

TITLE 77: PUBLIC HEALTH  
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH  
SUBCHAPTER m: FOOD, DRUGS AND COSMETICS

PART 750  
FOOD SERVICE SANITATION CODE

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**AUTHORITY:** Implementing the Illinois Food, Drug and Cosmetic Act [410 ILCS 620] and the Sanitary Food Preparation Act [410 ILCS 650] and authorized by Section 21 of the Illinois Food, Drug and Cosmetic Act [410 ILCS 620/21], Section 11.1 of the Sanitary Food Preparation Act [410 ILCS 650/11.1] and the Food Handling Regulation Enforcement Act [410 ILCS 625].

**SOURCE:** Adopted December 23, 1975; amended at 2 Ill. Reg. 19, p. 180, effective May 13, 1978; old rules repealed, new rules adopted and codified at 7 Ill. Reg. 1336, effective January 25, 1983; amended at 7 Ill. Reg. 16415, effective November 23, 1983; amended at 11 Ill. Reg. 2345, effective February 1, 1987; amended at 11 Ill. Reg. 18735, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 14380, effective September 2, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 17918, effective December 1, 1988; amended at 13 Ill. Reg. 1819, effective January 30, 1989; amended at 13 Ill. Reg. 18888, effective December 1, 1989; amended at 14 Ill. Reg. 19975, effective January 1, 1991; amended at 14 Ill. Reg. 20535, effective January 1, 1991; amended at 16 Ill. Reg. 15995, effective October 1, 1992; amended at 17 Ill. Reg. 18588, effective October 15, 1993; amended at 20 Ill. Reg. 2171, effective January 20, 1996; amended at 20 Ill. Reg. 3210, effective February 5, 1996; amended at 22 Ill. Reg. 19009, effective October 1, 1998; amended at 32 Ill. Reg. 11980, effective July 10, 2008; amended at 37 Ill. Reg. 20365, effective December 6, 2013; amended at 38 Ill. Reg. 11775, effective May 21, 2014; amended at 38 Ill. Reg. 23109, effective November 20, 2014; amended at 39 Ill. Reg. 5006, effective March 17, 2015; amended at 39 Ill. Reg. 10619, effective July 15, 2015; amended at 40 Ill. Reg. 9532, effective June 29, 2016.

#### SUBPART A: GENERAL PROVISIONS

##### **Section 750.5 Incorporated and Referenced Materials**

- a) The following State statutes are referenced in this Part:
- 1) Bed and Breakfast Act [50 ILCS 820]
  - 2) Good Samaritan Food Donor Act [745 ILCS 50]
  - 3) Federal Food, Drug, and Cosmetic Act (21 USC 301)
  - 4) Illinois Food, Drug and Cosmetic Act [410 ILCS 620]
  - 5) Meat and Poultry Inspection Act [225 ILCS 650]
  - 6) Sanitary Food Preparation Act [410 ILCS 650]

- 7) Food Handling Regulation Enforcement Act [410 ILCS 625]
  - 8) Illinois Plumbing License Law [225 ILCS 320]
- b) The following State administrative rules are referenced in this Part:
- 1) Control of Communicable Diseases Code (77 Ill. Adm. Code 690)
  - 2) Illinois Plumbing Code (77 Ill. Adm. Code 890)
  - 3) Public Area Sanitary Practice Code (77 Ill. Adm. Code 895)
  - 4) Drinking Water Systems Code (77 Ill. Adm. Code 900)
  - 5) Private Sewage Disposal Code (77 Ill. Adm. Code 905)
  - 6) Water Well Construction Code (77 Ill. Adm. Code 920)
  - 7) Certified Local Health Department Code (77 Ill. Adm. Code 600)
- c) The following materials are incorporated in this Part:
- 1) The Food Code 2013, Chapters 1 through 7 (except the terms "food employee" and "food establishment" in Section 1-201.10, Sections 2-102.12, 2-102.20 and 2.2 in their entirety, and the terms "plumbing fixture" and "plumbing system" in Sections 5-2 (except that 5-202.12(B) and (C), 5-203.11 and 5-204.11 remain applicable)), U.S. Public Health Service, Food and Drug Administration (FDA), U.S. Department of Commerce, National Technical Information Service, 5301 Shawnee Road, Alexandria VA 22312, report number PB2013-110462.
  - 2) Conference for Food Protection – "Standards for Accreditation of Food Protection Manager Certification Programs" (May 2014) (available online at <http://www.foodprotect.org/media/managercert/CFP%20FPMCC%20Standards%20Final%20Approved%20May%202014.pdf>).
- d) All incorporations by reference of federal regulations and the standards of nationally recognized organizations refer to the regulations and standards on the date specified and do not include any amendments or editions subsequent to the date specified.

(Source: Amended at 40 Ill. Reg. 9532, effective June 29, 2016)

### **Section 750.10 Definitions**

"Assessment of knowledge" means a written or an online evaluation of a student's achievement in a food handler training course.

"Category I facility" means a food establishment that presents a high relative risk of causing food-borne illness, based on the large number of food handling operations typically implicated in food-borne outbreaks and/or the type of population served by the facility. Category I facilities include those where the following operations occur:

Potentially hazardous foods are cooled, as part of the food handling operation at the facility;

Potentially hazardous foods are prepared hot or cold and held hot or cold for more than 12 hours before serving;

Potentially hazardous cooked and cooled foods must be reheated;

Complex preparation of foods or extensive handling of raw ingredients with hand contact for ready-to-eat foods occurs as part of the food handling operations at the facility;

Vacuum packaging, other forms of reduced oxygen packaging, or other special processes that require an HACCP plan; or

Immunocompromised individuals, such as the elderly, young children under age four and pregnant women are served, in a facility in which these individuals compose the majority of the consuming population.

"Category II facility" means a food establishment that presents a medium relative risk of causing food-borne illness, based upon few food handling operations typically implicated in food-borne illness outbreaks. Category II facilities include those where the following operations occur:

Hot or cold foods are held at required temperatures for no more than 12 hours and are restricted to same-day services;

Foods are prepared from raw ingredients, using only minimal assembly;  
and

Foods that require complex preparation (whether canned, frozen or fresh prepared) are obtained from approved food-processing plants, high-risk food service establishments or retail food stores.

"Category III facility" means a food establishment that presents a low relative risk of causing food-borne illness, based upon few or no food handling operations typically implicated in food-borne illness outbreaks. Category III facilities include those where the following operations occur:

Only potentially hazardous foods commercially pre-packaged in an approved processing plant are available or served at the facility;

Only limited preparation of non-potentially hazardous foods and beverages, such as snack foods and carbonated beverages, occurs at the facility; or

Only beverages (alcoholic and non-alcoholic) are served at the facility.

"Certified food service manager or supervisor" means a person certified in compliance with Section 750.540.

"Cottage food operation" means a person who produces or packages non-potentially hazardous food in compliance with Section 4 of the Food Handling Regulation Enforcement Act.

"Entity" means a business, non-profit organization, institution or certified local health department.

"Food employee" or "food handler" means an individual working with unpackaged food, food equipment or utensils, or food-contact surfaces. "Food employee" or "food handler" does not include unpaid volunteers in a food establishment, whether permanent or temporary.

"Food establishment" means an operation that:

stores, prepares, packages, serves, vends food directly to the consumer, or otherwise provides food for human consumption, such as a restaurant, satellite or catered feeding location, catering operation if the operation provides food directly to a consumer or to a conveyance used to transport people, market, vending location, conveyance used to transport people, institution or food pantry; and

relinquishes possession of food to a consumer directly, or indirectly,

through a delivery service such as home delivery of grocery orders or restaurant takeout orders, or delivery service that is provided by common carriers.

Food establishment includes:

an element of the operation, such as a transportation vehicle or a central preparation facility, that supplies a vending location or satellite feeding location, unless the vending or feeding location is permitted by the regulatory authority; and

an operation that is conducted in a mobile, stationary, temporary or permanent facility or location. This inclusion applies regardless of whether consumption is on or off the premises and whether there is a charge for the food.

Food establishment does not include:

an establishment that offers only prepackaged foods that are not time/temperature controlled for safety;

a produce stand that only offers whole, uncut fresh fruits and vegetables;

a food processing plant, including those that are located on the premises of a food establishment;

a kitchen in a private home, such as a small family daycare provider or a bed and breakfast operation as defined in the Bed and Breakfast Act that prepares and offers food to guests;

a private home that receives catered or home delivered food; a closed family function where food is prepared or served for individual family consumption; or

a cottage food operation.

