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DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Food Service Sanitation Code
- 2) Code Citation: 77 Ill. Adm. Code 750
- 3) 

<u>Section Numbers:</u>	<u>Proposed Action:</u>
750.5	Amend
750.551	Amend
750.1820	Amend
750.1830	Amend
750.1840	Amend
- 4) Statutory Authority: Authorized by the Illinois Food, Drug and Cosmetic Act [410 ILCS 620], Food Handling Regulation Enforcement Act [410 ILCS 625], and Sanitary Food Preparation Act [410 ILCS 650].
- 5) A Complete Description of the Subjects and Issues Involved: As currently written, this Part is in conflict with the Food Handling Regulation Enforcement Act, which was recently amended by Public Act 098-0566 to reduce the required training hours for Food Service Sanitation Manager Certification (FSSMC) and to change the recertification and reciprocity approval process in the state of Illinois. This rulemaking will update incorporated and referenced materials; amend requirements for certification and recertification issuance; update course content and course approval requirements; and amend reciprocity provisions.

The economic effect of this proposed rulemaking is unknown. Therefore, the Department requests any information that would assist in calculating this effect.

The Department anticipates adoption of this rulemaking approximately six to nine months after publication of the Notice in the *Illinois Register*.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? Yes

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- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This rulemaking does not create or expand any State mandates on units of local government.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

Written or e-mail comments may be submitted within 45 days after this issue of the *Illinois Register* to:

Susan Meister  
Division of Legal Services  
Illinois Department of Public Health  
535 W. Jefferson St., 5<sup>th</sup> floor  
Springfield, Illinois 62761

217/782-2043  
e-mail: [dph.rules@illinois.gov](mailto:dph.rules@illinois.gov)

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: Food service establishments (e.g., restaurants, long-term care facilities, schools, grocery stores)
- B) Reporting, bookkeeping or other procedures required for compliance: There will be no change in the reporting, bookkeeping or other procedures required for compliance.
- C) Types of professional skills necessary for compliance: None
- 14) Regulatory Agenda on which this rulemaking was summarized: July 2013

The full text of the Proposed Amendments begins on the next page:

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TITLE 77: PUBLIC HEALTH  
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH  
SUBCHAPTER m: FOOD, DRUGS AND COSMETICS

PART 750  
FOOD SERVICE SANITATION CODE

SUBPART A: GENERAL PROVISIONS

Section	
750.5	Incorporated and Referenced Materials
750.10	Definitions
750.20	Inspections and Inspection Report

SUBPART B: FOOD SUPPLIES

Section	
750.100	General
750.110	Special Requirements
750.120	General – Food Protection
750.130	General – Food Storage
750.140	Refrigerated Storage
750.150	Hot Storage
750.151	Ready-to-Eat Potentially Hazardous Food, Date Marking
750.152	Ready-to-Eat Potentially Hazardous Food, Disposition
750.153	Time as a Public Health Control
750.155	Damaged Food Containers
750.160	General – Food Preparation
750.170	Raw Fruits and Raw Vegetables
750.180	Cooking Potentially Hazardous Foods
750.185	Minimum Food Temperature and Holding Time Required Under Section 750.180(a)(2) for Cooking All Parts of Pork and Game Animals, Comminuted Fish and Meats, and Injected Meats
750.186	Oven Parameters Required for Destruction of Pathogens on the Surface of Roasts of Beef and Corned Beef
750.187	Minimum Holding Times Required at Specified Temperatures for Cooking All Parts of Roasts of Beef and Corned Beef
750.188	Plant Food Cooking for Hot Holding
750.189	Microwave Cooking

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750.190	Dry Milk and Dry Milk Products
750.200	Liquid, Frozen, Dry Eggs and Egg Products
750.208	Preparation for Immediate Service
750.210	Reheating for Hot Holding
750.220	Nondairy Products
750.230	Product Thermometers
750.240	Thawing Potentially Hazardous Foods
750.250	Food Display and Service of Potentially Hazardous Food
750.260	Display Equipment
750.270	Reuse of Tableware
750.280	Dispensing Utensils
750.290	Ice Dispensing
750.300	Condiment Dispensing
750.310	Milk and Cream Dispensing
750.320	Re-Service
750.325	Special Requirements for Highly Susceptible Populations
750.330	General – Food Transportation
750.340	Public Health Protection
750.350	Preventing Health Hazards, Provision for Conditions Not Addressed
750.360	Variances
750.370	Justification for and Documentation of Proposed Variance

