

**SANITARIAN FACT SHEET**  
**FOOD EMPLOYEE CERTIFICATION**

Act 106 of 2010 amends Chapter 65. (3 C.S. §§6501 et.al.)  
ON JANUARY 22, 2011.

EFFECTIVE

Chapter 65 - Food Employee Certification Act requires for the certification in food safety of one employee, in most retail food facilities. The employee will be the person in charge of the retail food facility when present, but must be *accessible* at all times the facility is operating.

**CHAPTER 65 – FOOD EMPLOYEE CERTIFICATION**

- Amended current statute Chapter 65 to *only cover retail food facilities* and make it uniform with National requirements (ANSI-CFP Accreditation Program).
  - Acceptable courses to date are National Registry for Food Safety Professionals (NRFSP), ServSafe (National Education Foundation), and Thomson Prometrics, Inc.
  - As more programs become accredited they will be listed on ANSI's website: <https://www.ansica.org/wwwversion2/outside/ALLdirectoryListing.asp?menuID=8&prgID=8&status=4>
- Only requires certified employees to hold a valid “Nationally Recognized Food Protection Certificate”.
- Recertification will be as required by the nationally accredited program, and is not determined in the Law. The accredited programs all currently require retaking of the exam every five years.
- Elimination of the \$20 fee to the Department and need for a PDA State FEC Certificate.
- Locals having programs can maintain them:
  - Chester, Philadelphia, Montgomery, Allegheny, Bucks, State College, and Lansdale
- Maintains the standard for one certified person per facility; however, language was amended to clarify that the certified person is the “person in charge” when present at the facility, and that they must be *accessible (not necessarily present at the facility)* at all times a facility is operating.
- Clarify that individuals may only be the certified employee at ONE retail food facility.
  - Multiple food stands owned by the same person and located at a single event, fair, or festival.
- Keeps current exemptions for Food Facilities which handle commercially prepackaged food or non-potentially hazardous foods and charitable non-profit organizations.

- A valid PDA FEC certificate will continue to comply with the FEC Law, until its expiration date. After the expiration date of a PDA Certificate a valid National Certificate should be posted.
- Between now and January 22, 2011:
  - Any facilities having a food employee who has taken a nationally accredited program can post the national certificate in the food facility and should be considered compliant – do not write a violation or request warning letters for not having a PDA certificate.
  - Individuals submitting for PDA certification that have taken a nationally accredited program will have their application and \$20 fee returned with an explanatory letter.
  - Individuals taking a recertification course prior to January 22, 2011 – which did not include a nationally accredited exam program – can submit for a PDA certificate, and one will be issued that the Department will recognize until it expires.
  - The Department will continue to send Warning Letters and issue Civil Penalties to those retail food facilities that do not have certified employees. NO PHASE IN – this will continue as before.