



GUIDANCE FOR INDUSTRY ON THE CERTIFIED FOOD PROTECTION MANAGER REQUIREMENT

The Georgia Department of Agriculture is updating our Retail Food Sales regulations to be consistent with the FDA 2013 Model Food Code. A key provision in the new regulations requires at least one employee with supervisory responsibilities to be a Certified Food Protection Manager (CFPM).

The purpose of this document is to help clarify what is required for firms to comply with the CFPM requirement.

WHAT IS A CERTIFIED FOOD PROTECTION MANAGER (CFPM)?

The Certified Food Protection Manager is required in 40-7-1-.03(3) of the Department's new Retail Food Sales Regulations, which states:

- (a) At least one EMPLOYEE that has supervisory and management responsibility and the authority to direct and control FOOD preparation and service shall be a certified FOOD protection manager who has shown proficiency of required information through passing a test that is part of an ACCREDITED PROGRAM.
- (b) *This section does not apply to certain types of FOOD ESTABLISHMENTS deemed by the DEPARTMENT to pose minimal risk of causing, or contributing to, foodborne illness based on the nature of the operation and extent of FOOD preparation.*

In order to be considered a CFPM, the employee with supervisory duties must pass a test accredited by the [American National Standards Institute \(ANSI\)](#). There are currently 4 programs accredited that will satisfy the CFPM requirement:

- 1) 360training.com, Inc. - Learn2Serve® Food Protection Manager Certification Program
- 2) Above Training/StateFoodSafety.com – Certified Food Protection Manager (CFPM) Exam
- 3) National Registry of Food Safety Professionals - Food Protection Manager Certification Program
- 4) National Restaurant Association - ServSafe® Food Protection Manager Certification Program
- 5) Prometric Inc. - Food Protection Manager Certification Program

WHY IS THE CFPM REQUIRED?

FDA's Model Food Code requires each firm to have a CFPM. The Food Code Annex 3 contains FDA's rationale on why a CFPM should be required:

Food protection managers have an important role in formulating policies, verifying food employees carry out these policies, and communicating with these same employees to give information about recommended practices to reduce the risk of foodborne illness. A Centers for Disease Control and Prevention Environmental Health Specialist-Network (EHS-Net) study suggests that the presence of a certified food protection manager reduces the risk for a foodborne outbreak for an establishment and was a distinguishing factor between restaurants that experienced a foodborne illness outbreak and those that had not.

FDA's Retail Food Risk Factor Studies suggest that the presence of a certified manager has a positive correlation with more effective control of certain risk factors, such as poor personal hygiene, in different facility types.

In addition to the FDA rationale, the Department is enrolled in the Voluntary National Retail Food Regulatory Program Standards. The Retail Food Program Standards provide a foundation and system for regulatory programs to improve and build upon existing programs through a continuous improvement process. The Program Standards are intended to reinforce proper sanitation (good retail practices) and operational and environmental prerequisite programs while encouraging regulatory agencies and industry to focus on the factors that cause and contribute to foodborne illness, with the ultimate goal of reducing the occurrence of those factors.

In order to comply with the standards, the Department must have regulations equal to the Model Food Code, and within two (2) iterations of the Model Food Code. The Department's current regulations we based heavily on the 2001 Food Code. When the 2013 Food Code was released, the Department became three (3) iterations removed from the current version of the Food Code (2005/2009/2013).

WHO NEEDS A CFPM?

Firms with minimal risk will not be required to have a CFPM. They will still have to demonstrate knowledge of regulation requirements to our inspectors when violative conditions have been found.

Firms that have Time/Temperature Control for Safety Food (TCS Food) and perform specific handling activities, will have to comply with the CFPM requirement.

The CFPM **DOES NOT** need to be present at all times. A Person in Charge shall be present during all hours of operation, as required by 40-7-1-.03(1). The Person in Charge shall be the license holder, or his/her designee; and **DOES NOT** have to be a CFPM.

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No CFPM Necessary	CFPM Required
<ul style="list-style-type: none"> · Pre-packaged Dry Goods · Pre-packaged Refrigerated/Frozen Foods (Prepared in a licensed/inspected Processing Plant) · Coffee Urns · Cappuccino Machines · Soda Fountains · Slushee/Icee Type Machines · Bulk, Self-Service Pastries · Bagging Ice On-site 	<ul style="list-style-type: none"> · Hot Holding Food · Time as a Public Health Control · Cold Holding (Foods Prepared On-site) · Cooking Food · Cooling Food · Reheating Food · Thawing Food · Repacking Food

Activity	Regulation Requirements	Examples
Hot Holding Food	Food held at a minimum of 135°F	<ul style="list-style-type: none"> · Pizza · Fried chicken · Chicken wings
Time as a Public Health Control	Foods held in the temperature danger zone (between 41°F and 134°F), which must be discarded within 4 hours. Time stamp or temperature log required.	<ul style="list-style-type: none"> · Hot dog rotisserie · Biscuits held on a sales counter · Boiled Peanuts
Cold Holding	Foods held at or below 41°F	<ul style="list-style-type: none"> · Cut fruits · Tuna salad · Sliced tomatoes
Cooking Foods	Raw animal foods cooked to 145°F, 155°F, or 165°F. See 40-7-1-.11(1) - (2) for product specific temperature requirements.	<ul style="list-style-type: none"> · Chicken wings · Hamburger patties · Fish fillets
Cooling Foods	Cooled from 135°F to 70°F within 2 hours, and from 135°F to 41°F or less within a total of 6 hours.	<ul style="list-style-type: none"> · Rotisserie chicken · Barbeque ribs · Refried beans
Reheating Foods	Food from processing plants reheated to 135°F before service. Food cooked onsite, reheated to 165°F before service.	<ul style="list-style-type: none"> · Biscuits reheated for hot holding · Canned vegetables · Hot dogs for roller grills
Thawing Foods	Held under refrigeration at 41°F or less, or submerged under running water at 70°F or less, or thawed in a microwave immediately before cooking.	<ul style="list-style-type: none"> · Frozen chicken wings · IQF shrimp · IQF fish fillets
Packaging Food	Numerous regulations involved. Packaging should be done on clean equipment, using clean utensils, and done in a manner that prevents contamination or adulteration of the food.	<ul style="list-style-type: none"> · Repacking spices from bulk · Clamshell containers of cut fruit · Wrapping individual slices of cake

WHEN WILL THE CFPM RULE GO INTO EFFECT?

The Department's updated rules go into effect on October 1, 2015. There will be a 16 month phase-in period to allow our regulated firms to get at least one employee with supervisory duties trained to one of the certified programs. This should be accomplished by February 1, 2017.

After the 16 month phase-in period, all new firms (including change of ownership), or firms that have a change in their operations that requires them to have a CFPM, will have 90 days to comply with the CFPM requirement.