SUBPART C: PERSONNEL

Section	
750.500	General – Employee Health
750.510	General – Personal Cleanliness
750.512	When to Wash Hands
750.514	Where to Wash Hands
750.516	Hand Antiseptics
750.520	General – Clothing
750.530	General – Employee Practices
750.540	Management Sanitation Training and Certification
750.550	Management Sanitation Certification Examination (Repealed)
750.551	<u>Certification and Recertification</u> <del>Certificate</del> Issuance
750.560	Certificate Revocation or Suspension

SUBPART D: EQUIPMENT AND UTENSILS

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Section	
750.600	General – Materials
750.610	Solder
750.620	Wood
750.630	Plastics
750.640	Mollusk and Crustacea Shells
750.650	General – Design and Fabrication
750.660	Accessibility
750.670	In-Place Cleaning
750.680	Thermometers
750.690	Non-Food-Contact Surfaces
750.700	Ventilation Hoods
750.710	General – Equipment Installation and Location
750.720	Table-Mounted Equipment
750.730	Portable Equipment
750.740	Floor-Mounted Equipment
750.750	Aisles and Working Spaces

SUBPART E: CLEANING, SANITIZING, AND STORAGE OF  
EQUIPMENT AND UTENSILS

Section	
750.800	Cleaning Frequency
750.810	Wiping Cloths
750.820	Manual Cleaning and Sanitizing
750.830	Mechanical Cleaning and Sanitizing
750.840	Drying
750.850	Equipment, Utensil, and Tableware Handling
750.860	Equipment, Utensil, and Tableware Storage
750.870	Pre-Set Tableware
750.880	Single-Service Articles
750.890	Prohibited Storage Area

SUBPART F: SANITARY FACILITIES AND CONTROLS

Section	
750.1000	General – Water Supply
750.1010	Transportation
750.1020	Bottled Water

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750.1030	Water Under Pressure
750.1040	Steam
750.1050	General – Sewage Disposal
750.1060	General – Plumbing
750.1070	Nonpotable System
750.1080	Backflow
750.1090	Grease Traps
750.1100	Drains
750.1110	General – Toilet Facilities
750.1120	General – Lavatory Facilities
750.1130	Containers – Garbage and Refuse
750.1140	Garbage and Refuse Storage
750.1150	Disposal of Garbage and Rubbish
750.1160	General – Insect and Rodent Control
750.1170	Protection of Openings Against Entrance of Insects and Rodents

SUBPART G: CONSTRUCTION AND MAINTENANCE OF  
PHYSICAL FACILITIES

Section	
750.1200	General – Floors
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750.1220	General – Cleaning Physical Facilities
750.1230	General – Lighting
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750.1250	General – Ventilation
750.1260	Special Ventilation
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750.1290	Poisonous or Toxic Materials Permitted
750.1300	Labeling of Poisonous or Toxic Materials
750.1310	Storage of Poisonous or Toxic Materials
750.1320	Use of Poisonous or Toxic Materials
750.1330	Personal Medications
750.1340	First-Aid Supplies
750.1350	General – Premises
750.1360	Living Areas
750.1370	Laundry Facilities
750.1380	Linens and Clothes Storage

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750.1390      Cleaning Equipment Storage  
750.1400      Animals

SUBPART H: MOBILE FOOD SERVICE

Section

750.1500      General – Mobile Food Units  
750.1510      Restricted Operation  
750.1520      Single-Service Articles  
750.1530      Water Systems  
750.1540      Waste Retention  
750.1550      Base of Operations  
750.1560      Servicing Area  
750.1570      Servicing Operations

SUBPART I: TEMPORARY FOOD SERVICE

Section

750.1600      General – Temporary Food Service Establishments  
750.1610      Restricted Operations  
750.1620      Ice  
750.1630      Equipment  
750.1640      Water  
750.1650      Wet Storage  
750.1660      Waste Disposal  
750.1670      Handwashing  
750.1680      Floors  
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750.1700      Single-Service Articles