"Full time" means 30 hours per week or the length of time the facility is in operation, whichever is less.

"Hazard Analysis Critical Control Point Program" or "HACCP" means a food safety management system to identify, evaluate and control food safety hazards.

"Plumbing fixture", as defined in Section 890.120 of the Illinois Plumbing Code, means:

approved, installed receptacles, devices or appliances that are supplied with water or that receive or discharge liquid or liquid-borne waste, with or without discharge of the waste into the drainage system to which they may be directly or indirectly connected;

an installed appurtenance to the potable water supply system that makes available intended potable water, or a receptor that receives and discharges liquids or liquid-borne waste either directly or indirectly into the drainage system; or

a permanent appendage usually designed as a receptacle and intended to receive or discharge liquid or liquid-borne waste to a drainage system.

Industrial or commercial tanks, vats and similar processing equipment are not plumbing fixtures, but they may be connected to, or discharged into, approved traps or plumbing fixtures.

"Plumbing system" *means the water service, water supply and distribution pipes; plumbing fixtures and traps; soil, waste and vent pipes; building drains; including their respective connections, devices and appurtenances.* (Section 2 of the Illinois Plumbing License Law)

"Potentially hazardous food" means time/temperature control for food safety.

"Proctor" means a person who is approved by a national examination provider to administer examinations and who monitors students during an examination.

"Regulatory authority" means the State and/or local enforcement authority or authorities having jurisdiction over the food service establishment.

"Repeat violation" means a violation noted on the previous inspection report that is not corrected during the time of the inspection and that is observed again on the next routine inspection on the same piece of equipment, same area of the facility or same practice.

"Restaurant" *means any business, or type of food service establishment, that is primarily engaged in the sale of ready-to-eat food for immediate consumption. For the purpose of this definition, "primarily engaged" means having sales of ready-to-eat food for immediate consumption comprising at least 51% of the total sales, excluding the sale of liquor.* (Section 3.06 of the Food Handling Regulation

Enforcement Act)

"Voluntary inspection" means an inspection of meat or poultry products that are not subject to the federal or State meat or poultry inspection laws, and for which the federal or State mark of inspection is requested.

(Source: Amended at 40 Ill. Reg. 9532, effective June 29, 2016)

### **Section 750.20 Inspections and Inspection Report**

- a) All food service establishments are subject to inspection at all times.
- b) The operator of the food service establishment shall receive a written or electronic report from the regulatory authority at the end of the inspection. The inspection findings shall be reported on the Food Establishment Inspection Report (see Appendix A), or an electronic reporting system that is substantially similar (i.e., includes, at a minimum, the same information).
- c) All items on the inspection report shall be addressed and rated in accordance with this Part.
- d) The regulatory authority shall use the grading system in Appendix A.
- e) The regulatory authority shall implement the provisions of this Part by July 1, 2018.

(Source: Amended at 40 Ill. Reg. 9532, effective June 29, 2016)

### **SUBPART B: FOOD SUPPLIES**

#### **Section 750.100 General (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

#### **Section 750.110 Special Requirements**

- a) Game animals received for sale or service must comply with the criteria specified as follows:
  - 1) Game animals commercially farm-raised for food shall be raised, slaughtered, and processed under either a routine or voluntary inspection program, as follows:

- A) For a routine (mandatory) inspection program conducted by the United States Department of Agriculture or Illinois Department of Agriculture, the game animals shall be raised, slaughtered and processed according to applicable laws governing meat and poultry.
  - B) Any voluntary inspection program shall be conducted by the agency that has animal health jurisdiction (the United States Department of Agriculture, Illinois Department of Agriculture or other regulatory agency).
- 2) Field-dressed wild game animals donated under the Good Samaritan Food Donor Act shall:
- A) Receive a postmortem inspection by a veterinarian, veterinarian's designee, professional biologist or other person familiar with the conditions, parasites and diseases of the species, approved by the regulatory agency that has animal health jurisdiction;
  - B) Have been field dressed and transported according to requirements specified by the regulatory agency that has animal health jurisdiction; and
  - C) Be processed according to laws governing meat and poultry as determined by the regulatory agency that has animal health jurisdiction and conducts the inspection program.
- 3) Exotic species of animals, including animals raised for exhibition purposes in a zoo or circus, used for food:
- A) Shall be raised, slaughtered and processed under a voluntary or mandatory inspection program; or
  - B) Shall:
    - i) Receive antemortem and postmortem examination; and
    - ii) Be slaughtered and processed according to laws governing meat and poultry as determined by the regulatory agency that has animal health jurisdiction and conducts the inspection program.
- b) Uninspected field-dressed wild game served at special events such as wild game

dinners shall:

- 1) Have placards displayed in a conspicuous location throughout the event that identify the food served as uninspected wild game as provided for in the Good Samaritan Food Donor Act;
  - 2) Comply with all other food sanitation requirements specified in this Part; and
  - 3) Not be served at institutions and facilities such as nursing homes and hospitals that primarily serve highly susceptible individuals.
- c) Foods packaged or repackaged by charitable or not-for-profit organizations for distribution to people in need shall bear the common and/or usual name of the product and the name of the distributing organization. A list of ingredients for any multi-ingredient product shall be posted or made available upon request. Prepared, ready-to-eat foods donated by food service establishments to charitable or not-for-profit organizations are exempt from the ingredient listing requirements of this subsection.

(Source: Amended at 40 Ill. Reg. 9532, effective June 29, 2016)

#### **Section 750.120 General – Food Protection (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

#### **Section 750.130 General – Food Storage (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

#### **Section 750.140 Refrigerated Storage (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

#### **Section 750.150 Hot Storage (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

#### **Section 750.151 Ready-to-Eat Potentially Hazardous Food, Date Marking (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

#### **Section 750.152 Ready-to-Eat Potentially Hazardous Food, Disposition (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.153 Time as a Public Health Control (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.155 Damaged Food Containers (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.160 General – Food Preparation (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.170 Raw Fruits and Raw Vegetables (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.180 Cooking Potentially Hazardous Foods (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.185 Minimum Food Temperature and Holding Time Required Under Section 750.180(a)(2) for Cooking All Parts of Pork and Game Animals, Comminuted Fish and Meats, and Injected Meats (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.186 Oven Parameters Required for Destruction of Pathogens on the Surface of Roasts of Beef and Corned Beef (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.187 Minimum Holding Times Required at Specified Temperatures for Cooking All Parts of Roasts of Beef and Corned Beef (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.188 Plant Food Cooking for Hot Holding (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.189 Microwave Cooking (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.190 Dry Milk and Dry Milk Products (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.200 Liquid, Frozen, Dry Eggs and Egg Products (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.208 Preparation for Immediate Service (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.210 Reheating for Hot Holding (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.220 Nondairy Products (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.230 Product Thermometers (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.240 Thawing Potentially Hazardous Foods (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.250 Food Display and Service of Potentially Hazardous Food (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.260 Display Equipment (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.270 Reuse of Tableware (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.280 Dispensing Utensils (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.290 Ice Dispensing (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.300 Condiment Dispensing (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.310 Milk and Cream Dispensing (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.320 Re-Service (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.325 Special Requirements for Highly Susceptible Populations (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.330 General – Food Transportation (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.340 Public Health Protection (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.350 Preventing Health Hazards, Provision for Conditions Not Addressed (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.360 Variances (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.370 Justification for and Documentation of Proposed Variance (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

## SUBPART C: PERSONNEL

**Section 750.500 General – Employee Health**

- a) The permit holder shall require employees and conditional employees to report to the person in charge information about their health and activities as they relate to diseases that are transmissible through food. An employee or conditional employee shall report the information within 24 hours and in a manner that allows the person in charge to reduce the risk of foodborne disease transmission, including providing necessary additional information such as the date of onset of symptoms and an illness, or onset of a diagnosis without symptoms, if the employee or conditional employee meets one of the following conditions:
  - 1) Has any of the following symptoms:
    - A) Vomiting;
    - B) Diarrhea;
    - C) Jaundice;
    - D) Sore throat with a fever; or
    - E) A lesion containing pus, such as a boil or infected wound that is open or draining and is:
      - i) On the hands, wrists or forearms; or
      - ii) On other parts of the body, other than hands or forearms, unless the lesion is covered by a dry, durable, tight-fitting bandage;
  - 2) Has an illness diagnosed by a health care practitioner due to:
    - A) Norovirus;
    - B) Hepatitis A Virus;
    - C) Shigella spp.;
    - D) Shiga toxin-producing Escherichia coli;
    - E) Salmonella Typhi; or

