

By Senator Constantine

9-1359-01

1 A bill to be entitled
2 An act relating to food service employee
3 training; amending s. 509.049, F.S.;
4 establishing a certificate program to identify
5 employees who have received such training;
6 revising provisions related to training
7 programs that provide minimum food safety
8 standards; providing an effective date.

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10 Be It Enacted by the Legislature of the State of Florida:

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12 Section 1. Section 509.049, Florida Statutes, is
13 amended to read:

14 509.049 Food service employee training.--

15 (1) The division shall adopt, by rule, minimum food
16 safety protection standards for the training of all food
17 service employees who are responsible for the storage,
18 preparation, display, or serving of foods to the public in
19 establishments regulated under this chapter. These standards
20 shall not include an examination, but shall provide for a food
21 safety training certificate program for food service employees
22 to be administered by a private nonprofit provider chosen by
23 the division. The division shall also adopt rules relating to
24 the effective administration of the certificate program,
25 including the issuance of a wallet-sized certification card to
26 employees who successfully complete the training, procedures
27 to replace lost or stolen certification cards, maintenance of
28 records documenting the training of affected employees, and
29 the updating of training materials. The division shall also
30 provide a computerized database for verifying the training of
31 these employees.

1 (2) The division shall issue a request for competitive
2 sealed proposals which includes a statement of the contractual
3 services sought and all terms and conditions applicable to the
4 contract. The division shall award the contract to the
5 provider whose proposal is determined in writing to be the
6 most advantageous to the state, taking into consideration the
7 price and the other criteria set forth in the request for
8 proposals. The division shall contract with a provider on a
9 4-year basis and is authorized to promulgate by rule a per
10 employee fee to cover the contracted price for the program
11 administered by the provider. In making its selection, the
12 division shall consider factors including, but not limited to,
13 the experience and history of the provider in representing the
14 food service industry, the provider's demonstrated commitment
15 to food safety, and its ability to provide a statewide program
16 with industry support and participation.

17 (3) At the request of a public food service
18 establishment operator, the division shall review any food
19 safety training program established and administered to food
20 handler employees utilized at the operator's a public food
21 service establishment prior to July 1, 2000 the effective date
22 of this act shall be submitted by the operator to the division
23 for its review and approval. If the division determines that
24 the food safety training program complies with the minimum
25 food safety standards and rules, it shall approve the program
26 for use by ~~is approved by the division, nothing in this~~
27 ~~section shall preclude~~ any other operator of a public food
28 ~~service establishment from also utilizing the approved program~~
29 ~~or require the employees of any operator to receive training~~
30 ~~from or pay a fee to the division's contracted provider.~~
31 ~~Review and approval by the division of a program or programs~~

1 ~~under this section shall include, but not be limited to, the~~
2 ~~minimum food safety standards adopted by the division in~~
3 ~~accordance with this section. It shall be the duty of~~
4 (4) The licensee of the public food service
5 establishment must to provide training that is administered by
6 a food service manager who is certified under s. 509.039, in
7 accordance with ~~the described~~ rule of the division to all
8 employees under the licensee's supervision or control. ~~The~~
9 ~~licensee may designate a certified food service manager to~~
10 ~~perform this function as an agent of the licensee. Food~~
11 ~~service employees must receive certification pursuant to this~~
12 ~~section by January 1, 2001.~~

13 (5) Food service employees hired after November 1,
14 2000, must receive certification within 60 days after
15 employment. Certification pursuant to this section shall
16 remain valid for 3 years.

17 Section 2. This act shall take effect July 1, 2001.

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SENATE SUMMARY

Establishes a certificate program for public food service employees and revises provisions related to minimum food safety training for such employees. (See bill for details.)