SUBPART J: FOOD SERVICE SANITATION MANAGER CERTIFICATION

Section

750.1800      General  
750.1810      Instructor Approval  
750.1815      Instructor Denial  
750.1820      Course Content  
750.1830      Course Approval

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750.1831	Alternative Methods of Training
750.1835	Make Up Work
750.1836	Home Study
750.1837	Course Waiver
750.1838	Course Denial
750.1840	Reciprocity
750.1850	Certification Examination
750.1855	Testing Criteria
750.1860	Examination Notification
750.1861	Class Enrollment Form
750.1862	Administration of Examination
750.1865	Monitors
750.1868	Cheating
750.1870	Re-test Class
750.1876	Dictionary
750.1880	Retake Examination
750.1890	Certificates
750.1895	Change of Address

SUBPART K: REDUCED OXYGEN PACKAGING

Section

750.2000	General
750.2010	Acceptable Products
750.2020	Employee Training
750.2030	Refrigeration Requirements
750.2031	Labeling – Refrigeration Statements
750.2032	Labeling – "Use By" Dates
750.2040	Safety Barriers
750.2041	Fish and Fishery Products
750.2042	Safety Barrier Verification
750.2050	Hazard Analysis Critical Control Point (HACCP) Program
750.2060	Precautions Against Contamination
750.2070	Disposition of Expired Product
750.2080	Dedicated Area/Restricted Access

SUBPART L: MEAT/POULTRY PROCESSING AND LABELING

Section



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750.3000	Exceptions
750.3100	Meat and Poultry Labeling
750.3200	Smoked Meat, Poultry and Other Food Products
750.3300	Curing of Meat and Poultry
750.APPENDIX A	Retail Food Sanitary Inspection Report
750.APPENDIX B	Examination Date Notification Form
750.APPENDIX C	Class Enrollment Form
750.APPENDIX D	Permission to Retake Certification Examination Form
750.APPENDIX E	Monitor's Agreement Form

**AUTHORITY:** Implementing the Illinois Food, Drug and Cosmetic Act [410 ILCS 620] and the Sanitary Food Preparation Act [410 ILCS 650] and authorized by Section 21 of the Illinois Food, Drug and Cosmetic Act [410 ILCS 620/21], and Section 11.1 of the Sanitary Food Preparation Act [410 ILCS 650/11.1] and the Food Handling Regulation Enforcement Act [410 ILCS 625].

**SOURCE:** Adopted December 23, 1975; amended at 2 Ill. Reg. 19, p. 180, effective May 13, 1978; old rules repealed, new rules adopted and codified at 7 Ill. Reg. 1336, effective January 25, 1983; amended at 7 Ill. Reg. 16415, effective November 23, 1983; amended at 11 Ill. Reg. 2345, effective February 1, 1987; amended at 11 Ill. Reg. 18735, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 14380, effective September 2, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 17918, effective December 1, 1988; amended at 13 Ill. Reg. 1819, effective January 30, 1989; amended at 13 Ill. Reg. 18888, effective December 1, 1989; amended at 14 Ill. Reg. 19975, effective January 1, 1991; amended at 14 Ill. Reg. 20535, effective January 1, 1991; amended at 16 Ill. Reg. 15995, effective October 1, 1992; amended at 17 Ill. Reg. 18588, effective October 15, 1993; amended at 20 Ill. Reg. 2171, effective January 20, 1996; amended at 20 Ill. Reg. 3210, effective February 5, 1996; amended at 22 Ill. Reg. 19009, effective October 1, 1998; amended at 32 Ill. Reg. 11980, effective July 10, 2008; amended at 37 Ill. Reg. 20365, effective December 6, 2013; amended at 38 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

SUBPART A: GENERAL PROVISIONS

**Section 750.5 Incorporated and Referenced Materials**

- a) The following materials are referenced in this Part:
  - 1) Alternative Health Care Delivery Act [210 ILCS 3]