- F) nontyphoidal Salmonella;
- 3) Had a previous illness, diagnosed by a health care practitioner, within the past three months due to Salmonella Typhi;
- 4) Has been exposed to, or is the suspected source of, a confirmed disease outbreak, because the employee or conditional employee consumed or prepared food implicated in the outbreak, or consumed food at an event prepared by a person who is infected or ill with:
  - A) Norovirus, within the past 48 hours of the last exposure;
  - B) Shiga toxin-producing Escherichia coli, nontyphoidal Salmonella spp. or Shigella spp. within the past three days after the last exposure;
  - C) Salmonella Typhi, within the past 14 days of the last exposure; or
  - D) Hepatitis A virus, within the past 30 days of the last exposure;
- 5) Has been exposed by attending or working in a setting where there is a confirmed disease outbreak, or living in the same household as, and has knowledge about, an individual disease outbreak, or living in the same household as, and has knowledge about, an individual diagnosed with an illness caused by:
  - A) Norovirus, within the past 48 hours of the last exposure;
  - B) Shiga toxin-producing Escherichia coli, nontyphoidal Salmonella spp. or Shigella spp. within the past three days of the last exposure;
  - C) Salmonella Typhi, within the past 14 days of the last exposure; or
  - D) Hepatitis A virus within the past 30 days of the last exposure.
- b) The person in charge shall notify the regulatory authority within 24 hours (i.e., within eight regularly scheduled business hours after receiving the report) when an employee is:
  - 1) Jaundiced; or

- 2) Diagnosed with an illness due to a pathogen specified in subsections (a)(2)(A) through (F).
- c) The person in charge shall ensure that a conditional employee:
  - 1) Who exhibits or reports a symptom, or who reports a diagnosed illness as specified under subsections (a)(1) through (3), is prohibited from becoming an employee until the conditional employee meets the criteria for the specific symptoms or diagnosed illness as specified under subsection (f); and
  - 2) Who will work as an employee in a food establishment that serves a highly susceptible population reports a history of exposure as specified in subsections (a)(4) and (5), is prohibited from becoming an employee until the conditional employee meets the criteria specified in subsection (f).
- d) The person in charge shall ensure that an employee who exhibits or reports a symptom, or who reports a diagnosed illness, is excluded or restricted as required by the Control of Communicable Diseases Code.
- e) An employee or conditional employee shall report to the person in charge the information required by subsection (a).
- f) An employee shall:
  - 1) Comply with an exclusion issued under the Control of Communicable Diseases Code and not work in any food establishment while complying.
  - 2) Comply with a restriction issued under the Control of Communicable Diseases Code.
  - 3) Comply with specimen collection for contact with a case as required by the Control of Communicable Diseases Code.

(Source: Amended at 40 Ill. Reg. 9532, effective June 29, 2016)

#### **Section 750.510 General – Personal Cleanliness (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

#### **Section 750.512 When to Wash Hands (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.514 Where to Wash Hands (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.516 Hand Antiseptics (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.520 General – Clothing (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.530 General – Employee Practices (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.540 Management Sanitation Training and Certification**

- a) All food service establishments as defined in Section 750.10, except Category III facilities, shall be under the operational supervision of a certified food service sanitation manager. Category III facilities do not require the operational supervision of a certified food service sanitation manager.
  - 1) Category I facilities. Category I facilities as defined in Section 750.10 shall have a certified food service sanitation manager on the premises at all times that potentially hazardous food is being handled, except as specified in subsections (a)(1)(A) and (B) of this Section. A certified food service sanitation manager is not required on the premises during hours of operation when all food products sold have been prepared and packaged commercially or prepared under the supervision of a certified food service sanitation manager.
    - A) All community-based programs licensed by the Department of Human Services and operating under rules that do not reference this Part are exempt from subsection (a)(1) of this Section (e.g., Community Integrated Living Arrangements, including the formerly licensed Community Residential Alternatives; Supervised Living Arrangements; Home Individual Placements and Special Home Placements; Child and Specialized Group Homes or Child Care Institutions for no more than 7 to 10 individuals).
    - B) Health care facilities licensed under the Hospital Licensing Act, Nursing Home Care, or Alternative Health Care Delivery Act that

are subject to this Part may comply in one of the following alternative ways:

- i) Health care facilities may develop a list of foods approved by a certified food service sanitation manager that, under specific circumstances, may be prepared or served by trained staff under the supervision of a health care professional without the presence of a certified food service sanitation manager. These specific circumstances may include late night snacks or light meals prepared at the request of a physician or individual patient/resident. The list of foods shall include instructions for preparing, serving and storing the foods.
  - ii) Health care facilities as specified in subsection (a)(1)(B) are exempt from the requirement of subsection (a)(1) of this Section, provided that the food service in each facility is under the operational supervision of a manager or supervisor who has been certified in food service sanitation and the food service staff annually receive in-service food sanitation training as follows: for nursing homes, in accordance with the rules promulgated pursuant to the Nursing Home Care Act; and for all other health care facilities, 5 hours annually.
- 2) Category II facilities as defined in Section 750.10 shall employ a minimum of one full-time certified food service sanitation manager at each establishment.
- b) Special Circumstances.
- 1) New food service establishments, except Category III facilities, shall have a certified food service sanitation manager from the initial day of operation or shall provide documentation of enrollment in an approved course to be completed within three months.
  - 2) Food service establishments that are not in compliance with this Section because of employee turnover or other loss of certified personnel shall have three months from date of loss of certified personnel to comply.
  - 3) Incidental absences of the certified food service sanitation manager due to temporary illness, short errands off the premises, etc., shall not constitute a violation of this Section, provided that there is documentation that a

certified food service sanitation manager was scheduled to work at that time.

- c) Certification shall be achieved by:
  - 1) Successfully completing a Department-approved course and a monitored examination offered by a testing organization in compliance with the criteria in Subpart J of this Part; and
  - 2) Payment to the Department of a \$35 certificate fee.
- d) Original certificates of certified managers shall be maintained at the place of business and shall be made available for inspection.

(Source: Amended at 32 Ill. Reg. 11980, effective July 10, 2008)

#### **Section 750.550 Management Sanitation Certification Examination (Repealed)**

(Source: Repealed at 13 Ill. Reg. 18888, effective December 1, 1989)

#### **Section 750.551 Certification and Recertification Issuance**

- a) *For purposes of certification and recertification for food service sanitation manager certification, the Department shall accept only training approved by the Department and certification exams accredited under standards developed and adopted by the Conference for Food Protection or its successor. (Section 3 of the Food Handling Regulation Enforcement Act)*
- b) Original certifications and recertifications issued under this Part shall:
  - 1) Be issued only after the Department has received:
    - A) Evidence of completion of eight hours of Department-approved training;
    - B) Evidence of successful completion of an approved Food Service Sanitation Manager Certification examination with a final score of 75% or higher;
    - C) Payment of a \$35 nonrefundable fee;
  - 2) Be issued as of the date when the individual successfully completed the examination;

- 3) Expire five years after the date of the original issuance; and
  - 4) Be issued only if recertification training was taken not more than 12 months prior to the certification expiration date.
- c) Replacement or duplicate certificates issued under this Part shall:
- 1) Be issued after the Department has received payment of a \$10 fee; and
  - 2) Have the same expiration date as the original certificate.

(Source: Amended at 38 Ill. Reg. 11775, effective May 21, 2014)

#### **Section 750.555 Change of Name or Address**

Certificate holders shall inform the Department of any name and address changes. Legal documentation, such as a marriage certificate, divorce decree or court-approved name change, shall be provided for any name change.

(Source: Added at 39 Ill. Reg. 5006, effective March 17, 2015)

#### **Section 750.560 Certificate Revocation or Suspension**

Any certificate of certification may be revoked or suspended by the State or local health department enforcing this Part when the holder or person under his supervision repeatedly fails to comply with this Part. Prior to such suspension or revocation, the holder of said certificate shall be given the opportunity for a hearing before the regulatory authority pursuant to the Department's "Rules of Practice and Procedure in Administrative Hearings (77 Ill. Adm. Code 100).

(Source: Amended at 14 Ill. Reg. 20535, effective January 1, 1991)

#### **Section 750.570 Food Handler Training**

All food handlers, other than someone holding a food service sanitation manager certificate, shall receive or obtain training in basic food handling principles as outlined in Subpart M. Food handlers working for a temporary food service establishment are exempt from this requirement.

