

Chapter 2 Management and Personnel

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2-1 Supervision

Subparts

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- 2-104 Person in Charge

2-101 Assignment

2-101.11 Responsibility

The PERMIT HOLDER shall be the PERSON IN CHARGE, or shall designate a PERSON IN CHARGE, and shall ensure that a PERSON IN CHARGE is present at the FOOD ESTABLISHMENT during all hours of operation.

2-102 Demonstration

2-102.11 Knowledge

The PERSON IN CHARGE shall demonstrate to the HEALTH AUTHORITY, during inspections and upon request, knowledge of FOOD BORNE ILLNESS and disease prevention, application of the HACCP principles, and the requirements of these Regulations. Except as specified in Section 8-205.11 of these Regulations, the PERSON IN CHARGE shall demonstrate this knowledge in relation to the RISKS inherent in a specific FOOD operation by one of the following criteria:

- (A) Complying with these Regulations by having no CRITICAL or MAJOR VIOLATIONS during the current inspection, or by,
- (B) Being a certified FOOD protection manager who has shown proficiency of required information through passing a test that is part of an ACCREDITED PROGRAM as required by Section 2-103 of this Chapter, or by,
- (C) Responding correctly to the inspector's questions as they relate to specific FOOD operations. The areas of knowledge include but are not limited to:
 - (1) Describing the relationship between the prevention of FOOD BORNE ILLNESS DISEASE and the hygienic practices of a FOOD HANDLER.
 - (2) Explaining the responsibility of the PERSON IN CHARGE for preventing the transmission of FOOD BORNE ILLNESS DISEASE by a FOOD HANDLER who has a disease or medical condition that may cause a FOOD BORNE ILLNESS DISEASE.
 - (3) Describing the symptoms associated with diseases that are transmissible through FOOD.
 - (4) Explaining the significance of the relationship between maintaining the time and temperature of PHF (TCS) and the prevention of FOOD BORNE ILLNESS.
 - (5) Explaining the HAZARDS involved in the consumption of raw or undercooked MEAT, POULTRY, EGGS, FISH, and seafood.
 - (6) Stating the required FOOD temperatures and times for safe cooking of PHF (TCS) including MEAT, POTENTIALLY HAZARDOUS FOOD (TCS), EGGS, FISH, and seafood.
 - (7) Stating the required temperatures and times for the safe refrigerated storage, hot holding, cooling, and reheating of PHF (TCS).
 - (8) Describing the relationship between the prevention of FOOD BORNE ILLNESS and the management and control of the following:
 - (a) CROSS-CONTAMINATION.
 - (b) Hand contact with READY-TO-EAT FOOD.
 - (c) Hand washing.
 - (d) Maintaining the FOOD ESTABLISHMENT in a clean condition and in good repair.
 - (9) Describing FOOD identified as ALLERGENS and the symptoms that an ALLERGEN could cause in a sensitive individual who has an allergic reaction.

- (10) Explaining the relationship between FOOD safety and providing EQUIPMENT that is:
 - (a) Sufficient in number and capacity.
 - (b) Properly designed, constructed, located, installed, operated, maintained, and cleaned.
- (11) Explaining correct procedures for cleaning and sanitizing UTENSILS and FOOD- CONTACT SURFACES of EQUIPMENT.
- (12) Identifying the source of water used, and measures taken to ensure that it remains protected from CONTAMINATION, including but not limited to providing protection from backflow and precluding the creation of cross connections.
- (13) Identifying POISONOUS OR TOXIC MATERIALS in the FOOD ESTABLISHMENT and the procedures necessary to ensure that they are safely stored, dispensed, used, and disposed of according to LAW.
- (14) Identifying CRITICAL CONTROL POINTs in the operation, from purchasing through sale or service, that when not controlled may contribute to the transmission of FOOD BORNE ILLNESS, and explaining steps taken to ensure that these points are controlled in accordance with the requirements of these Regulations.
- (15) Explaining the details of how the PERSON IN CHARGE and FOOD HANDLERS comply with the HACCP PLAN if a plan is required by LAW, by these Regulations, or by an agreement between the REGULATORY AUTHORITY and the FOOD ESTABLISHMENT.
- (16) Explaining the responsibilities, rights, and authority assigned by these Regulations to the:
 - (a) FOOD HANDLER.
 - (b) CONDITIONAL FOOD HANDLER.
 - (c) PERSON IN CHARGE.
 - (d) REGULATORY AUTHORITY.
- (17) Explaining how the PERSON IN CHARGE, FOOD HANDLERS, and CONDITIONAL FOOD HANDLERS comply with reporting responsibilities and exclusions or RESTRICTIONS, of FOOD HANDLERS.