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- 2) Nursing Home Care Act [210 ILCS 45]
- 3) Good Samaritan Food Donor Act [745 ILCS 50]
- 4) Hospital Licensing Act [210 ILCS 85]
- 5) Federal Food, Drug, and Cosmetic Act (21 USC 301)
- 6) Illinois Food, Drug and Cosmetic Act [410 ILCS 620]
- 7) Grade A Pasteurized Milk and Milk Products Act [410 ILCS 635]
- 8) Meat and Poultry Inspection Act [225 ILCS 650]
- 9) Sanitary Food Preparation Act [410 ILCS 650]
- 10) Control of Communicable Diseases Code (77 Ill. Adm. Code 690)
- 11) Salvage Warehouses and Stores for Foods, Alcoholic Liquors, Drugs, Medical Devices and Cosmetics Code (77 Ill. Adm. Code 725)
- 12) The Illinois Plumbing Code (77 Ill. Adm. Code 890)
- 13) Public Area Sanitary Practice Code (77 Ill. Adm. Code 895)
- 14) Drinking Water Systems Code (77 Ill. Adm. Code 900)
- 15) Private Sewage Disposal Code (77 Ill. Adm. Code 905)
- 16) ~~Illinois~~ Water Well Construction Code (77 Ill. Adm. Code 920)
- 17) Practice and Procedure in Administrative Hearings (77 Ill. Adm. Code 100)

b) The following materials are incorporated in this Part:

- 1) Official Methods of Analysis of the Association of Official Analytical Chemists, 18<sup>th</sup> Edition, Association of Official Analytical Chemists (2006), 111 North Nineteenth Street, Suite 210, Arlington, Virginia 22209.

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- 2) Standard Methods for the Examination of Dairy Products, 17<sup>th</sup> Edition, American Public Health Association (2004), 8001 I Street, Washington, D.C. 20001-3710.
- 3) The following Federal Regulations, Office of the Federal Register, National Archives and Records Administration (2005), U.S. Government Printing Office, 732 N. Capitol Street NW, Washington, D.C. 20401.
  - A) 9 CFR 1: Animals and Animal Products; Animal Welfare, Definition of Terms;
  - B) 9 CFR 301: Animals and Animal Products; Mandatory Meat Inspection, Definitions;
  - C) 9 CFR 318: Animals and Animal Products; Mandatory Meat Inspection, Entry into official establishments; reinspection and preparation of products;
  - D) 9 CFR 381: Animals and Animal Products; Mandatory Poultry Products Inspection, Poultry products inspection regulations;
  - E) 21 CFR 110: Current Good Manufacturing Practice in Manufacturing, Packaging, or Holding Human Food;
  - F) 21 CFR 133: Cheeses and Related Cheese Products;
  - G) 21 CFR 131: Milk and Cream;
  - H) 21 CFR 114: Acidified Foods;
  - I) 9 CFR 317: Labeling, Marking Devices, and Containers;
  - J) 21 CFR 170.39 – Threshold of regulation for substances used in food-contact articles;
  - K) 21 CFR 178 – Indirect Food Additives: Adjuvants, Production Aides, and Sanitizers (as regulated for use as a food additive with conditions of safe use);
  - L) 21 CFR 182 – Substances Generally Recognized as Safe;

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- M) 21 CFR 184 – Direct Food Substances Affirmed as Generally Recognized as Safe; and
  - N) 21 CFR 186 – Indirect Food Substances Affirmed as Generally Recognized as Safe (for use in contact with food).
- 4) Conference for Food Protection – “Standards for Accreditation of Food Protection Manager Certification Programs” (April 2012) (available online at <http://www.foodprotect.org/media/managercert/CFP%20FPMC%20April%202012%20Standards.pdf>). “Approved Drug Products with Therapeutic Equivalence Evaluations”, prepared by the Center for Drug Evaluation and Research, U.S. Food and Drug Administration (available on line at <http://www.fda.gov/edcr/ob/default.htm>).
- 5) Tentative Final Monograph: “Topical Antimicrobial Drug Products for Over the Counter Human Use: Health Care Antiseptic Drug Products”, prepared by the Center for Drug Evaluation and Research, U.S. Food and Drug Administration (available on line at <http://www.fda.gov/edcr/otemonographs/categorysort/antimicrobial.htm>).
- c) All incorporations by reference of federal regulations and the standards of nationally recognized organizations refer to the regulations and standards on the date specified and do not include any amendments or editions subsequent to the date specified.

