

4626.2010 CERTIFIED FOOD MANAGER REQUIREMENTS FOR FOOD ESTABLISHMENTS.

Subpart 1. **Certified food manager required.** Except as provided under subpart 4, an owner or operator of a food establishment must employ one full-time certified food manager for each food establishment except for a satellite or catered feeding location.

Subp. 2. Satellite or catered feeding location.

A. A satellite or catered feeding location is a separate location where food is only reheated and served or served cold. A satellite or catered feeding location must be under the direct management authority of the owner or operator of a food establishment.

B. An owner or operator of a satellite or catered feeding location has the option of complying with subpart 1 or identifying a certified food manager who:

(1) is employed by the same owner or operator at a food establishment located elsewhere within the state; and

(2) has direct management authority for the satellite or catered feeding location, including responsibility for ensuring food safety through routine, on-site review.

C. Identification of a certified food manager under this subpart is limited to one satellite or catered feeding location per certified food manager, except for a food establishment owned or operated by a school, adult day care center, child care facility, or a senior nutrition program, in which case up to ten satellite or catered feeding locations per certified food manager is allowed.

Subp. 3. **Posting requirements.** An owner or operator of a food establishment required to employ a certified food manager must have a copy of the certificate issued under part 4626.2015 posted in a conspicuous place at the establishment.

Subp. 4. **Exemptions.** The following food establishments are not required to have a certified food manager:

A. a food establishment where food preparation activities are solely limited to one or more of the following:

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

(2) preparing or serving a continental breakfast such as rolls, coffee, juice, milk, and cold cereal;

(3) preparing or serving nonalcoholic or alcoholic beverages or ice;

(4) grinding coffee beans;

(5) packaging foods that are not potentially hazardous foods;

(6) serving bulk food as defined in Minnesota Statutes, section 31.80, subdivision 2;

(7) processing raw meat, poultry, fish, or wild game intended for cooking after sale;

(8) heating as the only preparation step for a bakery product;

(9) providing prepackaged food in its original package; or

(10) cleaning or sanitizing eating, drinking, or cooking utensils, when the only food served is prepared off site;

B. the following establishments if food is prepared for 18 or fewer persons per mealtime: a boarding establishment as defined in Minnesota Statutes, section 157.15, subdivision 4, a bed and breakfast, a child care facility, or an adult day care center;

C. a food cart, mobile food unit, seasonal permanent food stand, seasonal temporary food stand, or special event food stand, as defined in Minnesota Statutes, section 157.15, subdivisions 6, 9, 12a, 13, and 14, respectively;

D. a retail food vehicle, portable structure, cart, or vending machine; and

E. a food establishment that provides meals no more than one day in a seven-day period and that is owned and operated by a business or a nonprofit organization whose primary activity is not food service.

Subp. 5. **Duties of certified food manager.** An owner or operator, through the certified food manager, is responsible for ensuring that:

A. hazards in the day-to-day operation of the food establishment are identified;

B. policies and procedures to prevent foodborne illness are developed and implemented;

C. employees are trained to ensure that there is at least one trained individual present at all times food preparation activities are conducted who can demonstrate the knowledge required in the Code;

D. food preparation activities are directed and corrective action is taken, as needed, to protect the health of the consumer; and

E. in-house self-inspections of daily operations are conducted on a periodic basis to ensure that food safety policies and procedures are followed.

Subp. 6. **New establishments and employee transition.** An owner or operator of a food establishment that commences operation on or after July 1, 2000, or a food establishment that ceases to employ a certified food manager must, within 45 days:

A. hire a new certified food manager;

B. designate an existing employee who is enrolled in a training course according to part 4626.2015; or

C. hire a new employee who is enrolled in a training course according to part 4626.2015.

The designated employee in training under item B or C must apply for certification as a food manager within 90 days of the date that the food establishment commenced operation or ceased to employ its certified food manager, as applicable. If, for any reason, the designated employee does not receive certification, the owner or operator of the food establishment must employ a certified food manager within 30 days of determining that the employee in training will not be certified.

Subp. 7. **Effective date.** This part is effective July 1, 2000.

Statutory Authority: *MS s 144.05; 144.122; 157.011*

History: *24 SR 605*

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