2-103 FOOD Protection Manager

2-103.11 FOOD Protection Manager Certification.

A PERSON IN CHARGE who demonstrates knowledge by being a FOOD Protection Manager, and is certified by a FOOD Protection Manager certification program that is 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*, is deemed to comply with Paragraph 2-102.11(B) of this Chapter, or has submitted a manager's certification program and paid applicable fees for review and approval by the local HEALTH AUTHORITY.

2-104 PERSON IN CHARGE

2-104.11 Duties

The PERSON IN CHARGE shall ensure that:

- (A) FOOD ESTABLISHMENT operations are not conducted in a private home or in a room used as living or sleeping quarters as specified in Chapter 6-202.19 of these Regulations.
- (B) PERSONS unnecessary to the FOOD ESTABLISHMENT operation are not allowed in the FOOD preparation, FOOD storage, or WARE WASHING areas, except that brief visits and tours may be authorized by the PERSON IN CHARGE if steps are taken to ensure that exposed FOOD, clean EQUIPMENT, UTENSILS and LINENS, and unwrapped SINGLE-SERVICE ARTICLES and SINGLE-USE ARTICLES are protected from CONTAMINATION.
- (C) FOOD HANDLERS and other PERSONS including but not limited to delivery and maintenance PERSONS, and pesticide applicators entering the FOOD preparation, FOOD storage, and WARE WASHING areas comply with these Regulations.
- (D) FOOD HANDLERS are effectively cleaning their hands by routinely monitoring hand washing.
- (E) FOOD HANDLERS are visibly observing FOOD, as it is received, to determine that it is from APPROVED SOURCES, delivered at the required temperatures, protected from CONTAMINATION, unADULTERATED, and accurately presented by routinely monitoring the FOOD HANDLERS' observations and periodically evaluating FOOD upon receipt.
- (F) FOOD HANDLERS are properly cooking PHF (TCS), being particularly careful in cooking FOOD known to cause severe FOOD BORNE ILLNESS and death, including but not limited to EGGS and COMMINUTED MEATs, through daily overseeing of the FOOD HANDLERS' routine monitoring of the cooking temperatures, use of appropriate TEMPERATURE MEASURING DEVICES, which are properly scaled and calibrated, as specified in Chapter 4-302.13 of these Regulations.

- (G) FOOD HANDLERS are using proper methods to rapidly cool PHF (TCS), which are not held hot or are not for consumption within four hours, through overseeing daily the FOOD HANDLER's routine monitoring of FOOD temperatures during cooling.
- (H) CONSUMERS who order raw or partially cooked READY-TO-EAT FOOD of animal origin are informed, as specified in Chapter 3-603.11 of these Regulations, that the FOOD is not cooked sufficiently to ensure its safety.
- (I) FOOD HANDLERS are properly sanitizing cleaned multi-use EQUIPMENT and UTENSILS, before they are re-used, through routine monitoring of solution temperature, and exposure time for hot water sanitizing and chemical concentration, pH, temperature, and exposure time for chemical sanitizing.
- (J) CONSUMERS are notified as specified in Chapter 3-306.13 (D) of these Regulations, which clean TABLEWARE is to be used when they return to self-service areas including but not limited to salad bars and buffets.
- (K) Except when approval is obtained from the HEALTH AUTHORITY, as specified in Chapter 3-301.11 (A) of these Regulations, FOOD HANDLERS are preventing CROSS-CONTAMINATION of READY-TO-EAT FOOD with bare hands by properly using suitable UTENSILS including but not limited to deli tissue, spatulas, tongs, single-use gloves, or dispensing EQUIPMENT.
- (L) FOOD HANDLERS are properly trained in FOOD safety as it relates to their assigned duties.
- (M) FOOD HANDLERS and CONDITIONAL FOOD HANDLERS are informed of their responsibility, in accordance with LAW, to report to the PERSON IN CHARGE information about their health and activities as they relate to diseases which are transmissible through FOOD, as specified in Section 2-201.11 (A) of this Chapter.

