

**OAKLAND COUNTY HEALTH DIVISION**

**SANITARY CODE**

**ARTICLE IV**

**FOOD SERVICE ESTABLISHMENTS**

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**OAKLAND COUNTY SANITARY CODE**

**ARTICLE IV**

**FOOD SERVICE ESTABLISHMENTS**

The intent of this Article is to safeguard the health of the public by regulating the operation of food service establishments in Oakland County and to require successful completion of a Food Service Manager Certification Program by designated food service personnel.

**SECTION 1 – AUTHORITY**

This Article is established by the Oakland County Board of Commissioners pursuant to Section 2441 of Public Act 368 of the Public Acts of 1978, as amended, and adopts Part 129 of Public Act 368 of the Public Acts of 1978 and Administrative Rules, as amended.

**SECTION 2 – PERMIT REQUIRED**

It shall be unlawful to operate a food service establishment or engage in the business of processing, handling, or storing foods in the County of Oakland, State of Michigan, for wholesale distribution or engage in the business of selling, handling, delivering, or serving foods at retail for human consumption without having first obtained a permit/license administered by the Oakland County Health Division.

**SECTION 3 – HEALTH DIVISION FOOD SERVICE MANAGER CERTIFICATION**

**PROGRAM REQUIRED**

3.1 The Oakland County Health Division shall conduct a program of Food Service Manager Certification. Minimally, this program shall be directed toward training food service supervisory, culinary, and management personnel. The program shall include, but shall not be limited to, topics such as: employee health, personal hygiene, food-borne diseases

and food poisonings, etiologic agents, safe food handling principles and procedures, cleaning and sanitizing, vermin control, employee training techniques, self-inspection procedures, and responsibilities of a Certified Food Service Manager.

- 3.2 The Oakland County Health Officer or designee shall establish criteria on which to determine whether or not a certificate is to be issued to an applicant. The Oakland County Health Officer or designee shall issue a certificate to each person who meets the criteria and successfully completes a Food Service Manager Certification Program offered by the Oakland County Health Division.
- 3.3 A valid Food Service Manager Certificate may be posted conspicuously in each food service establishment. Proof of successful completion of the Food Service Manager Certification Program shall be presented when requested by representatives of the Oakland County Health Division.

#### SECTION 4 – FOOD SERVICE MANAGER CERTIFICATION REQUIRED

- 4.1 Prior to receiving a permit to operate a new food service business in Oakland County each business applicant shall have at least one (1) employee/staff member per food service business site who has successfully completed a Food Service Manager Certification Program offered by the Oakland County Health Division, the Michigan Restaurant Association, the Michigan Department of Agriculture (or successor agency), or a Food Service Manager Certification Program offered through a Michigan community college, college, or university that meets Michigan criteria for Food Service Manager Certification. Other Food Service Manager Certification Programs may be accepted upon review by the Oakland County Health Division.
- 4.2 Within five years of the effective date of Article IV (Revised) of the Oakland County Sanitary Code, all food service businesses operating within Oakland County shall be required to have at least one (1) employee/staff member per business site who has

successfully completed a Food Service Manager Certification Program offered by the Health Division, the Michigan Restaurant Association, the Michigan Department of Agriculture (or successor agency), or a Food Service Manager Certification Program offered through a Michigan community college, college, or university that meets Michigan criteria for Food Service Manager Certification. Other Food Service Manager Certification Programs may be accepted upon review by the Oakland County Health Division.

- 4.3 A Certified Food Service Manager shall be responsible for overseeing the training of all food handling personnel of the food service establishment. The training shall include the principles of food service sanitation as they apply to the individual employee's work assignment.
- 4.4 In the event a licensed food service operation does not have a Certified Food Service Manager due to the trained employee leaving employment, the operation shall be allowed a period of not more than three (3) months to regain compliance with this Code. A food service establishment without a Certified Food Service Manager as an employee must immediately notify the Oakland County Health Division.

#### SECTION 5 – FOOD HANDLING PRECAUTIONS

- 5.1 Any employee/staff member of a food service business operating in Oakland County who handles food or unsealed food container(s) should wear hair coverings and shall minimize bare hand contact with ready-to-eat foods by the use of disposable gloves, deli tissues, suitable utensils, or dispensing equipment except when washing fruits and vegetables or as authorized by state law or rules.
- 5.2 Each food service business operating in Oakland County shall incorporate verbal and visual (e.g., signs, printed procedures, etc.) reminders to employees/staff members that reinforce the importance of proper hand washing and emphasizes to food handlers that

disposable gloves or other sanitary alternatives are not a replacement for proper hand washing. The use of utensils including deli tissues, spatulas, tongs, or single-use gloves shall be preceded by thorough hand washing. Hands should be washed and disposable gloves should be discarded after engaging in any activity that may contaminate hands and/or gloves. Examples include the following:

- A. After touching bare human body parts.
- B. After using the rest room.
- C. After handling animals.
- D. After coughing, sneezing using a tissue, using tobacco, eating or drinking.
- E. After handling soiled equipment or utensils.
- F. Before food preparation.
- G. When switching between raw foods and ready-to-eat foods.
- H. After handling money.

#### SECTION 6 – APPEALS

A person who has been denied a permit as required by this Article shall have the right of appeal by petition in writing, directed to the Oakland County Health Division. Such appeal shall be heard before the Sanitary Code Appeal Board. Such petition must be accompanied with the established fee and must be submitted within 30 days from the receipt of the written notice of denial.

#### SECTION 7 – EFFECTIVE DATES

This revised Article shall take effect on November 15, 1999. Adopted by the Oakland County Board of Commissioners on September 23, 1999.