

3701-21-25

Certification in food protection.

(A) In accordance with section 3717.09 of the Revised Code, the director of health will approve the following categories of food certification courses:

- (1) Person in charge certification, which covers the principles of food safety and the requirements of ~~paragraph (B) of rule chapter~~ 3717-1-~~02.4~~ of the Administrative Code.
- (2) Manager certification in food protection, which is a comprehensive food safety training that provides managers with in-depth knowledge of proper food safety practices for use in their facilities. ~~A manager certification in food protection course approved by the director of health prior to April 1, 2019 will retain its approval until a new or amended course is submitted to the director of health no later than nine months after the effective date of this rule and approved or disapproved by the director of health no later than twelve months after the effective date of this rule. If a new or amended course is not submitted and approved within twelve months of the effective date of this rule, the course will no longer be approved.~~

(B) Any person desiring to apply to the director of health for approval to conduct a food certification course is obligated to complete an application prescribed by the director and submit the completed application to the director. An application to conduct a person in charge certification course or manager certification in food protection course will contain at least the following criteria:

- (1) The applicant's name, address, email address and telephone number;
- (2) Name of the approved course to be conducted;
- (3) Course agenda that identifies the core content as specified in appendix A of this rule for a person in charge certification course and as specified in appendix B of this rule for a manager certification in food protection course;
- (4) A description of any methods of training to be used such as classroom instruction, guest speakers, interactive computer programming, or video;
- (5) The names of all course instructors and verification that the instructors possess the following qualifications:
 - (a) For person in charge certification:
 - (i) The instructor is a registered environmental health specialist working in food safety; or

- (ii) The instructor possesses a valid manager certification in food protection in accordance with this rule.
- (b) For manager certification in food protection:
 - (i) The instructor is a registered environmental health specialist working in food safety; or possesses a valid manager certification in food protection in accordance with this rule; and
 - ~~(ii) The instructor possesses a valid manager certification in food protection in accordance with this rule; and~~
 - ~~(iii)~~(ii) Documentation that confirms the instructors possess approval from the course developer to instruct the course.
- (6) The names of all examination proctors and documentation that the proctors possess approval from the examination developer to proctor the examination;
- (7) For a manager certification in food protection course, the name of the examination to be administered. The examination will comply with the criteria set by the conference for food protection standards (April 2025 ~~2016~~) for food safety certification examination;
- (8) An example of the certificate to be issued by the course provider to individuals who ~~attend~~complete a person in charge certification course, which will contain the following:
 - (a) Name of student;
 - (b) Statement that the student completed an "Ohio Person-in-Charge" course;
 - (c) Date of course completion;
 - (d) Name of training provider; and
 - (e) Course provider approval number assigned by the director of health.
- (C) Person in charge certification and manager certification in food protection courses.
 - (1) An application for approval of a person in charge certification or manager certification in food protection course will be completed on a form prescribed by the director and will contain at least the following information:
 - (a) The applicant's name, address, email address and telephone number; and

- (b) A copy of all course materials, such as student manuals, written or verbal exercises, access to interactive computer program, videos, handouts or other materials mandated by the director of health.
- (2) Amendments to a person in charge or manager certification in food protection course approved by the director of health will be submitted to and approved by the director of health prior to implementation. When a new edition of a certification in food protection course is approved by the director of health, the previously approved edition will no longer be approved.
- (D) Person in charge certification and manager certification in food protection course curriculums.
 - (1) The core content of a person in charge certification course will address the areas of knowledge and the topics described in appendix A of this rule and contain a verbal or written exercise, without the written exercise containing a passing score.
 - (2) The core content of a manager certification in food protection course will address the areas of knowledge and the topics described in appendix B of this rule.
 - (3) A food certification course administered through interactive computer programming will affirm that the course does not enable an individual to fast forward or skip through course content.
- (E) Individuals that submit with their applications proof that they are a service member or veteran, or the spouse or surviving spouse of a service member or veteran will receive priority processing.
 - (1) The acceptable proof of service member/veteran status documents are:
 - (a) Department of defense identification card (active, retired, temporary disability retirement list (TDRL));
 - (b) DD214 military discharge certificate indicating disposition of discharge;
 - (c) Report of separation from the national archives national personnel records center in St. Louis, Missouri; or
 - (d) Veterans identification card from the department of veterans affairs.
 - (2) All acceptable proof documents, except veterans identification card, are to show the veteran status as honorable, general, general under honorable conditions, or discharged or released under conditions other than dishonorable.