(Source: Added at 38 Ill. Reg. 23109, effective November 20, 2014)

### **SUBPART D: EQUIPMENT AND UTENSILS**

**Section 750.600 General – Materials (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.610 Solder (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.620 Wood (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.630 Plastics (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.640 Mollusk and Crustacea Shells (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.650 General – Design and Fabrication (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.660 Accessibility (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.670 In-Place Cleaning (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.680 Thermometers (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.690 Non-Food-Contact Surfaces (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.700 Ventilation Hoods (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.710 General – Equipment Installation and Location (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.720 Table-Mounted Equipment (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.730 Portable Equipment (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.740 Floor-Mounted Equipment (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.750 Aisles and Working Spaces (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

SUBPART E: CLEANING, SANITIZING, AND STORAGE  
OF EQUIPMENT AND UTENSILS

**Section 750.800 Cleaning Frequency (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.810 Wiping Cloths (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.820 Manual Cleaning and Sanitizing (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.830 Mechanical Cleaning and Sanitizing (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.840 Drying (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.850 Equipment, Utensil, and Tableware Handling (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.860 Equipment, Utensil, and Tableware Storage (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.870 Pre-Set Tableware (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.880 Single-Service Articles (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.890 Prohibited Storage Area (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**SUBPART F: SANITARY FACILITIES AND CONTROLS****Section 750.1000 General – Water Supply (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.1010 Transportation (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.1020 Bottled Water (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.1030 Water Under Pressure (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.1040 Steam (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.1050 General – Sewage Disposal (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.1060 General – Plumbing (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.1070 Nonpotable System (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.1080 Backflow (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.1090 Grease Traps (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.1100 Drains (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.1110 General – Toilet Facilities (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.1120 General – Lavatory Facilities (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.1130 Containers – Garbage and Refuse (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.1140 Garbage and Refuse Storage (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.1150 Disposal of Garbage and Rubbish (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.1160 General – Insect and Rodent Control (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.1170 Protection of Openings Against Entrance of Insects and Rodents (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**SUBPART G: CONSTRUCTION AND MAINTENANCE  
OF PHYSICAL FACILITIES**

**Section 750.1200 General – Floors (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.1210 General – Walls and Ceilings (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.1220 General – Cleaning Physical Facilities (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.1230 General – Lighting (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.1240 Protective Light Shielding (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.1250 General – Ventilation (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.1260 Special Ventilation (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.1270 Dressing Areas (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.1280 Lockers (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.1290 Poisonous or Toxic Materials Permitted (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.1300 Labeling of Poisonous or Toxic Materials (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.1310 Storage of Poisonous or Toxic Materials (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.1320 Use of Poisonous or Toxic Materials (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.1330 Personal Medications (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.1340 First-Aid Supplies (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.1350 General – Premises (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.1360 Living Areas (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.1370 Laundry Facilities (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.1380 Linens and Clothes Storage (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.1390 Cleaning Equipment Storage (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.1400 Animals (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

SUBPART H: MOBILE FOOD SERVICE

**Section 750.1500 General – Mobile Food Units (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.1510 Restricted Operation (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.1520 Single-Service Articles (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.1530 Water Systems (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.1540 Waste Retention (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.1550 Base of Operations (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.1560 Servicing Area (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.1570 Servicing Operations (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

SUBPART I: TEMPORARY FOOD SERVICE

**Section 750.1600 General – Temporary Food Service Establishments**

A temporary food service establishment shall comply with the requirements of this Part, except as otherwise provided in this section. The regulatory authority may impose additional requirements to protect against health hazards related to the conduct of the temporary food service establishment, may prohibit the sale of some or all potentially hazardous foods, and when no health hazard will result, may waive or modify requirements of this Part, except those requirements of Section 750.1680 and Section 750.1700.

### **Section 750.1610 Restricted Operations**

- a) This Section is applicable whenever a temporary food service establishment is permitted, under the provisions of Section 750.1600 to operate without complying with all the requirements of this Part.
- b) Only those potentially hazardous foods requiring limited preparation, such as hamburgers and frankfurters, which require seasoning and cooking, shall be prepared or served. The preparation or service of other potentially hazardous foods, including pastries filled with cream or synthetic cream, custards, and similar products, and salads or sandwiches containing meat, poultry, eggs or fish is prohibited. This prohibition does not apply, however, to any potentially hazardous food that has been prepared and packaged under conditions meeting the requirements of this Part, is obtained in individual servings, is stored at a temperature of 41°F or below, or at temperature of 140°F or above in facilities that meet the requirements of this Part, and is served directly in the unopened container in which it was packaged.

(Source: Amended at 20 Ill. Reg. 2171, effective January 20, 1996)

### **Section 750.1620 Ice**

Ice that is consumed or that contacts food shall have been made under conditions meeting the requirements of this Part. The ice shall be obtained only in chipped, crushed or cubed form and in single-use food-grade plastic or wet-strength paper bags filled and sealed at the point of manufacture. The ice shall be held in these bags until used, and when used, it shall be dispensed in a way that protects it from contamination.

### **Section 750.1630 Equipment**

- a) Equipment shall be located and installed in a way that facilitates cleaning the establishment and that prevents food contamination.
- b) Food-contact surfaces of equipment shall be protected from contamination by consumers and other contaminating agents. Where helpful to prevent contamination, effective shields for such equipment shall be provided.

**Section 750.1640 Water**

Enough potable water shall be available in the establishment for food preparation, for cleaning and sanitizing utensils and equipment and for handwashing. A heating facility capable of producing enough hot water for these purposes shall be provided on the premises.

**Section 750.1650 Wet Storage**

The storage of packaged food in contact with water or undrained ice is prohibited, except that cans or bottles of non-potentially hazardous beverages may be so stored when the water contains at least 50 parts per million of available chlorine and is changed often enough to keep both the water and containers clean. Wrapped sandwiches shall not be stored in direct contact with ice.

**Section 750.1660 Waste Disposal**

All sewage, including liquid waste, shall be disposed of according to law.

**Section 750.1670 Handwashing**

A facility shall be provided for employee handwashing. Where water under pressure is unavailable, such facility shall consist of at least a pan, warm water, soap and individual paper towels.

**Section 750.1680 Floors**

Floors shall be made of concrete, tight wood, asphalt, or other similar cleanable material, except that dirt or gravel floors may be used if graded to preclude the accumulation of liquids and covered with removable, cleanable platforms or duckboards.

**Section 750.1690 Walls and Ceilings of Food Preparation Areas**

- a) Ceilings shall be made of wood, canvas or other material that protects the interior of the establishment from the weather. Walls and ceilings of food preparation areas shall be constructed in a way that prevents the entrance of insects. Doors to food preparation areas shall be solid or screened and shall be self-closing. Screening material used for the walls, doors, or windows shall be at least 16 mesh to the inch.
- b) Counter-service openings shall not be larger than necessary for the particular operation conducted. These openings shall be provided with tight-fitting solid or screened doors or windows or shall be provided with fans installed and operated to restrict the entrance of flying insects. Counter-service openings shall be kept closed, except when in actual use.

**Section 750.1700 Single-Service Articles**

All temporary food service establishments shall provide only single-service articles for use by the consumer.

**SUBPART J: FOOD SERVICE SANITATION MANAGER CERTIFICATION****Section 750.1800 General**

The Food Service Sanitation Manager Certification program shall comply with the requirements of this Part.

(Source: Added at 13 Ill. Reg. 18888, effective December 1, 1989)

**Section 750.1810 Instructor Approval**

- a) The Food Service Sanitation Manager's Certification course shall be taught by a Department approved instructor. Employees of the Department are not eligible to teach the Food Service Sanitation Manager Certification course while employed by the Department. Any approved instructor working as a sanitarian for a local health department is restricted from teaching a food service sanitation manager certification course on his or her own time outside of his or her duties as a sanitarian within the jurisdiction of the local health department by which he or she is employed.
- b) The minimum qualifications for certification or recertification, renewable every five years, as a Department-approved instructor are all of the following:
  - 1) Possession of a high school diploma or its equivalent;
  - 2) Possession of a valid State of Illinois Food Service Sanitation Manager Certificate;
  - 3) Minimum experience or education prior to initial application as an approved instructor consisting of one of the following:
    - A) Two years experience with a Food Service Sanitation Manager Certification or in an educator role with written verification from the applicant's employer; or
    - B) Two years experience as a retail food inspector with written verification from the applicant's employer; or
    - C) An Associate's Degree or higher degree with at least 15 hours of

science-related course work in a chemical, physical or biological science or in math verified by the educational institution from which the degree was earned;

- 4) Completion of a Conference for Food Protection (CFP) Food Service Sanitation Manager Certification examination with a final score of 75% or higher; and
  - 5) Payment of a \$200 application fee to the Department with the application.
- c) An instructor does not have to maintain his or her Food Service Sanitation Manager Certification while he or she has a valid instructor certification. The instructor certification can be used in place of the manager certification, as required in Section 750.540.

