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January 1, 2014

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To: Nevada Division of Public and Behavioral Health Food Establishment Permit Holders

Re: New Requirement for Food Safety Training in Food and Drink Establishments

Dear Permit Holders,

On December 18, 2013 the State Board of Health passed sweeping changes to the food regulations that are used to regulate food establishments in the State of Nevada. The new regulations require that there be a person in charge at the food establishment at all times and further that the person in charge has taken and successfully passed an approved food safety management course or can otherwise demonstrate knowledge of food safety principals to the regulatory authority. The specific requirement is as follows:

Sec. 88. 1. Based on the risks inherent to the food operation, during inspections and upon request, the person in charge shall demonstrate to the health authority knowledge of the prevention of foodborne illness, application of the Hazard Analysis and Critical Control Point principles and the requirements of this chapter. The person in charge may demonstrate this knowledge by:

(a) Being a certified food protection manager who has shown proficiency in the required information through passing a test that is part of an accredited program; or

(b) For a low-risk food establishment or temporary food establishment, responding correctly to the questions of the health authority as they relate to the specific food establishment.

2. As used in this section:

(a) "Accredited program" means a program which certifies a person to be a food protection manager and which:

(1) Has been evaluated and listed by an accrediting agency as conforming to national standards for organizations that certify persons as food protection managers; or

(2) Provides to such persons other training acceptable to the health authority.

(b) “Low-risk food establishment” means a food establishment, including, without limitation, most convenience stores, food establishments that prepare, serve or sell only prepackaged, nonpotentially hazardous foods (nontime/temperature control for safety foods)

and food establishments that heat only commercially processed, potentially hazardous foods (time/temperature control for safety foods) for hot holding. A low-risk food establishment:

(1) Does not include a food establishment where the cooling of potentially hazardous foods (time/temperature control for safety foods) takes place.

(2) May include, upon evaluation by the health authority, a food establishment that would otherwise be involved in more complex food preparation, but has shown by way of historical documentation to have achieved active managerial control of risk factors for foodborne illness related to the food establishment.

The deadline for compliance includes a 12-month grace period. Each person required to complete the training must comply with the requirements shown here no later than January 1, 2015. A full list of training that is approved for use with this requirement as well as contact information for the instructors or courses and is available at http://health.nv.gov/BFHS_EHS.htm under the heading “Food Information.”

Classroom instruction must be at least 8 hours in duration after which the student must pass the examination. At that point a certificate is issued. The certificate is valid for 5 years after which a recertification class must be taken and successfully passed.

On-line training options are available, but an examination is required and the examination must be proctored by an approved instructor and a certificate issued. The certificate is valid for 5 years after which a recertification class must be taken and successfully passed.

Certificates of completion for training must be displayed in the food establishment or otherwise available on request so that compliance with this new provision can be validated by the health authority.

Non-compliance with this requirement may result in suspension or revocation of your health permit.

If you have further questions please call Environmental Health Supervisor Cindy Ulch at 775-623-6591 or email her at culch@health.nv.gov. You can also ask questions of your inspectors as they visit your establishments or contact them at their offices as shown on the first page of this letter. Thank you for your commitment to serving your customers the safest and most wholesome food possible.

Sincerely,



Joe Pollock, REHS
Program Manager, Environmental Health Section
Nevada Division of Public and Behavioral Health