

**4626.0033 CERTIFIED FOOD PROTECTION MANAGER (CFPM) REQUIREMENTS FOR FOOD ESTABLISHMENTS.**

A. A food establishment licensee shall employ a certified food protection manager (CFPM) for each establishment including a food establishment that reheats ready-to-eat TCS foods for hot holding, except as provided in item B.

B. A food establishment does not need to employ a CFPM:

(1) where the method of food preparation meets the definition of a low-risk food establishment in Minnesota Statutes, section 157.20;

(2) where the food establishment is licensed as a special event food stand;

(3) where the establishment operates as a retail food vehicle, portable structure, or cart as defined in part 4626.0020, subpart 73; or

(4) where food preparation activities are solely limited to one or more of the following:

(a) preparing or packaging non-TCS foods that are made from ingredients that are not TCS;

(b) processing raw meat, poultry, fish, or game animals intended for cooking by the consumer; or

(c) heating or serving precooked hot dog or sausage products, popcorn, nachos, pretzels, or frozen pizza.

C. Only upon opening or reopening a food establishment, a licensee may employ 1 full-time employee who:

(1) at the time of opening or reopening meets the requirements in item G, subitem (1); and

(2) within 60 days of opening or reopening meets the requirements in item A.

D. A food establishment licensee required to employ a CFPM shall display a current original CFPM certificate or a current duplicate CFPM certificate in the establishment.

E. A food establishment licensee that ceases to employ a CFPM shall employ a new CFPM within 60 days.

F. A food establishment licensee through the CFPM is responsible for:

(1) identifying hazards in the day-to-day operation of the food establishment;

(2) developing or implementing specific policies, procedures, or standards to prevent foodborne illness in the food establishment;

(3) coordinating training, supervising or directing food preparation activities, and taking corrective action as needed in the food establishment to protect the health of the consumer; and

(4) completing in-house self-inspections of daily operations in the food establishment at a frequency that ensures food safety policies and procedures are followed.

G. The requirements for CFPM initial certification are as specified in this item.

(1) An applicant for initial certification as a CFPM shall complete a training course and pass an examination that is accepted under item H on the date taken. The examination must have been taken within 6 months directly preceding the application for certification under subitem (2).

(2) An applicant for initial certification as a CFPM shall submit to the commissioner:

(a) a completed application on a form provided by the commissioner containing the name; telephone number; mailing address, including county; e-mail address, if applicable; and Social Security number of the applicant;

(b) documentation of the applicant's qualifications under this subitem and subitem (1); and

(c) the fee specified in Minnesota Statutes, section 157.16, subdivision 2a.

H. The commissioner shall accept only examinations that are evaluated and listed by a Conference for Food Protection recognized accrediting agency as conforming to the Conference for Food Protection Standards for Accreditation of Food Protection Manager Certification Programs.

I. The requirements for CFPM renewal certification are as specified in this item.

(1) An applicant for renewal as a CFPM shall successfully complete at least 4 contact hours of continuing education within the effective dates of the valid certificate. The continuing education must meet the requirements of item K.

(2) An applicant for renewal as a CFPM shall submit to the commissioner:

(a) a completed application on a form provided by the commissioner containing the name; telephone number; mailing address, including county; e-mail address, if applicable; and Social Security number of the applicant;

(b) documentation of the applicant's qualifications specified in item J; and

(c) the fee specified in Minnesota Statutes, section 157.16, subdivision 2a.

(3) An applicant for renewal whose certification expires before the effective date of this rule shall meet the requirements in part 4626.2015, subpart 8. An applicant for renewal whose certification expires after the effective date of this rule shall meet the requirements in subitem (2) no more than 6 months following the expiration date of the certificate. If more than 6 months has elapsed since the expiration date, an applicant for renewal shall meet the requirements listed under item G.

J. Documentation of a continuing education course must include:

(1) the applicant's name;

- (2) the title of the approved course;
- (3) the number of approved contact hours;
- (4) the course date;
- (5) the instructor's name; and
- (6) the instructor's telephone number or e-mail address.

K. A continuing education course:

- (1) must address food safety and sanitation topics included in this Code;
- (2) must be submitted to and approved by the commissioner before the course is offered and when changes to an approved course are proposed;
- (3) must be taught in an interactive format approved by the commissioner to ensure competency and use an assessment, such as a quiz, test, demonstration, or other mechanism, approved by the commissioner to evaluate learning;
- (4) must be a minimum of 1 hour;
- (5) is subject to periodic review by the commissioner of health; and
- (6) is subject to audit at no cost to the commissioner to verify that instructor qualifications, course content, and course length are being met.

L. A continuing education course instructor shall:

- (1) be a Minnesota CFPM;
  - (2) review developments in topics included in approved courses at least every 2 years;
- and
- (3) maintain course records, including attendance records, for 5 years.

M. Upon review and verification, as needed, of the documents submitted under this part, the commissioner shall issue a certificate or a letter of denial within 45 days of receiving the application. Grounds for the commissioner to deny an application are provided in Minnesota Statutes, section 144.99, subdivision 8, paragraphs (a) and (b).

N. CFPM certificate effective dates and transferability are as specified in this item.

- (1) A certificate issued under this section is valid statewide for 3 years from the effective date printed on the certificate.
- (2) The effective date of the initial CFPM certificate is the date the applicant passed an approved examination.
- (3) The effective date of the renewal CFPM certificate is 1 day after the expiration date of the previous certificate.

(4) A CFPM certificate is not transferable to another person.

O. The commissioner shall issue a duplicate certificate to replace a lost, destroyed, or damaged certificate if the applicant submits a completed application on a form provided by the commissioner for a duplicate certificate and pays the fee specified in Minnesota Statutes, section 157.16, subdivision 2a.

**Statutory Authority:** *MS s 31.101; 31.11; 144.07; 157.011*

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