(Source: Amended at 39 Ill. Reg. 5006, effective March 17, 2015)

#### **Section 750.1812 Instructor Renewal**

- a) An instructor shall complete at least 20 hours of continuing education every five years for recertification. The continuing education shall cover food safety and sanitation topics and be completed by the instructor certification expiration date. The following are examples of proof of attendance:
- 1) A college transcript with course description;
  - 2) A certificate of completion of a course with a course description; or
  - 3) An agenda and certificate of completion/attendance documenting continuing education contact hours for training from a Department-approved organization.
- b) A renewal application and certificate fee of \$35 are due to the Department by the expiration date of the instructor's certificate. When the instructor's certificate has expired for more than 90 days, reapplication shall require compliance with Section 750.1810(b)(1) through (4).

(Source: Added at 39 Ill. Reg. 5006, effective March 17, 2015)

#### **Section 750.1814 Proctor Approval**

A proctor, as defined in Section 750.10, is an individual who is not teaching a Food Service Sanitation Manager Certification course, but is acting only as a test administrator/monitor for a

Department-approved national examination provider. Each Department-approved national examination provider approves proctors for its examination, and the proctors shall seek approval from the Department to proctor examinations in order for his or her students to be eligible for a Food Service Sanitation Manager Certificate. A proctor is responsible for following the guidelines set forth by the national examination provider, verifying that each examinee has met the training hour requirement, as listed in Section 750.1820, and following the administrative procedures of the Department, as listed in Section 750.1860.

- a) An individual who is an approved proctor with a Department-approved national examination provider can be registered with the Department as an approved proctor with the following:
  - 1) Department-provided application and the renewal fee of \$50;
  - 2) Proof of approved proctor status with a Department-approved national examination provider; and
  - 3) Attendance at a training by the Department on administrative procedures.
- b) Proctor registration is valid for five years from the date of initial registration and shall be renewed every five years.
- c) Proctor registrations can be renewed by submitting an application, renewal fee of \$50, and proof of current proctor status with a Department-approved national examination provider to the Department prior to the proctor registration expiration date.

(Source: Added at 39 Ill. Reg. 5006, effective March 17, 2015)

#### **Section 750.1815 Instructor and Proctor Compliance and Enforcement Process**

- a) The Department will monitor the performance of all instructors. The instructor shall comply with program changes and administrative procedures provided to the instructors by the Department. The Department will consider the following in granting and revoking approval of certificates for all instructors:
  - 1) Instructor performance, including compliance with administrative procedures when submitting information to the Department, as listed in Section 750.1860;
  - 2) Ability to effectively communicate information to the course participants; and

- 3) Compliance with this Part.
- b) Instructor compliance will be addressed by the following enforcement process:
    - 1) Notification of violation to the instructor/proctor electronically via e-mail;
    - 2) Compliance conference with the instructor/proctor in person with the Department;
    - 3) Suspension of the instructor certification/proctor registration until the compliance issue is resolved; and
    - 4) Opportunity for a hearing before the Department pursuant to Practice and Procedure in Administrative Hearings (77 Ill. Adm. Code 100).
  - c) If an approved instructor or proctor is found to have assisted students taking the examination or helping them to cheat in any way, the instructor will be notified to appear at a compliance conference with the Department. Based on the outcome of the conference, the instructor certificate or proctor approval may be suspended indefinitely.
  - d) If a national examination provider suspends or revokes an instructor/proctor approval, the Department will also suspend that instructor's certificate or proctor registration.
  - e) An individual found to have cheated on the instructor examination will not be certified as an instructor.

(Source: Amended at 39 Ill. Reg. 5006, effective March 17, 2015)

### **Section 750.1820 Course Content**

- a) The minimum course content and eight hours of training, inclusive of the examination, are as follows. The instructor shall consider expanding the number of contact hours when a review of the participants reveals learning disabilities, language barriers or other inhibiting factors to learning. To renew an instructor's certificate, a new syllabus must be submitted using the format outlined in subsection (b).
- b) Subject Area – Specific Elements of Knowledge
  - 1) Identify foodborne illness and discuss food allergens (90 minutes).

- A) Define terms associated with foodborne illness: outbreak, food infection, food intoxication, communicable disease, pathogens, potentially hazardous foods, temperature danger zone.
  - B) Recognize the major microorganisms and toxins that can contaminate food and the problems that can be associated with the contamination: bacteria, viruses, parasites, fungi. Define and recognize illnesses that can be associated with chemical and physical contamination.
  - C) Define and recognize potentially hazardous foods (time/temperature control for food safety).
  - D) Define and recognize the major factors that contribute to foodborne illness.
  - E) Identify common food allergens and recognize causes of cross-contact.
- 2) Identify time/temperature relationship with foodborne illness (60 minutes).
- A) Recognize the relationship between time/temperature and microorganisms (survival, growth and toxin production) during the following stages: receiving, storing, thawing, cooking, holding/displaying, serving, cooling, storing (post production), reheating, transporting.
  - B) Describe the use of thermometers in monitoring food temperatures: types of thermometers, techniques and frequency, calibration and frequency.
- 3) Describe the relationship between personal hygiene and food safety (45 minutes).
- A) Recognize the association of hand contact and foodborne illness: hand-washing technique and frequency; proper use of gloves, including replacement frequency and use with food allergens; and minimal hand contact with food.
  - B) Recognize the association of personal habits and behaviors and foodborne illness: smoking, eating and drinking, wearing clothing that may contaminate food, personal behaviors, including sneezing, coughing, etc.

- C) Recognize the association of health of a food handler to foodborne illness: free of symptoms of communicable disease, free of infections, food protected from contact with open wounds.
- 4) Describe methods for preventing food contamination, from purchasing to serving (135 minutes).
- A) Define and identify potential hazards prior to delivery and during delivery: contamination, adulteration, damage, approved source, sound and safe condition.
  - B) Define HACCP and identify potential hazards and methods to minimize or eliminate hazards after delivery: personal hygiene, cross-contamination (food to food and equipment and utensils), contamination (chemical, additives, physical), service/display – customer contamination, storage, re-service.
- 5) Identify and apply correct procedures for cleaning, sanitizing and facility management (60 minutes).
- A) Define terms associated with cleaning, and sanitizing.
  - B) Apply appropriate methods of cleaning and sanitizing: manual ware washing, mechanical ware washing, clean in place (CIP).
  - C) Identify frequency of cleaning and sanitizing.
  - D) Identify facility, design and construction suitable for food establishments: refrigeration, heating and hot holding, floors, walls, ceilings, pest control, lighting, plumbing, ventilation, water supply, wastewater disposal, waste disposal.
- 6) Codes related to food service establishments (30 minutes).
- A) Public Health Codes: responsibilities affecting operation:
    - i) Illinois Food, Drug and Cosmetic Act
    - ii) Food Service Sanitation Code

- iii) Meat and Poultry Inspection Act as those rules pertain to food service establishments
    - iv) Federal regulations regarding food safety and food allergens
  - B) Appendix A (Retail Food Sanitary Inspection Report) and its use as a control tool.
- 7) Examination (minimum 60 minutes or per approved national examination provider).
  - A) An examination shall be proctored by an approved proctor for an approved national examination provider.
  - B) Additional time shall be provided for the examination as allowed in the procedures set forth by the approved national examination provider. Additional time is allowed for examination, but shall not be substituted for required training hours.

(Source: Amended at 39 Ill. Reg. 5006, effective March 17, 2015)

### **Section 750.1830 Course Approval**

Course approval by the Department is contingent upon compliance with the following requirements:

- a) An approved Food Service Sanitation Manager Certification instructor shall teach the course.
- b) An approved course syllabus shall be used. Each course shall meet the standards for content and length of training (see Section 750.1820). The syllabus shall delineate:
  - 1) The textbook and other teaching materials used;
  - 2) The methods and locations used for instruction;
  - 3) The course content;
  - 4) The topics and length of class meetings; and
  - 5) The method used to determine students' participation and presence during

the course sessions, for example, sign-up sheets or a roster.