2-2 Employee Health

Subpart

2-201 Responsibilities of Permit Holder, Person in Charge, Food Handlers, and Conditional Food Handlers

2-201 Responsibilities of PERMIT HOLDER, PERSON IN CHARGE, FOOD HANDLERS, and CONDITIONAL FOOD HANDLERS

2-201.11 Responsibilities and Reporting Symptoms and Diagnosis

- (A) The PERMIT HOLDER shall require FOOD HANDLERS to report to the PERSON IN CHARGE information about their health and activities as they relate to symptoms of illness which are transmissible through FOOD. A guidance document is provided in Appendix A.
- (B) A FOOD HANDLER shall:
 - (1) Report the information in a manner that allows the PERSON IN CHARGE to reduce the RISK of FOOD BORNE disease transmission. The information should include such pertinent information as suspected exposure, date of onset and symptoms, or any observations of illness, with or without symptoms, or reportable symptoms including but not limited to:
 - (a) Vomiting.
 - (b) Diarrhea.
 - (c) Jaundice.
 - (d) Sore throat with fever.
 - (e) A lesion, containing pus, or a boil or infected wound, that is open or draining and is:
 - (i) Located on the hands or wrists. Such a lesion shall require an impermeable cover including but not limited to a bandage or finger cot, and a single-use glove worn over the impermeable cover, both of which shall be changed whenever hand washing is required.
 - (ii) On exposed portions of arms. Such a lesion shall be protected by an impermeable cover.
 - (iii) On other parts of the body. Such a lesion shall be covered by a dry, durable, tight-fitting bandage.
 - (2) Comply with directives from the HEALTH AUTHORITY regarding exclusion and/or RESTRICTION for Illness and Return to Work Criteria as specified in Chapter 8 of these Regulations.
- (C) The PERSON IN CHARGE shall take such measures to reduce the RISK of transmission of FOOD BORNE disease to include:
 - (1) Exclusion or RESTRICTION of a FOOD HANDLER with active symptoms as noted in Section 2-201.11 (B) (1) of this Chapter. In such case of exclusion, the FOOD HANDLER shall not return to work until free of symptoms.

- (2) Notifying the HEALTH AUTHORITY of a diagnosed FOOD BORNE ILLNESS that has the potential to be transmitted through FOOD, or of active symptoms in a FOOD HANDLER that has had occurrence for spread of potential pathogens to FOOD.
- (3) Following the direction of the HEALTH AUTHORITY on Exclusion or RESTRICTION of an employee diagnosed with a pathogen that has potential to be transmitted to others or through FOOD, including as required in applicable sections of *NAC 441A, Communicable Diseases*. In such case of exclusion, the FOOD HANDLER shall not be allowed to return to work until APPROVED to do so by the HEALTH AUTHORITY

2-3 Personal Cleanliness

Subparts

- 2-301 Hands and Arms**
- 2-302 Fingernails**
- 2-303 Jewelry**
- 2-304 Outer Clothing**

2-301 Hands and Arms

2-301.11 Clean Condition

FOOD HANDLERS shall keep their hands and exposed portions of their arms clean.

2-301.12 Cleaning Procedure

- (A) Except as specified in Paragraph (D) of this Section, FOOD HANDLERS shall use an APPROVED cleaning compound to clean their hands and exposed portions of their arms, including surrogate prosthetic devices for hands or arms, for at least 15 seconds, in a HAND WASHING SINK that is equipped as specified in Chapter 5-202.12 of these Regulations.
- (B) FOOD HANDLERS shall use the following cleaning procedure, in the order stated, to clean their hands and exposed portions of their arms, including surrogate prosthetic devices for hands and arms.
 - (1) Rinse under clean, running, warm water.
 - (2) Apply an amount of APPROVED cleaning compound.
 - (3) Rub together vigorously for at least 15 seconds while:
 - (a) Paying particular attention to removing soil from underneath the fingernails.
 - (b) Creating friction on the surfaces of the hands and arms or surrogate prosthetic devices for hands and arms, finger tips, and areas between the fingers.
 - (4) Thoroughly rinse under clean, running, warm water.
 - (5) Immediately follow the cleaning procedure with thorough drying using a method as specified in Chapter 5-202.12 (I)-(J) of these Regulations.
- (C) To avoid re-contaminating hands or surrogate prosthetic devices, FOOD HANDLERS may use disposable paper towels, or similar clean barriers, when touching surfaces including but not limited to manually operated faucet handles on a HAND WASHING SINK or the handle of a restroom door.
- (D) If APPROVED and capable of removing the types of soils encountered in the FOOD operations involved, an automatic HAND WASHING SINK, using clean warm water, may be used by FOOD HANDLERS to clean their hands or surrogate prosthetic devices.

