

Section 8-116 Food Handler's Certificate is hereby added to read as follows:

(a) It shall be unlawful of any person to accept any person for employment in any food establishment or to accept such employment, as such term defined in this section, unless such person should have obtained a valid food handler's certificate as provided for in this section. For the purpose of this section, "food establishment" shall be defined as any place where food or beverage is prepared or served and intended for human consumption. Volunteer handlers will not be required to have a health certificate but shall be subject to the provisions of subsection (f) of this section.

(b) A "food handler" shall be defined as any person who prepares, cooks, or serves food or drinks for consumption by the public. Such food handlers shall include those personnel in a supervisory capacity and those who provide accessory services such as dishwashers, busboys, cashiers and so forth, whether full-time part-time or temporary employees. The term "food handlers" shall include those who are employed as butchers, meat cutters and wrappers, produce handlers or bakers. A certified food manager shall not additionally be required to comply with this section.

(c) There shall be two classifications of food handlers:

(1) The professional food handler, being any food handler who receives payment for services rendered; and

(2) The volunteer food handler, who is any food handler who volunteers his services to a benevolent or nonprofit organization on an intermittent basis.

(d) all food handlers shall be thoroughly indoctrinated in personal hygiene and food service sanitation as well as in the methods of importance of preventing food-borne illness. The course required under paragraph (e) below shall be one that the regulatory authority or his or her designated representative prepares and conducts which shall be a minimum required two-hour workshop designed to impart the information necessary to the sanitary preparation and handling of food and food service equipment, or any other course which is accredited by the Texas Department of State Health Services or its successor organization.

(e) Requirements for food handlers to obtain food handler's certificate. Those persons defined as food handlers in this section shall be required to obtain food handler's certificates before working in any capacity that shall require the preparation or service of food for consumption by the public. Food handlers will qualify for a certificate initially by attending and demonstrating knowledge of the contents of a course designed to impart information necessary to the sanitary preparation and handling of food and equipment. A food handler's certificate shall be issued for a period of two (2) years, which will be renewed for additional periods of two (2) years after attendance at a course designed to review and update information on good practices of food preparation, service and sanitation.

(f) Volunteer food handlers will not be required to obtain a food handler's certificate. However, each chairperson heading an event will be given an information package containing sanitation requirements at the time of permitting. Each volunteer food handler shall be responsible for knowing the information presented in the package. A list of rules and information will be provided by the regulatory authority, and each volunteer will be expected to abide by those rules.

(g) the regulatory authority shall enforce this section.

(h) As an administrative charge for the issuance of a food handler's certificate, a non-refundable fee of \$10.00 shall be paid to the regulatory authority before the issuance of a food handler's certificate.

(i) The regulatory authority shall prepare or arrange for the food handler's course, and shall issue and publish cleanliness and sanitary food handling practice rules and regulations for all food handlers, and shall amend them as needed.

(j) In addition to any other remedies which may apply to violations of this Article, the regulatory authority may additionally deduct three (3) points, which will be classified as non-critical points, from the results of any inspection or reinspection performed for any food establishment found to be employing or using any person who is required to have a food handlers certificate , and who does not have one.

(k) The requirements of this Section 8-116 shall become effective on September 1, 2010.