(Source: Amended at 38 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

SUBPART C: PERSONNEL

**Section 750.551 Certification and Recertification ~~Certificate~~ Issuance**

- a) For purposes of certification and recertification for food service sanitation manager certification, the Department shall accept only training approved by the Department and certification exams accredited under standards developed and adopted by the Conference for Food Protection or its successor. (Section 3 of the Food Handling Regulation Enforcement Act)

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- b)a) Original certifications and recertifications ~~certificates~~ issued under this Part shall:
- 1) Be issued only after the Department has received ~~both~~:
    - A) Evidence of completion of eight hours of Department-approved training;
    - ~~BA)~~ Evidence of successful completion of an approved Food Service Sanitation Manager Certification examination with a final score of 75% or higher; ~~and~~
    - ~~CB)~~ Payment of a \$35 non-refundable fee; ~~-and~~
  - 2) Be issued as of the date when the individual successfully completed the examination; ~~and~~
  - 3) Expire five years after ~~from~~ the date of the original issuance; ~~and~~
  - 4) Be issued only if recertification training was taken not more than 12 months prior to the certification expiration date.
- c)b) Replacement or duplicate certificates issued under this Part shall:
- 1) Be issued after the Department has received payment of a \$10 fee; and
  - 2) Have the same expiration date as the original certificate.
- e) ~~Renewal certificates shall be issued by the Department at the written request of the certificate holder if the request, documentation of meeting recertification training and/or testing requirements and payment of a \$35 fee are received by the Department prior to or on the certificate's expiration date. Renewed certificates shall expire five years from the date of the original certificate's expiration date.~~
- 1) ~~Certified food service sanitation managers shall have completed one of the following training and/or testing activities within the previous five years before expiration of their certificates:~~
    - A) ~~A Department approved 15 hour certification training course;~~

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- B) ~~A Department approved examination, developed in compliance with Section 750.1850, with a passing score of 75% or higher;~~
  - C) ~~A minimum five-hour refresher course provided by an Illinois approved instructor, as defined in Section 750.1810, using a curriculum provided by the Department; or~~
  - D) ~~Other training, a minimum of five hours in length, that has received pre-approval by the Department.~~
- d) ~~If a certificate renewal application is received by the Department with a postmark no later than 30 days after the certificate's expiration date, it shall be renewed, provided that a written request for renewal is accompanied by documentation of having met recertification criteria as listed in subsection (c) of this Section and the \$35 fee. Any fees submitted after the expiration date of the certificate that are not accompanied by all necessary items listed in this subsection (d) are non-refundable.~~

(Source: Amended at 38 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

SUBPART J: FOOD SERVICE SANITATION MANAGER CERTIFICATION

**Section 750.1820 Course Content**

- a) ~~The minimum course content and eight ~~fifteen~~ hours of training, inclusive of the examination, are exam is as follows. The instructor shall ~~should~~ consider expanding the number of contact hours when a review of the participants reveals learning disabilities, language barriers or other inhibiting factors to learning. To ~~In order to~~ renew an instructor's certificate, a new syllabus shall ~~must~~ be submitted using the format outlined in subsection (b) of this Section.~~
- b) Subject Area – Specific Elements of Knowledge Hours
  - 1) Identify foodborne illness and discuss food allergens (90 minutes):
    - A) Define terms associated with foodborne illness: ; outbreak, food infection, food intoxication, communicable disease, pathogens, potentially hazardous foods, temperature danger zone.

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- B) Recognize the major microorganisms and toxins that can contaminate food and the problems that can be associated with the contamination: bacteria, viruses, parasites, fungi. Define and recognize illnesses that can be associated with chemical and physical contamination.
  - C) Define and recognize potentially hazardous foods (time/temperature control for food safety).
  - D) Define and recognize the major factors that contribute to foodborne illness. ~~Define and recognize illnesses that can be associated with chemical and physical contamination.~~
  - E) Identify common food allergens and recognize causes of cross-contact. ~~Define and recognize the major contributing factors for foodborne illness.~~
  - F) ~~Recognize how microorganisms cause foodborne disease.~~
- 2) Identify time/temperature relationship with foodborne illness (60 minutes).
- A) Recognize the relationship between time/temperature and microorganisms (survival, growth, and toxin production) during the following stages: receiving, storing, thawing, cooking, holding/displaying, serving, cooling, storing (post production), reheating, transporting.
  - B) Describe the use of thermometers in monitoring food temperatures: types of thermometers, techniques and frequency, calibration and frequency.
- 3) Describe the relationship between personal hygiene and food safety (45 minutes).
- A) Recognize the association of hand contact and foodborne illness: hand-washing technique and frequency; proper use of gloves, including replacement frequency and use with food allergens; and minimal hand contact with food.