2-301.13 When to Wash

FOOD HANDLERS shall clean their hands and exposed portions of their arms as specified in Chapter 2-301.12 of these Regulations immediately before engaging in FOOD preparation including working with exposed FOOD, clean EQUIPMENT and UTENSILS, and unwrapped SINGLE-SERVICE ARTICLES and SINGLE-USE ARTICLES and:

- (A) After touching bare human body parts other than clean hands and clean exposed portions of arms.
- (B) After using the toilet room.
- (C) After caring for or handling SERVICE ANIMALS or aquatic animals as specified in Chapter 2-403.11 (B) of these Regulations.
- (D) Except as specified in Chapter 2-401.11 (B) of these Regulations, after coughing, sneezing, using a handkerchief or disposable tissue, using tobacco, eating, or drinking.
- (E) After handling soiled EQUIPMENT or UTENSILS.
- (F) During FOOD preparation as often as necessary to remove soil and CONTAMINATION, and to prevent CROSS-CONTAMINATION when changing tasks.
- (G) When switching between working with raw FOOD and working with READY-TO-EAT FOOD.
- (H) When using gloves for working with FOOD, hands shall be washed:
 - (1) Before donning gloves for working with FOOD.

- (2) After removing gloves when handling raw animal products.
- (I) After engaging in other activities that contaminate the hands.
- (J) Other standard operating procedures may be submitted for consideration by the HEALTH AUTHORITY.

2-301.14 Where to Wash

FOOD HANDLERS shall clean their hands in a HAND WASHING SINK or APPROVED automatic HAND WASHING SINK. Employees shall not clean their hands in a WARE WASHING sink used for FOOD preparation, in a service sink, or in a curbed cleaning facility used for the disposal of mop water and similar liquid waste.

2-301.15 Hand Antiseptics

- (A) A hand antiseptic used as a topical application, a hand antiseptic solution used as a hand dip, or a hand antiseptic soap shall:
 - (1) Comply with one of the following:
 - (a) Be an APPROVED drug that is listed in the FDA publication *Approved Drug Products with Therapeutic Equivalence Evaluations* as an APPROVED drug based on safety and effectiveness.
 - (b) Have active antimicrobial ingredients which are listed in the FDA monograph for *OTC Health-Care Antiseptic Drug Products* as an antiseptic hand wash and,
 - (2) Comply with one of the following:
 - (a) Have components which are exempted from the requirement of being listed in federal FOOD ADDITIVE regulations as specified in *21CFR 170.39, Threshold of Regulation for Substances Used in Food-Contact Articles*.
 - (b) Comply with and be listed in one of the following:
 - (i) *21 CFR 178, Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers* as regulated for use as a FOOD ADDITIVE with conditions of safe use.
 - (ii) *21 CFR 182, Substances Generally Recognized as Safe, 21 CFR 184, Direct Food Substances Affirmed as Generally Recognized as Safe, or 21 CFR 186, Indirect Food Substances Affirmed as Generally Recognized as Safe for Use in Contact with Food*.
 - (3) Be applied only to hands that are cleaned as specified in Section 2-301.12 of this Chapter.
- (B) If a hand antiseptic or a hand antiseptic solution used as a hand dip does not meet the criteria specified under Paragraph (A) (2) of this Section, its use shall:
 - (1) Require thorough hand rinsing in clean water, before hand contact with FOOD, or before the donning of gloves.
 - (2) Be limited to situations that involve no direct contact with FOOD by bare hands.
- (C) A hand antiseptic solution used as a hand dip shall be maintained clean and at a strength equivalent to at least 100 mg/L chlorine.

2-302 Fingernails

2-302.11 Maintenance

- (A) FOOD HANDLERS shall keep their fingernails trimmed, filed, and maintained so the edges and surfaces are cleanable and not rough.
- (B) Unless wearing intact gloves, in good repair, a FOOD HANDLER shall not wear fingernail polish or artificial fingernails when working with exposed FOOD.

