
SENATE BILL 5336

State of Washington

54th Legislature

1995 Regular Session

By Senators McAuliffe, Moyer, Fairley and Winsley; by request of Department of Health

Read first time 01/19/95. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to food sanitation and safety; amending RCW
2 69.06.010; adding new sections to chapter 69.06 RCW; adding a new
3 section to chapter 43.70 RCW; and creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** In honor of the child victims of E. coli
6 0157:H7, the legislature finds that measures to promote the results of
7 food safety research and proper food protection practices and to
8 educate the food industry and the public about food safety may
9 contribute to a reduction in the number of cases of foodborne illness
10 that occur each year in the state of Washington.

11 The purpose of this act is to: (1) Increase the frequency that
12 food workers must demonstrate a knowledge of food safety principles;
13 (2) authorize the issuance of special food worker permits to the
14 learning disabled for limited activities; (3) develop food safety
15 certification programs for food service managers; and (4) authorize the
16 collection of fees to support the food safety manager certification
17 program.

1 **Sec. 2.** RCW 69.06.010 and 1987 c 223 s 5 are each amended to read
2 as follows:

3 It shall be unlawful for any person to be employed in the handling
4 of unwrapped or unpackaged food unless he or she shall furnish and
5 place on file with the person in charge of such establishment, a food
6 and beverage service worker's permit, as prescribed by the state board
7 of health. Such permit shall be kept on file by the employer or kept
8 by the employee on his or her person and open for inspection at all
9 reasonable hours by authorized public health officials. Such permit
10 shall be returned to the employee upon termination of employment.
11 Initial permits shall be valid for two years from the date of issuance.
12 Subsequent renewal permits shall be valid for ((five)) three years from
13 the date of issuance.

14 NEW SECTION. **Sec. 3.** A new section is added to chapter 69.06 RCW
15 to read as follows:

16 A person who is unable to pass the required examination for a food
17 and beverage service worker's permit because of a learning disability
18 may apply for a limited-duty food and beverage worker's permit, issued
19 by the local health officer. The permit shall prescribe conditions for
20 employment in the food and beverage industry, which shall include only
21 those activities having low public health risk. The limited duty
22 permit is valid only within the jurisdiction of the local health
23 officer where issued.

24 NEW SECTION. **Sec. 4.** A new section is added to chapter 69.06 RCW
25 to read as follows:

26 (1) Beginning July 1, 1997, each permanent food service
27 establishment that prepares, cooks, cools, reheats, hot holds, or cold
28 holds any unpackaged potentially hazardous foods shall have a food
29 safety manager, certified by the Washington state department of health.
30 Food service establishments that only reheat, cold hold, or hot hold
31 completely cooked potentially hazardous foods prepared in any food
32 processing establishment under jurisdiction of the United States
33 department of agriculture or the food and drug administration are
34 exempt from this requirement. Institutional food service operations
35 with satellite kitchens that only hot hold or cold hold or both hot
36 hold and cold hold potentially hazardous foods may be operated with a
37 minimum of one food safety manager for every ten satellite kitchens.

1 The certification shall be granted to those individuals who have
2 successfully completed a training and examination program, approved by
3 the state department of health, that imparts and tests knowledge of the
4 nature, prevention, and control of foodborne disease transmission and
5 of methods for identifying and monitoring critical control points for
6 safeguarding the production, processing, preparation, and serving of
7 food. Retail food safety manager certification is valid for three
8 years from the date of issuance, unless revoked by the state department
9 of health.

10 (2) The state department of health, in consultation with
11 representatives of local health departments, the retail food service
12 industry, and other interested parties, shall develop food safety
13 manager training and certification program criteria, which shall
14 include principles of food worker hygiene; prevention of cross-
15 contamination; proper cooking; rapid cooling and reheating; proper
16 temperature control; cleaning and sanitation; foodborne disease
17 transmission prevention; and factors affecting microbial growth and
18 critical control point concepts.

19 The minimum number of equivalent training hours in a food safety
20 manager training and certification program shall be no less than ten
21 hours with a minimum of seven hours of class contact time. Successful
22 completion of the course shall be demonstrated by passage of an
23 approved examination that tests knowledge of food safety principles.

24 (3) Retail food safety manager training and certification programs
25 must meet the approval of the state department of health. Retail food
26 safety manager training and certification programs may be conducted by
27 food service industry associations or corporations, local health
28 departments, public school districts, community colleges, independent
29 educators, or others.

30 (4) The coordinator of a food safety manager training and
31 certification course shall, upon completion of the course, forward
32 names and mailing addresses of applicants who have successfully
33 completed the course and passed the examination, to the state
34 department of health.

35 (5) The state department of health shall issue a food safety
36 manager certificate, mailed to the applicant. The state department of
37 health shall issue replacement certificates, upon request, to certified
38 food safety managers.

1 (6) A certified food safety manager may renew the certificate by
2 taking another approved food safety manager training course or by
3 taking an approved recertification course with an approved examination.
4 The minimum class contact time for a recertification course shall be no
5 less than four hours. The coordinator of the food safety manager
6 recertification course shall, upon completion of the course, forward
7 names and mailing addresses of applicants who have successfully
8 completed the course and passed the recertification exam, to the state
9 department of health. Food safety manager certificates issued through
10 a recertification course shall be valid for three years from date of
11 issuance, unless revoked by the state department of health.

12 (7) The state department of health may, after providing opportunity
13 for hearing, revoke a food service manager certificate for numerous
14 critical item violations, or for interference with the health officer
15 in the performance of his or her duty, or for a fraudulent statement on
16 the holder's application, or for fraudulent use of the certificate.

17 NEW SECTION. **Sec. 5.** A new section is added to chapter 43.70 RCW
18 to read as follows:

19 The department may charge a fee sufficient to cover the costs of
20 developing materials and implementing those activities set forth in
21 section 4 of this act.

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