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- B) Recognize the association of personal habits and behaviors and foodborne illness: smoking, eating and drinking, wearing clothing that may contaminate food, personal behaviors, including sneezing, coughing, etc.
  - C) Recognize the association of health of a ~~food handler~~ foodhandler to foodborne illness: free of symptoms of communicable disease, free of infections, food protected from contact with open wounds.
  - ~~D) Recognize how policies, procedures and management contribute to improved food hygiene practices: self inspection program, pest control program, cleaning schedules and procedures, equipment and facility maintenance program.~~
- 4) Describe methods for preventing food contamination, from purchasing to serving (135 minutes).
- A) Define and identify potential hazards prior to delivery and during delivery: contamination, adulteration, damage, approved source, sound and safe condition.
  - B) Define HACCP and identify ~~Identify~~ potential hazards and methods to minimize or eliminate hazards after delivery: personal hygiene, cross-contamination (food to food and equipment and utensils), contamination (chemical, additives, physical), service/display - customer contamination, storage, re-service ~~reservice~~.
- 5) Identify and apply correct procedures for cleaning, sanitizing and facility management ~~and sanitizing equipment and utensils~~ (60 minutes).
- A) Define terms associated with cleaning and sanitizing.
  - B) Apply appropriate methods of cleaning and sanitizing: manual ware washing, mechanical ware washing, clean in place (CIP) ~~Apply principles of cleaning and sanitizing.~~
  - C) Identify frequency of cleaning and sanitizing ~~Identify materials:~~ equipment, detergent, sanitizer.



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- D) Identify facility, design, and construction suitable for food establishments: refrigeration, heating and hot holding, floors, walls, ceilings, pest control, lighting, plumbing, ventilation, water supply, wastewater disposal, waste disposal. ~~Apply appropriate methods of cleaning and sanitizing: manual warewashing, mechanical warewashing, clean in place (CIP).~~
  - E) ~~Identify frequency of cleaning and sanitizing.~~
- 6) ~~Recognize problems and potential solutions associated with facility, equipment, and layout.~~
- A) ~~Identify facility, design, and construction suitable for food establishments: refrigeration, heating and hot holding, floors, walls, ceilings, pest control, lighting, plumbing, ventilation, water supply, wastewater disposal, waste disposal.~~
  - B) ~~Identify equipment and utensil design and location.~~
- 67) Codes related to food service establishments (30 minutes)
- A) Public Health Codes & ~~Regulations~~: responsibilities affecting operation:-
    - i) Illinois Food, Drug and Cosmetic Act (~~Ill. Rev. Stat. 1991, ch. 56½, par. 501 et seq.~~) [410 ILCS 620]
    - ii) Food Service Sanitation Code (~~77 Ill. Adm. Code 750~~)
    - iii) Meat and Poultry Inspection Act as the rules pertain Code (~~8 Ill. Adm. Code 125~~) as it pertains to food service establishments:-
    - iv) Federal regulations regarding food safety and food allergens
  - B) Section 750.APPENDIX A Retail Food Sanitary Inspection Report Regulatory Inspection Report and its use as a control tool.
- 7) Examination (minimum 60 minutes or per approved national examination

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provider).

A) An examination shall be proctored by an approved proctor for an approved national examination provider.