(F) An approved provider of a person in charge certification course will:

- (1) Prior to implementation, submit to the director any changes such as course materials, course agenda, instructors, certificate of completion, or provider contact information;
- (2) Provide adequate facilities, equipment and supplies necessary to administer the approved course; and
- (3) Provide a certificate of completion to individuals who complete the course.

(G) An approved provider of a manager certification in food protection course will:

- (1) Prior to implementation, submit to the director any changes such as course materials, course agenda, instructors, proctors, examination, or provider contact information;
- (2) Provide adequate facilities, equipment and supplies necessary to administer the approved course;
- (3) Ensure that, prior to administering the examination:
 - (a) Instructors affirm that students attended the entire course; and
 - (b) Proctors mandate students to provide documentation of completion of a manager course approved by the director of health no more than one year before the examination date. Providers will maintain the documentation until the provider has been audited by the director of health.
- (4) Within thirty days of administering the examination, send to the director of health a copy of the examination score report that includes date of examination, each individual's name, passing grade, name of provider, and name of instructor or proctor; and
- (5) Distribute the Ohio certification to individuals who successfully complete a certification course and examination within ten business days of receiving the certifications from the director of health.

(H) The director may audit any food certification course or provider to determine compliance with the most current requirements in Chapter 3717-1 of the Administrative Code and this rule.

(I) The director may disapprove a food certification course or course provider if the course or course provider fails to meet the requirements of this rule. An applicant,

course developer, or course provider may request ~~that~~an informal hearing with the director to discuss ~~reconsider~~ the director's decision and may submit ~~additional materials~~any documents to the director in support of their request, provided that the director receives the request for ~~reconsideration~~an informal hearing and any additional ~~materials~~documents within thirty days of the date of the director's notice of disapproval. The director will reconsider the disapproval and issue a final decision within thirty days after the conclusion of the informal hearing~~of receiving the request for reconsideration~~.

(J) An individual desiring manager certification in food protection is obligated to successfully complete a manager certification in food protection course and examination that meet the requirements of this rule. If the course and examination were administered by a course provider not approved by the director of health, the individual may apply for manager certification in food protection by submitting an application to the director of health on a form prescribed by the director along with the following:

~~(1)~~(1) Documentation that the individual has successfully completed a manager certification in food protection course in accordance with this rule no more than one year before the examination was completed; and

~~(2)~~(2) A certificate that confirms the individual has successfully completed a course examination that complies with paragraph (B)(7) of this rule and is not expired ~~within one year of completion of an approved manager certification in food protection course~~.

(K) Person in charge certification:

(1) The licensor will mandate person in charge certification for at least one person in charge per shift in risk level I, II, III, and IV food service operations and retail food establishments initially licensed after March 1, 2010.

(2) The licensor will mandate person in charge certification for all persons in charge in food service operations and retail food establishments initially licensed prior to March 1, 2010 that have been implicated in a foodborne disease outbreak or the licensor has documented a failure to maintain sanitary conditions as per sections 3717.29 and 3717.49 of the Revised Code.

(3) A person in charge of a food service operation or a retail food establishment not subject to paragraph (K)(2) or (K)(5) of this rule that provides documentation to the licensor that the person in charge has obtained manager certification in food protection issued by the director of health is not obligated to obtain person in charge certification.

- (4) The licensor will mandate person in charge certification for at least one person in charge per license holder at each individual event in high risk mobile food service operations and high risk mobile retail food establishments initially licensed on or after ~~the effective date of this rule~~[September 1, 2024](#).
- (5) The licensor will mandate person in charge certification for all persons in charge in high risk mobile food service operations and high risk mobile retail food establishments initially licensed prior to [September 1, 2024](#)~~the effective date of this rule~~ that have been implicated in a foodborne disease outbreak or the licensor has documented a failure to maintain sanitary conditions as per sections 3717.29 and 3717.49 of the Revised Code.
- (L) A licensor that is an approved course provider in accordance with this rule may charge a fee as specified in division (B)(3) of section 3717.25 of the Revised Code for retail food establishments and division (B)(3) of section 3717.45 of the Revised Code for food service operations.