

Inspection Report Item 1: Person in Charge Present, Demonstrates Knowledge, and Performs Duties

FDA Food Code References: 2-101.11, 2-102.11(A), (B), and (C)(1), (4)-(16) 2-103.11(A)-(P)

**Q. My Food Establishment is in violation of Code 2-102.11 Demonstration of Knowledge, and/or Code 2-103.11 Duties of the Person in Charge.
What happens next?**

A. In addition to implementing procedures to ensure that your facility meets the requirements of the following information pertaining to codes 2-101.11, 2-102.11, and 2-103.11, *your Establishment must within 6 months of the date of violation, be required to ensure that any individual designated as the person in charge (at all times) be a certified food protection manager.*

❖ Person in Charge 2-101.11:

A person in charge (PIC) shall be designated during all hours of operation. This person should be able to demonstrate knowledge of the food safety principles outlined in the Food Code.

❖ Demonstration of Knowledge 2-102.11:

Demonstrated one of the following ways:

- Establishment has no critical violations during the current inspection.
- PIC is a certified food protection manager who has shown proficiency of required information by passing a test that is part of an accredited program.
- PIC responds correctly to the inspector's questions as they relate to the specific food operation. Questions will be based on:
 - ◆ Application of the requirements of the FDA Food Code.
 - ◆ Foodborne disease prevention.
 - ◆ Application of the HACCP principles (if applicable to establishment)

❖ Duties of the Person in Charge 2-103.11, listed below, should be:

- Assigned to PIC or appropriate employees.
- Employees should be trained how to execute duties.
- Duties should be executed and monitored by PIC.

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❖ Duties of the Person in Charge 2-103.11 (cont.)

- ❖ Inspector may ask PIC to Demonstrate, Describe, Explain, Identify, or Relate all of the following items during an inspection as it relates to the food operation and execution of the duties of the person in charge.
 - **Employee Training**
 - **Food Allergy Awareness**
 - **Food Establishment operations are not conducted in a private home or living quarters**
 - **Unauthorized personnel in food preparation areas**
 - **Handwashing Practices**
 - **Bare Hand Contact Procedures**
 - **Cross Contamination Prevention**
 - **Approved Food Source**
 - **Food Receiving Procedures**
 - **Flow of food and related food safety hazards**
 - **Employee Health Reporting Procedures**
 - **Personal Hygiene Requirements**
 - **Cooking and Reheating times and temperatures**
 - **Cooling times and temperatures**
 - **Hot and Cold holding times and temperatures**
 - **Date Marking Procedures**
 - **Time as a Public Health Control Procedure**
 - **Consumer Advisory Requirements**
 - **Cleaning & Sanitizing of Food Contact Surfaces**
 - **Written procedures and plans, where specified by the Food Code are maintained and implemented as required.**