B) Additional time shall be provided for the examination as allowed in the procedures set forth by the approved national examination provider. Additional time is allowed for examination, but shall not be substituted for required training hours.

e) ~~Evaluation Examination~~  
~~An examination must be monitored by a Department approved monitor.~~

(Source: Amended at 38 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 750.1830 Course Approval**

Course approval by the Department is contingent upon compliance with ~~on~~ the following requirements:

- a) An approved Food Service Sanitation Manager Certification instructor shall ~~must~~ teach the course.
- b) An approved institution shall ~~must~~ sponsor the instructor. Approved ~~Such~~ ~~approved~~ institutions are limited to local health departments, community colleges, universities, institutional training programs or nutrition consultation agencies. The Department will approve exceptions ~~Exceptions shall be approved only by the Department~~ based on the instructor's demonstrated ability to provide a location, textbooks ~~text books~~, hand-outs or other references; for example, agreements with bookstores to make references available for sale. The Department will revoke or suspend any ~~Any~~ ~~sponsorship may be revoked or suspended by the Department~~ when the sponsor fails to comply with this Part. Prior to ~~such~~ suspension or revocation, the sponsor shall be given the opportunity for a hearing before the Department regulatory authority pursuant to the Department's Rules of Practice and Procedure in Administrative Hearings (~~77 Ill. Adm. Code 100~~).
- c) An approved course syllabus shall ~~is to~~ be used. Each course shall meet the standards for content and length of training. The syllabus shall delineate:

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- 1) Textbook ~~text book~~ and other teaching materials used;
  - 2) Methods ~~methods~~ and locations used for instructions;
  - 3) Course ~~course~~ content;
  - 4) Topics ~~topics~~ and length of class meeting; and
  - 5) Method ~~method~~ used to determine students' ~~students'~~ participation and presence during the course sessions, examples such as, ~~as~~, sign-up sheets, roster, etc.
- d) Instructors shall submit one copy ~~two copies~~ of the syllabus to the Department Central Office, Division of Food, Drugs and Dairies, and receive approval prior to teaching a State-approved course. Any syllabus content revision shall be sent to the Department Central Office for approval. ~~One syllabus shall be retained by the Central Office, the second will be sent to the applicable Regional Office.~~
- e) ~~The Department's Food Service Sanitation Manager Certification examination shall not be offered to individuals who participated in a non-approved course or who were taught by a non-approved or inactive instructor unless course waiver applies.~~
- f) ~~A course must have a minimum of five students. For the examination to be monitored by a Department approved monitor who is employed by the Department of Public Health, there must be a minimum of 10 students.~~

(Source: Amended at 38 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 750.1840 Reciprocity**

- a) The Department shall award an Illinois certificate to anyone presenting a valid certificate issued by another state, so long as the holder of the certificate provides proof of having passed an examination accredited under standards developed and adopted by the Conference for Food Protection or its successor. Reciprocity is only for individuals who have moved to or begun working in Illinois in the 6 months prior to applying for reciprocity. (Section 3 of the Food Handling Regulation Enforcement Act) Individuals seeking reciprocity shall submit: ~~The Department will recognize similar course work and/or certificates and develop~~

ILLINOIS REGISTER

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DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

~~reciprocity agreements or similar approval agreements with industry, state or local health departments, provided that:~~

- 1) ~~A \$35.00 nonrefundable *issuance fee* (Section 3 of the Food Handling Regulation Enforcement Act) to be paid at the time of reciprocity request; and the course work or certificate was completed within five (5) years of applying for an Illinois Food Service Sanitation Manager certificate, and~~
  - 2) ~~Proof of having moved to or begun working in Illinois in the last six months, such as an out-of-state identification card or driver's license, utility bill with out-of-state address and postmark, or a letter from a current employer, dated and on letterhead, confirming recent employment. the standards for certification are essentially equivalent to Section 750.1820 through Section 750.1836, and~~
  - 3) ~~the reciprocal course and/or certificate is approved by the Department in writing.~~
- b) *The reciprocal Illinois certificate shall expire on the same date as the presented certificate. Any individual presenting an out-of-state certificate may do so only once. (Section 3 of the Food Handling Regulation Enforcement Act)*
- c) *On or before the expiration date, the holder must have met the Illinois recertification requirements of this Part in order to be reissued an Illinois certificate. (Section 3 of the Food Handling Regulation Enforcement Act)*
- ~~d)~~ The City of Chicago reciprocity agreement ~~Reciprocity agreements~~ shall be reviewed on an annual basis.

(Source: Amended at 38 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)