2-303 Jewelry

2-303.11 Prohibition

Except for a plain ring, such as a wedding band, FOOD HANDLERS while preparing or handling FOOD, shall not wear jewelry including medical information jewelry, on their arms and hands.

2-304 Outer Clothing

2-304.11 Clean Condition

FOOD HANDLERS shall wear clean outer clothing to prevent CONTAMINATION of FOOD, EQUIPMENT, UTENSILS, LINENS, SINGLE-SERVICE ARTICLES and SINGLE-USE ARTICLES. Employee aprons shall not be worn into toilet facilities.

2-4 Hygienic Practices

Subparts

2-401 Food Contamination Prevention

<p>2-402 Hair Restraints 2-403 Animals 2-404 Food Handler Employment Requirements</p>
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2-401 FOOD CONTAMINATION Prevention

2-401.11 Eating, Drinking, or Using Tobacco

- (A) Except as specified in Paragraph (B) of this Section, an employee shall eat or drink only in designated areas where CONTAMINATION of exposed FOOD, clean EQUIPMENT, UTENSILS, LINENS, unwrapped SINGLE-SERVICE ARTICLES and SINGLE-USE ARTICLES does not occur.
- (B) A FOOD HANDLER may drink from a closed BEVERAGE container if the container is handled to prevent CONTAMINATION of:
 - (1) The employee's hands.
 - (2) The container.
 - (3) Exposed FOOD, clean EQUIPMENT, UTENSILS, LINEN, or unwrapped SINGLE-SERVICE ARTICLES and SINGLE-USE ARTICLES.

2-401.12 Discharges From the Eyes, Nose, and Mouth

FOOD HANDLERS experiencing persistent sneezing, coughing, or a runny nose that causes discharges from the eyes, nose, or mouth may not work with exposed FOOD, clean EQUIPMENT, UTENSILS, LINEN, or unwrapped SINGLE-SERVICE ARTICLES and SINGLE-USE ARTICLES.

2-402 Hair Restraints

2-402.11 Effectiveness

- (A) Except as provided in Paragraph (B) of this Section, FOOD HANDLERS shall wear hair restraints including but not limited to hats, hair coverings or nets, beard restraints, and clothing that covers body hair, that are designed and worn to effectively keep their hair from contacting exposed FOOD, clean EQUIPMENT, UTENSILS, and LINENS, unwrapped SINGLE-SERVICE ARTICLES and SINGLE-USE ARTICLES.
- (B) This Section does not apply to FOOD HANDLERS, including but not limited to counter staff, baristas, and bartenders who only serve BEVERAGES and wrapped or PACKAGED FOOD, hostesses, and wait staff if they present a minimal RISK of contaminating exposed FOOD, clean EQUIPMENT, UTENSILS, and LINENS, unwrapped SINGLE-SERVICE ARTICLES and SINGLE-USE ARTICLES.

2-403 Animals

2-403.11 Handling Prohibition

- (A) Except as specified in Paragraph (B) of this Section, FOOD HANDLERS may not care for or handle animals that may be present including but not limited to patrol dogs, SERVICE ANIMALS, or pets that are allowed as specified in Chapter 6-501.21 of these Regulations.
- (B) FOOD HANDLERS with SERVICE ANIMALS may handle or care for their SERVICE ANIMALS. FOOD HANDLERS may handle or care for FISH in aquariums or MOLLUSCAN SHELLSTOCK or crustacea in display tanks if they wash their hands as specified in Chapter 2-301.12 and 2-301.14 (C) of these Regulations.

2-404. FOOD HANDLER Employment Requirements

2-404.11 Health Cards

- (A) Before a PERSON begins employment in a FOOD ESTABLISHMENT, application shall be made for a FOOD HANDLER HEALTH CARD issued by the Southern Nevada Health District (SNHD). All applicable requirements shall be completed within the timeframes designated by SNHD Health Cards Department.
- (B) A PERSON employed as FOOD HANDLER in a PERMITTED FOOD ESTABLISHMENT shall possess a current FOOD HANDLER HEALTH CARD issued by SNHD. The issued FOOD HANDLER HEALTH CARD shall be maintained at their work station, or on their PERSON, and be available for review by the HEALTH AUTHORITY.