maintained by the PERSON IN CHARGE to demonstrate that the HACCP PLAN is properly operated and managed; and
- Additional scientific data or other information supporting the determination that FOOD safety is not compromised by the proposal.

In addition to the above, the establishment must include the following operational procedures for Reduced Oxygen Packaging that:

- Prohibit contacting food with bare hands,
- Identify a designated work area and the method by which:
- Physical barriers or methods of separation of raw foods and ready-to-eat foods minimize cross contamination, and
- Access to the processing equipment is limited to responsible trained personnel familiar with the potential hazards of the operation, and
- Delineate cleaning and sanitization procedures for food-contact surfaces; and
- Describes the training program that ensures that the individual responsible for the reduced oxygen packaging operation understands the:
- Concepts required for a safe operation,
- Equipment and facilities, and
- Operational procedures and the HACCP Plan Standard operating procedures
- All other provisions within Rule -.04(6)(k) for Reduced Oxygen Packaging must be followed.
- Additional Scientific Data:
 - There may be times when the Health Authority will need laboratory analysis conducted by an independent third party source to ensure hazards associated with food processing are being controlled. Such analysis may be in the form of recipe validation; product assessment; challenge studies; or acidification classification of bottled sauces. A third party laboratory that is nationally certified to do such analysis must be chosen by the submitter to conduct such analysis. Documentation attesting to the selected laboratory's qualifications for conducting the required analytical work must accompany all reports. Further, a complete description of analytical methodologies and procedures used by said laboratory must also accompany reports. All analytical work performed results must represent the actual food process that would be utilized by the food service establishment.

Preoperational Inspection.

The purpose of a Preoperational Inspection is to allow the applicant an opportunity to get feedback from the Health Authority that his or her establishment is being completed during construction according to the approved plans for the establishment prior to a permit being issued. In order for the Health Authority to verify compliance and issue the permit, it must conduct an initial inspection of the completed food service establishment

with all the necessary equipment installed and functioning properly to determine the food service establishment's compliance with applicable Law and this Chapter.

Interpretation of this Chapter.

This Manual entitled, "Interpretation Manual for the Georgia Rules and Regulations for Food Service" and its companion manual entitled; "Food Service Establishment Manual for Design, Installation and Construction" are programmatic manuals. Their purpose is to augment the Chapter by providing detail and specificity of its Rules and Regulations. As the need for further clarification arises, updates to these manuals will periodically occur.

511-6-1-.03 MANAGEMENT AND PERSONNEL

Responsibility

PIC Present.

Designation of a person in charge during all hours of operations ensures the continuous presence of someone who is responsible for monitoring and managing all food establishment operations and who is authorized to take actions to ensure that the Chapter's objectives are fulfilled. During the day-to-day operation of a food establishment, a person who is immediately available and knowledgeable in both operational and Chapter requirements is needed to respond to questions and concerns and to resolve problems.

Knowledge

Demonstration.

The designated person in charge who is knowledgeable about foodborne disease prevention, Hazard Analysis and Critical Control Point (HACCP) principles, and Chapter requirements is prepared to recognize conditions that may contribute to foodborne illness or that otherwise fail to comply with Chapter requirements, and to take appropriate preventive and corrective actions.

There are 3 ways in which the person in charge can demonstrate competency. Many aspects of the food operation itself will reflect the competency of that person. The 3 ways are as follows (only one is needed to demonstrate knowledge at the time of inspection):

Option 1. Demonstrating that his or her food service establishment is in compliance with the Chapter. The person in charge or PIC can demonstrate the required compliance status receiving a food service routine or follow-up inspection without any risk factors and public health interventions being found in violation of the Chapter.

Option 2. Demonstrate knowledge of food safety by receiving and maintaining a food safety certification, as a Certified Food Safety Manager (or CFSM), by passing an