- c) Instructors shall submit one copy of the syllabus to the Department and receive approval prior to teaching a State-approved course. Any syllabus content revision shall be sent to the Department for approval.

(Source: Amended at 39 Ill. Reg. 5006, effective March 17, 2015)

### **Section 750.1831 Alternative Training Methods**

The Department will approve alternative training methods, such as interactive computer training courses, interactive video or distance learning for purposes of certification or recertification if the training provider/sponsor submits the following information to the Department for approval before use:

- a) Documentation that the training course content is:
  - 1) Equivalent to the course content described in Section 750.1820(b) titled Subject Area – Specific Elements of Knowledge; and
  - 2) Based on a psychometrically valid job analysis developed by personnel who include qualified test development specialists and a representative group of individuals with significant experience in food safety. A psychometrically valid job analysis is a detailed job description in which a profession, in this instance food service sanitation manager, is broken down into necessary knowledge and skills. The job analysis study is then used as the basis for examination development in the profession being credentialed.
- b) The Department-approved instructor/proctor shall monitor time spent by students during the alternative method of training to ensure that the student is meeting the minimum required number of training hours described in Section 750.1820 and that the students are not allowed to complete the training at their own pace if less than the required number of training hours has been completed.
- c) Only Department-approved instructors and proctors may oversee alternative methods of training. If a student is using an alternative method of training, the Department-approved instructor affiliated with that training is responsible for proctoring the certification examination or for issuing a letter of permission to take the examination to the student and assisting the student in finding an approved proctor to provide an examination.
- d) The Department will evaluate the effectiveness of the alternative method of

training based on a 70% pass rate over a 12 month period. Approval will be revoked if the Department determines that the alternative method of training is not effective in preparing students to pass an approved Food Service Sanitation Manager Certification examination.

(Source: Amended at 39 Ill. Reg. 5006, effective March 17, 2015)

#### **Section 750.1835 Make Up Work (Repealed)**

(Source: Repealed at 39 Ill. Reg. 5006, effective March 17, 2015)

#### **Section 750.1836 Home Study (Repealed)**

(Source: Repealed at 39 Ill. Reg. 5006, effective March 17, 2015)

#### **Section 750.1837 Course Waiver (Repealed)**

(Source: Repealed at 39 Ill. Reg. 5006, effective March 17, 2015)

#### **Section 750.1838 Course Denial**

Approval of a course shall be cancelled based on performance of students taking the exam. A failure rate of 33% or higher of the participants in two consecutive classes or in three out of five classes shall be grounds for course disapproval. Department staff shall work closely with each new instructor and assist any instructor with course review or presentation techniques when a second, high failure class is noted.

(Source: Added at 13 Ill. Reg. 18888, effective December 1, 1989)

#### **Section 750.1840 Reciprocity**

a) *The Department shall award an Illinois certificate to anyone presenting a valid certificate issued by another state, so long as the holder of the certificate provides proof of having passed an examination accredited under standards developed and adopted by the Conference for Food Protection or its successor. Reciprocity is only for individuals who have moved to or begun working in Illinois in the six months prior to applying for reciprocity. (Section 3 of the Food Handling Regulation Enforcement Act) Individual's seeking reciprocity shall submit:*

- 1) A \$35.00 nonrefundable *issuance fee* (Section 3 of the Food Handling Regulation Enforcement Act) to be paid at the time of reciprocity request; and

- 2) Proof of having moved to or begun working in Illinois in the last six months, such as an out-of-state identification card or driver's license, utility bill with out-of-state address and postmark, or a letter from a current employer, dated and on letterhead, confirming recent employment.
- b) *The reciprocal Illinois certificate shall expire on the same date as the presented certificate. Any individual presenting an out-of-state certificate may do so only once.* (Section 3 of the Food Handling Regulation Enforcement Act)
- c) *On or before the expiration date, the holder must have met the Illinois recertification requirements of this Part in order to be reissued an Illinois certificate.* (Section 3 of the Food Handling Regulation Enforcement Act)
- d) The City of Chicago reciprocity agreement shall be reviewed on an annual basis.

(Source: Amended at 38 Ill. Reg. 11775, effective May 21, 2014)

#### **Section 750.1850 Certification Examination**

*The Department shall only accept certification examinations accredited under the standards developed and adopted by the Conference for Food Protection or its successor.* (Section 3 of the Act)

(Source: Amended at 39 Ill. Reg. 5006, effective March 17, 2015)

#### **Section 750.1855 Testing Criteria (Repealed)**

(Source: Repealed at 39 Ill. Reg. 5006, effective March 17, 2015)

#### **Section 750.1860 Administration of Examination**

- a) The Department-approved national examination provider shall administer and secure the examinations as set forth in the proctor agreement.
- b) The instructor shall complete and electronically submit a Course Notification Form (CNF) to the Department prior to conducting the training course or examination.
- c) Each examination packet sent to the Department shall consist of the following:
  - 1) A copy of the CNF;

- 2) A class enrollment form with names listed in alphabetical order by last name. The presence of a student's name on this list is the instructor's verification that the individual completed the required course; and
  - 3) Scantrons completed completely and accurately, arranged in alphabetical order by last name.
- d) All required examination documentation shall be sent to the Department within 45 days after the examination date. Sending examination materials later than 45 days after the examination date will result in enforcement action against the instructor/proctor as outlined in Section 750.1815.
  - e) Scantrons for those students who failed an examination do not need to be submitted to the Department until the student receives a passing grade of 75% or higher. Instructors/proctors shall remove or strike that failing student's name from the list that they are submitting to the Department for that examination date.
  - f) An individual who is found to have cheated on the certification examination shall not be entitled to certification. The individual shall retake an approved course before taking the examination again.

(Source: Amended at 39 Ill. Reg. 5006, effective March 17, 2015)

#### **Section 750.1861 Class Enrollment Form (Repealed)**

(Source: Repealed at 39 Ill. Reg. 5006, effective March 17, 2015)

#### **Section 750.1862 Administration of Examination (Repealed)**

(Source: Repealed at 39 Ill. Reg. 5006, effective March 17, 2015)

#### **Section 750.1865 Monitors (Repealed)**

(Source: Repealed at 39 Ill. Reg. 5006, effective March 17, 2015)

#### **Section 750.1868 Cheating (Repealed)**

(Source: Repealed at 39 Ill. Reg. 5006, effective March 17, 2015)

#### **Section 750.1870 Re-test Class (Repealed)**

(Source: Repealed at 39 Ill. Reg. 5006, effective March 17, 2015)

**Section 750.1876 Dictionary (Repealed)**

(Source: Repealed at 39 Ill. Reg. 5006, effective March 17, 2015)

**Section 750.1880 Retake Examination (Repealed)**

(Source: Repealed at 39 Ill. Reg. 5006, effective March 17, 2015)

**Section 750.1890 Revocation of Certificates**

Food Service Sanitation Manager certificates will be valid for five years after the date of the examination unless revoked under Section 750.560.

(Source: Amended at 39 Ill. Reg. 5006, effective March 17, 2015)

**Section 750.1895 Change of Address (Repealed)**

(Source: Repealed at 39 Ill. Reg. 5006, effective March 17, 2015)

**SUBPART K: REDUCED OXYGEN PACKAGING****Section 750.2000 General (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.2010 Acceptable Products (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.2020 Employee Training (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.2030 Refrigeration Requirements (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.2031 Labeling – Refrigeration Statements (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.2032 Labeling – "Use By" Dates (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.2040 Safety Barriers (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.2041 Fish and Fishery Products (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.2042 Safety Barrier Verification (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.2050 Hazard Analysis Critical Control Point (HACCP) Program (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.2060 Precautions Against Contamination (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.2070 Disposition of Expired Product (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.2080 Dedicated Area/Restricted Access (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**SUBPART L: MEAT/POULTRY PROCESSING AND LABELING****Section 750.3000 Exceptions (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.3100 Meat and Poultry Labeling (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.3200 Smoked Meat, Poultry and Other Food Products (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.3300 Curing of Meat and Poultry (Repealed)**

(Source: Repealed at 40 Ill. Reg. 9532, effective June 29, 2016)

#### SUBPART M: FOOD HANDLER TRAINING

##### **Section 750.3400 General Requirements**

- a) All food handlers, other than someone holding a food service sanitation manager certificate, shall receive or obtain training in basic food handling principles, as outlined in Section 750.3410, within 30 days after employment.
- b) *The regulation of food handler training is considered to be an exclusive function of the State, and local regulation is prohibited.* (Section 3.05 of the Food Handling Regulation Enforcement Act)

(Source: Added at 38 Ill. Reg. 23109, effective November 20, 2014)

##### **Section 750.3410 Course Content**

- a) Food handler training programs shall cover and assess knowledge of the following topics:
  - 1) *The relationship between time and temperature with respect to foodborne illness, including the relationship between time and temperature and micro-organisms during the various food handling preparation and serving states, and the type, calibration, and use of thermometers in monitoring food temperatures.*
  - 2) *The relationship between personal hygiene and food safety, including the association of hand contact, personal habits and behaviors, and the food handler's health to foodborne illness, and recognition of how policies, procedures and management contribute to improved food safety practices.*
  - 3) *Methods of preventing food contamination in all stages of food handling, including terms associated with contamination and potential hazards prior to, during and after delivery.*
  - 4) *Procedures for cleaning and sanitizing equipment and utensils.*
  - 5) *Problems and potential solutions associated with temperature control, preventing cross-contamination, and housekeeping and maintenance.* (Section 3.05(b) of the Food Handling Regulation Enforcement Act)
- b) All food handler training courses shall have an assessment of knowledge.

