

**ALABAMA STATE COMMITTEE OF PUBLIC HEALTH
BUREAU OF ENVIRONMENTAL SERVICES
ADMINISTRATIVE CODE**

**CHAPTER 420-3-22
FOOD ESTABLISHMENT SANITATION**

420-3-22-.02 Management And Personnel.

(1) **Exclusion** - The provisions of sections 2-102.11(A) and 2-102.11(C) of the document entitled 2013 edition of the United States Department of Health and Human Services Food Code are expressly excluded from adoption.

(2) **Applications** -

(a) For Priority Category 3 and 4 establishments the permit holder or their designee shall possess a valid certification from an accredited program or shall have verification of attendance from an accredited program. On or after January 1, 2020, a designated person in charge with a valid certification from an accredited program or verification of attendance from an accredited program shall be present during all hours of operation. For multiple permitted establishments within one physical structure and under the same operation ownership, such as multiple departments within one retail grocery store, the permit holder or their designee may be any one person with supervisory authority over any department.

(b) Priority category 1 and 2 establishments and temporary food establishments are exempt from the requirements of subpart 2-102.11(B).

(3) **Additional provisions, modifications, waivers allowed** -

(a) Nothing in these rules shall be construed to prevent the Health Officer from imposing additional requirements to protect against health hazards related to employee health when, in his/her medical opinion, such additional requirements are necessary to protect public health. Nothing in these rules shall be construed to prevent the Health Officer from waiving or modifying requirements of these rules relating to employee health when, in his/her medical opinion, no health hazard will result.

(b) For enforcement purposes, the provisions of subpart 2-302.11 pertaining to "trimmed" fingernails mean the fingernails do not extend beyond the finger.

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Statutory Authority: Code of Ala. 1975, §§22-2-2(6), 22-20-5.

History: **New Rule:** Filed November 20, 1996; effective December 25, 1996. **Repealed and New Rule:** Filed July 20, 2005; effective August 24, 2005. Amended and Adopt By Reference: Filed March 21, 2008; effective April 25, 2008. **Amended:** Filed February 20, 2013; effective March 27, 2013. **Amended:** Filed August 19, 2016; effective October 3, 2016.