

40-7-1-.03 Person in Charge.*

The license holder shall be the Person in Charge or shall designate a person in charge and shall assure that a person in charge is present at the food sales establishment during all hours of its operation.

(1) **Demonstration of Knowledge.** Based on the RISKS of foodborne illness inherent to the FOOD operation, during inspections and upon request the PERSON IN CHARGE shall demonstrate to the REGULATORY AUTHORITY knowledge of foodborne disease prevention, application of the HAZARD ANALYSIS CRITICAL CONTROL POINT principles, and the requirements of this Code. The PERSON IN CHARGE shall demonstrate this knowledge by:

(A) Complying with this Code by having no critical violations during the current inspection.

(B) Being a certified FOOD protection manager who has shown proficiency of required information through passing a test that is part of an ACCREDITED PROGRAM; or

(C) Responding correctly to the inspector's questions as they relate to the specific FOOD operation. The areas of knowledge include:

(1) Describing the relationship between the prevention of foodborne disease and the PERSONAL hygiene of a FOOD EMPLOYEE;

(2) Explaining the responsibility of the PERSON IN CHARGE for preventing the transmission of foodborne disease by a FOOD EMPLOYEE who has a disease or medical condition that may cause foodborne disease;

(3) Describing the symptoms associated with the diseases that are transmissible through food;

(4) Explaining the significance of the relationship between maintaining the time and temperature of POTENTIALLY HAZARDOUS FOOD and the prevention of foodborne illness;

(5) Explaining the HAZARDS involved in the consumption of raw or undercooked MEAT, POULTRY, EGGS, and FISH;

(6) Stating the required FOOD temperatures and times for safe cooking of POTENTIALLY HAZARDOUS FOOD including MEAT, POULTRY, EGGS, and FISH;

(7) Stating the required temperatures and times for the safe refrigerated storage, hot holding, cooling, and reheating of POTENTIALLY HAZARDOUS FOOD;

(8) Describing the relationship between the prevention of foodborne illness and the management and control of the following:

(a) Cross contamination,

(b) Hand contact with READY-TO-EAT FOODS,

(c) Handwashing, and

(d) Maintaining the FOOD ESTABLISHMENT in a clean condition and in good repair;

(9) Explaining the relationship between FOOD safety and providing EQUIPMENT that is:

(a) Sufficient in number and capacity, and

(b) Properly designed, constructed, located, installed, operated, maintained, and cleaned;

(10) Explaining correct procedures for cleaning and SANITIZING UTENSILS and FOOD-CONTACT SURFACES of EQUIPMENT;

(11) Identifying the source of water used and measures taken to ensure that it remains protected from contamination such as providing protection from backflow and precluding the creation of cross connections;

(12) Identifying POISONOUS OR TOXIC MATERIALS in the FOOD ESTABLISHMENT and the procedures necessary to ensure that they are safely stored, dispensed, used, and disposed of according to LAW;

(13) Identifying CRITICAL CONTROL POINTS in the operation from purchasing through sale or service that when not controlled may contribute to the transmission of foodborne illness and explaining steps taken to ensure that the points are controlled in accordance with the requirements of this Code;

(14) Explaining the details of how the PERSON IN CHARGE and FOOD EMPLOYEES comply with the HACCP plan if a plan is required by the LAW, this Code, or an agreement between the REGULATORY AUTHORITY and the establishment; and

(15) Explaining the responsibilities, rights, and authorities assigned by this Code to the:

(a) food employee,

(b) person in charge, and

(c) Regulatory authority.

Authority O.C.G.A. Secs. 26-2-1 et seq., 26-2-34 et seq. History. Original Rule entitled "Walls, Ceiling, Windows" adopted. F. and eff. June 30, 1965. Repealed: New Rule entitled "Person in Charge" adopted. F. Apr. 30, 1996; eff. May 20, 1996. Amended: F. Oct. 29, 2003; eff. Nov. 28, 2003, as specified by the Agency.