(Source: Added at 38 Ill. Reg. 23109, effective November 20, 2014)

### **Section 750.3420 Course Approval**

- a) *If an entity uses an American National Standards Institute (ANSI) food handler training accredited program, that training program shall be automatically approved by the Department (Section 3.06(e) of the Food Handling Regulation Enforcement Act).*
- b) *Certified local health departments in counties serving jurisdictions with a population of 100,000 or less, as reported by the U.S. Census Bureau in the 2010 Census of Population, and the other six counties (Will, Kane, McHenry, Tazewell, Kendall and Macon) listed in the Act, may have a food handler training program. The training program must meet the requirements of Section 750.3410 and be approved by the Department. (Section 3.06(f) of the Food Handling Regulation Enforcement Act) These certified local health departments with approved training programs can teach food handlers in restaurants and in food service establishments that are not restaurants only within the certified local health department's jurisdiction. The training program shall maintain a list of individuals trained for a minimum of five years from the date of the individuals' training.*
- c) Any entity can provide food handler training to employees working in a restaurant by using an ANSI accredited food handler training program, including the ANSI assessment. The entity shall register the training program with the Department using an application provided by the Department. The training program shall maintain a list of individuals trained for a minimum of five years from the date of the individuals' training.
- d) *If a business with an internal training program is approved in another state prior to August 27, 2013, then the business' training program and assessment shall be automatically approved by the Department upon the business providing proof that the program is approved in that state. (Section 3.06(c) of the Food Handling Regulation Enforcement Act) The business shall register the training program with the Department using an application provided by the Department. For the purpose of this Section, "business" means an organization that provides a food handler training program that was approved in another state prior to August 27, 2013.*
- e) Any entity can provide food handler training to employees working in a food service establishment that is not a restaurant by using a food handler training program that meets the training and assessment requirements listed in Section

750.3410. The entity providing the training program shall apply for Department approval using an application provided by the Department.

- 1) *Training may be conducted by any means available, including, but not limited to: on-line, computer, classroom, live trainers, remote trainers, and certified food service sanitation managers. (Section 3.05(c) of the Food Handling Regulation Enforcement Act)*
- 2) *There must be at least one commercially available approved food handler training module at a cost of no more than \$15 per employee; training may include, but is not limited to, on-line, computer, classroom, live trainers, remote trainers and certified food service sanitation managers. If an approved food handler training module is not available at that cost, then provisions of this Section shall not apply and food handlers shall comply with Section 3.06 of the Food Handling Regulation Enforcement Act. (Section 3.05(c) of the Food Handling Regulation Enforcement Act)*
- f) *Any and all documents, materials, or information related to a restaurant or business food handler training module submitted to the Department is confidential and shall not be open to public inspection or dissemination and is exempt from disclosure under Section 7 of the Freedom of Information Act. (Section 3.06(g) of the Food Handling Regulation and Enforcement Act)*

(Source: Added at 38 Ill. Reg. 23109, effective November 20, 2014)

### **Section 750.3430 Requirements for Food Handlers**

- a) Food handlers employed by a restaurant:
  - 1) *All food handlers employed by a restaurant, other than someone holding a food service sanitation manager certificate, shall receive or obtain ANSI accredited training or Department approved training in basic food handling principles, as outlined in Section 750.3410, by December 31, 2014. From July 1, 2014 through December 31, 2014, enforcement of the provisions of this Section shall be limited to education and notification of requirements to encourage compliance. (Sections 3.06(b) and(i) of the Food Handling Regulation and Enforcement Act)*
  - 2) Existing employees shall receive training by July 1, 2014 and every three years after that date.
  - 3) New employees shall receive training within 30 days after employment and every three years after the initial training.

- 4) Training is transferable between employers, except for training obtained through an internal training program.
- b) Food handlers employed by a food service establishment that is not a restaurant:
- 1) *All food handlers* employed by a food service establishment that is not a restaurant, *other than someone holding a food service sanitation manager certificate, shall receive or obtain training in basic food handling principles*, as outlined in Section 750.3410, by July 1, 2016. *From July 1, 2016 through December 31, 2016, enforcement of the provisions of this Section shall be limited to education and notification of the requirements to encourage compliance.* (Sections 3.05(a) and (e) of the Food Handling Regulation and Enforcement Act)
  - 2) Existing employees shall receive training by July 1, 2016.
  - 3) New employees shall receive training within 30 days after employment.
  - 4) *Training is not transferable between individuals or employers* (Section 3.05(a) of the Food Handling Regulation and Enforcement Act).
- c) *All food handlers employed in nursing homes, licensed day care homes and facilities, hospitals, schools, and long-term care facilities must renew their training every three years.* (Section 3.06(b) of the Food Handling Regulation and Enforcement Act)
- d) Kane County shall issue expirations of food handler training to food handlers in accordance with Section 3.06(b) of the Food Handling Regulation Enforcement Act starting July 1, 2014. If a food handler in Kane County received training prior to July 1, 2014, then the expiration of the certificate issued shall be valid. Upon expiration, the food handler shall obtain training in accordance with the frequency set forth in Section 3.06(b) of the Food Handling Regulation Enforcement Act.
- e) *There is no limit to how many times an employee may take the training.* (Sections 3.05(a) and 3.06(b) of the Food Handling Regulation and Enforcement Act)
- f) *Proof that a food handler has been trained shall be available upon reasonable request by a State or local health department inspector and may be in an electronic format.* (Sections 3.05(a) and 3.06(b) of the Food Handling Regulation and Enforcement Act)

(Source: Added at 38 Ill. Reg. 23109, effective November 20, 2014)

#### SUBPART N: FARMERS' MARKETS

##### **Section 750.4000 Definitions**

"Act" means Food Handling Regulation Enforcement Act.

"Certified local health department" means a local government agency that administers, and assures compliance with, health-related programs and services within its jurisdiction and is certified pursuant to 77 Ill. Adm. Code 600.210 (Certification).

*"Farmers' market" means a common facility or area where the primary purpose is for two or more farmers to gather to sell a variety of fresh fruits and vegetables and other locally produced farm and food products directly to consumers.*  
(Section 3.3(b) of the Act)

*"Food product sampling" means food product samples distributed free of charge for promotional or educational purposes only.* (Section 3.4(a) of the Act)

"Food product sampling handler" means any person who is engaged in performing tasks such as unpackaging, cutting, slicing, preparing or distributing food product samples to consumers at a farmers' market.

"Food product sample" means an individual portion of food given to a consumer without charge to allow consumers to experience a small portion of the product.

"Local health department" means a local governmental agency that administers, and assures compliance with, health-related programs and services within its jurisdiction.

"Point of sale" means the physical location where food products are sold to customers.

(Source: Added at 39 Ill. Reg. 10619, effective July 15, 2015)

##### **Section 750.4300 Food Product Sampling Handler Certificate for Farmers' Markets**

- a) Food Product Sampling Handler Certificate (certificate) Application Requirements

- 1) Individuals possessing a valid Illinois Food Service Sanitation Manager Certification (FSSMC) (see Subpart J) shall submit the following:
    - A) An application on a form provided by the Department; and
    - B) Payment of the \$10 application fee.
  - 2) Individuals who do not possess a valid FSSMC shall submit the following:
    - A) Evidence of successful completion of a food handler training course as outlined in Subpart M;
    - B) Evidence of successful completion of Department farmers' market food sampling handler training;
    - C) An application on a form provided by the Department; and
    - D) Payment of the \$40 application fee.
- b) Certificate
- 1) Certificates issued to a Food Service Sanitation Manager (FSSM) will be valid 36 months from the issue date.
  - 2) Certificates issued to a non-FSSM will be valid for 36 months from the date of the successful completion of the Department farmers' market food sampling handler training.
  - 3) Food Product Sampling Handler Certificates are not transferable between individuals.
  - 4) Food Product Sampling Handler Certificates are required for all persons who engage in performing tasks such as unpacking, cutting, slicing, preparing or distributing food product samples.
- c) Replacement certificates issued under this Subpart will:
- 1) Be issued after the Department's receipt of a \$10 replacement fee; and
  - 2) Have the same expiration date as the original certificate.
- d) All persons possessing a valid original certificate or a copy of the certificate shall display the certificate at the point of sale.

- e) Suspension or Revocation of a Certificate
- 1) Any violation of this Subpart by the food product sampling handler that creates a potential health hazard shall result in suspension of the certificate by the Department or a certified local health department unless the violation is corrected during the inspection. The following procedures shall be followed for the suspension of a certificate:
    - A) The certified local health department shall notify the certificate holder in writing at the time of suspension, stating the reason for the suspension and corrective measures needed to reinstate the certificate.
    - B) The certificate holder shall apply, in writing, to the certified local health department responsible for suspending the certificate to request reinstatement of the certificate. If the certified local health department considers the violations to be corrected, the certificate shall be reinstated.
    - C) The certified local health department shall, within five days after the suspension and certificate reinstatement, notify the Department in writing of the suspension and certificate reinstatement. The certified local health department shall forward to the Department a copy of the inspection, including the reason for suspension and resolution of the suspension, if any.
    - D) If the issue is not resolved, the holder of the certificate may apply to the Department for reinstatement of the certificate, in writing, to request a conference to determine whether the holder is in compliance with this Subpart.
  - 2) If the certificate holder receives two or more suspensions in a 12-month period, the Department will revoke the certificate. The Department will notify the certificate holder of the Department's intent to revoke the certificate and will provide an opportunity for a hearing in accordance with Practice and Procedure in Administrative Hearings. If the certificate holder does not file a request for a hearing with the Department within 10 days following service of the notice, the certificate will be revoked.
- f) Exemption
- A vendor who possesses a permit from the local health department to conduct food service is exempted from the training and permit requirements of this

Subpart. A permit to conduct food service is valid only in the jurisdiction of the issuing local health department.

(Source: Added at 39 Ill. Reg. 10619, effective July 15, 2015)

**Section 750.APPENDIX A Food Establishment Inspection Report**

APPENDIX A

Food Establishment Inspection Report				Page ____ of ____
As Governed by State Code Section XXX.XXX	Permit Holder	Status:	Pass	
Do Good County	Risk Category	Pass with Conditions		
12344 Any Street, Our Town, State 11111		Fail		
Establishment	Address	Purpose of Inspection		
License/Permit #	City/State/Zip Code			

FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS					
Circle designated compliance status (IN, OUT, N/O, N/A) for each numbered item IN=in compliance    OUT=not in compliance    N/O=not observed    N/A=not applicable Mark "X" in appropriate box for COS and/or R COS=corrected on-site during inspection    R=repeat violation				Risk factors are important practices or procedures identified as the most prevalent contributing factors of foodborne illness or injury. Public health interventions are control measures to prevent foodborne illness or injury. Risk factors require immediate correction.	
Compliance Status			Compliance Status		
Supervision			Protection from Contamination		
1	IN OUT	Person in charge present, demonstrates knowledge, and performs duties	15	IN OUT N/A N/O	Food separated and protected
2	IN OUT N/A	Illinois Food Service Sanitation Manager Certification	16	IN OUT N/A	Food-contact surfaces; cleaned and sanitized
Employee Health			Time/Temperature Control for Safety		
3	IN OUT	Management, food employee and conditional employee; knowledge, responsibilities and reporting	17	IN OUT	Proper disposition of returned, previously served, reconditioned and unsafe food
4	IN OUT	Proper use of restriction and exclusion	18	IN OUT N/A N/O	Proper cooking time and temperatures
5	IN OUT	Procedures for responding to vomiting and diarrheal events	19	IN OUT N/A N/O	Proper reheating procedures for hot holding
Good Hygienic Practices			20	IN OUT N/A N/O	Proper cooling time and temperature
6	IN OUT	N/O Proper eating, tasting, drinking, or tobacco use	21	IN OUT N/A N/O	Proper hot holding temperatures
7	IN OUT	N/O No discharge from eyes, nose, and mouth	22	IN OUT N/A N/O	Proper cold holding temperatures
Preventing Contamination by Hands			23	IN OUT N/A N/O	Proper date marking and disposition
8	IN OUT	N/O Hands clean and properly washed	24	IN OUT N/A N/O	Time as a Public Health Control; procedures & records
9	IN OUT N/A N/O	No bare hand contact with RTE food or a pre-approved alternative procedure properly allowed	Consumer Advisory		
10	IN OUT	Adequate handwashing sinks properly supplied and accessible	25	IN OUT N/A	Consumer advisory provided for raw/undercooked food
Approved Source			Highly Susceptible Populations		
11	IN OUT	Food obtained from approved source	26	IN OUT N/A	Pasteurized foods used; prohibited foods not offered
12	IN OUT N/A N/O	Food received at proper temperature	Food/Color Additives and Toxic Substances		
13	IN OUT	Food in good condition, safe, and unadulterated	27	IN OUT N/A	Food additives: approved and properly used
14	IN OUT N/A N/O	Required records available: shellstock tags, parasite destruction	28	IN OUT N/A	Toxic substances properly identified, stored, and used
			Conformance with Approved Procedures		
			29	IN OUT N/A	Compliance with variance/specialized process/HACCP

GOOD RETAIL PRACTICES					
Good Retail Practices are preventative measures to control the addition of pathogens, chemicals, and physical objects into foods. Mark "X" in box if numbered item is not in compliance    Mark "X" in appropriate box for COS and/or R    COS=corrected on-site during inspection    R=repeat violation					
Safe Food and Water			Proper Use of Utensils		
30		Pasteurized eggs used where required	43		In-use utensils: properly stored
31		Water and ice from approved source	44		Utensils, equipment & linens: properly stored, dried, & handled
32		Variance obtained for specialized processing methods	45		Single-use/single-service articles: properly stored and used
Food Temperature Control			46		Gloves used properly
33		Proper cooling methods used; adequate equipment for temperature control	Utensils, Equipment and Vending		
34		Plant food properly cooked for hot holding	47		Food and non-food contact surfaces cleanable, properly designed, constructed, and used
35		Approved thawing methods used	48		Warewashing facilities: installed, maintained, & used; test strips
36		Thermometers provided & accurate	49		Non-food contact surfaces clean
Food Identification			Physical Facilities		
37		Food properly labeled; original container	50		Hot and cold water available; adequate pressure
Prevention of Food Contamination			51		Plumbing installed; proper backflow devices
38		Insects, rodents, and animals not present	52		Sewage and waste water properly disposed
39		Contamination prevented during food preparation, storage and display	53		Toilet facilities: properly constructed, supplied, & cleaned
40		Personal cleanliness	54		Garbage & refuse properly disposed; facilities maintained
41		Wiping cloths: properly used and stored	55		Physical facilities installed, maintained, and clean
42		Washing fruits and vegetables	56		Adequate ventilation and lighting; designated areas used
			Employee Training		
			57		All food employees have food handler training





(Source: Amended at 40 Ill. Reg. 9532, effective June 29, 2016)

**Section 750.APPENDIX B Examination Date Notification Form (Repealed)**

(Source: Repealed at 39 Ill. Reg. 5006, effective March 17, 2015)

**Section 750.APPENDIX C Class Enrollment Form (Repealed)**

(Source: Repealed at 39 Ill. Reg. 5006, effective March 17, 2015)

**Section 750.APPENDIX D Permission to Retake Certification Examination Form (Repealed)**

(Source: Repealed at 39 Ill. Reg. 5006, effective March 17, 2015)

**Section 750.APPENDIX E Monitor's Agreement Form (Repealed)**

(Source: Repealed at 39 Ill. Reg. 5006, effective March 17, 2015)