



State-Mandated Food Safety Certification Requirements for Restaurants

A 2002 Review of States

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**New Jersey Restaurant Association
Educational Foundation**

by the

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EXECUTIVE SUMMARY

The Food and Drug Administration publishes a Standard Food Code which individual states either ratify, or amend and ratify, as the State Food Code. New Jersey has not adopted any revisions to the FDA Standard Food Code since 1993. Currently, the New Jersey Department of Health and Senior Services is considering the implementation of a mandatory food safety certification program for all of the state's foodservice establishments beginning in April 2003. Foodservice businesses serving "high risk" populations, such as the young, ill, or elderly, will be the first segment of the industry required to comply with the new guidelines. Other segments of the industry would be phased in over three years. The exact nature of the revision is yet to be determined; however, it will likely require at least one individual from each foodservice establishment to be certified in proper food safety/food handling techniques. This revision will affect more than 21,000 foodservice businesses that collectively employ 180,000 workers.

To proactively respond to the upcoming changes in the State Food Code, the New Jersey Restaurant Association (NJRA) requires information on the status and nature of other state-mandated food safety certification programs. As a service to the foodservice industry, and at the request of the NJRA, the Food Policy Institute at Rutgers University conducted a study to determine the status of state food safety certification requirements across the country. The Institute interviewed all 50 state restaurant associations and found that 16 states presently have some form of **state-mandated** food safety certification requirement for restaurant workers. Local (municipal or county) food safety certification requirements exist in many states, even in the absence of a state mandate, but these are beyond the scope of this review.

Summary of Findings

- 16 states have **state-mandated** food safety certification requirements for restaurants. These are: California, Connecticut, Florida, Illinois, Indiana, Louisiana, Massachusetts, Minnesota, Mississippi, Oregon, Pennsylvania, Rhode Island, South Dakota, Utah, Washington, and Wisconsin. The state restaurant associations administer the programs in 14 of these states. The state governments run the programs in 2 states (California and Washington).
- 34 states have some form of **voluntary** food safety certification program for restaurants. The respective restaurant associations in 24 of these states run these training/certification programs. The remaining 10 states have food safety programs run by organizations other than state restaurant associations.
- Several states (i.e., Montana, New Jersey, New York, and Vermont) are considering the adoption of legislation that would require food safety certification for foodservice workers. Other states (i.e., Arizona and Kansas) have adopted recent versions of the Food and Drug Administration Food Code which require that each restaurant have a person on staff that can demonstrate proper food safety knowledge.
- In terms of the requirements for certification, three basic models are in place: (i) one certified worker per restaurant, (ii) one certified worker on premises at all times, and (iii) certification or training of all workers. Variations to these models were found in other states. For example, South Dakota requires all full-time workers to be certified. Minnesota requires a manager certified in food safety to be on-site at all times. Rhode Island requires one certified person per restaurant for establishments with 10 or fewer employees, and two certified workers per establishment for businesses with more than 10 employees (these employees do not need to be on-site at all times except in hospitals and nursing homes).

Table 1: States Mandating Food Safety Certification for Restaurant Workers

| State | Who is required to be certified? | Is a certified employee required to be on-site at all times? | Is recertification required? How often? | Which training program is primarily used? | State restaurant association role in certification program? | Program cost? |
|---------------|---|--|--|---|---|--|
| California | One employee per restaurant | No | Yes, after 3 yrs. | ServSafe | None | N/A |
| Connecticut | One employee per restaurant | No | Not required. | ServSafe | Testing and Training | \$125 with 10 days advance pre-registration |
| Florida (1) | All employees | Yes, within 60 days of hire | Yes, after 3 yrs. | SafeStaff State Contracted Program with FRA | Training Program, Testing, Records | \$6 |
| Florida (2) | All establishments must have state certified manager; establishments with 4+ employees must have state certified manager on site at all times | Yes | Yes, after 5 yrs. | ServSafe | Testing and Training | \$65 members \$90 non-members |
| Illinois | More than one person | Yes | Yes. | ServSafe | Testing and Training | \$175 members \$225 non-members |
| Indiana | One employee per restaurant | No | Has not yet been decided. | ServSafe | Testing and Training | \$99 members \$120 non-members |
| Louisiana | One employee per restaurant | No | Yes, after 5 yrs. | ServSafe | Testing and Training | \$95 members \$150 non-members |
| Massachusetts | One full-time employee per restaurant | No | Yes, usually after 5 years. | ServSafe | Testing and Training | \$120 members \$175 non-members |
| Minnesota | Manager | Yes | Varies according to county. | ServSafe | Testing and Training | \$109 members \$130 non-members |
| Mississippi | One employee per restaurant | No | Yes, after 5 yrs. | ServSafe | Testing and Training | Between \$95-\$175 (depending on who teaches the course) |
| Oregon | More than one person | Yes | Yes, after 5 yrs. | ServSafe | Testing and Training | \$109 members \$139 non-members |
| Pennsylvania | One employee per restaurant | No | Yes, after 5 yrs. | ServSafe | Testing and Training | \$125 members \$165 non-members |
| Rhode Island | 1-2 employees, depending on the number of employees at the restaurant | No | Yes, after 3 yrs. | ServSafe | Testing and Training | \$150 members \$170 non-members |
| South Dakota | All full-time employees | No | Yes, after 4 yrs. | ServSafe | Testing and Training | \$80 members \$130 non-members |
| Utah | One employee per restaurant | No | Yes, after 3 yrs. | ServSafe | Testing and Training | \$115 |
| Washington | All employees | Yes | Yes, every 2,3, or 5 yrs., depending on previous coursework. | Food Worker Permit | None* | \$8 for food worker permit. |
| Wisconsin | One employee per restaurant | No | Yes, every 5 yrs. | ServSafe | Testing and Training | \$120 members \$150 non-members |

* The Washington Restaurant Association does participate in "train the trainer" programs and testing in one county.

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INTRODUCTION

The Food and Drug Administration publishes a Standard Food Code which individual states either ratify, or amend and ratify, as the State Food Code. New Jersey has not adopted any revisions to the FDA Standard Food Code since 1993. Currently, the New Jersey Department of Health and Senior Services is considering the implementation of a mandatory food safety certification program for all of the state's foodservice establishments beginning in April 2003. The plan under consideration will be phased in over three years. Foodservice businesses serving "high risk" populations, such as the young, ill, or elderly, will be the first segment of the industry required to comply with the new guidelines. The exact nature of the revision is yet to be determined; however, it will likely require at least one individual from each foodservice establishment to be certified in proper food safety/food handling techniques. This will affect more than 21,000 foodservice businesses that collectively employ 180,000 workers.

To proactively respond to the upcoming changes in the State Food Code, the New Jersey Restaurant Association (NJRA) requires information on the status and nature of other state food safety certification requirements. As a service to the foodservice industry, and at the request of the NJRA, the Food Policy Institute at Rutgers University interviewed state restaurant associations to determine the status of state-mandated food safety certification requirements for restaurants in all 50 states. Local (municipal or county) food safety certification requirements exist in many states, even in the absence of a state mandate, but these are beyond the scope of this review. A copy of the interview form used in the interviews is provided in Appendix A.

OVERVIEW OF FINDINGS

All 50 states were interviewed to assess the status and nature of mandatory food safety certification requirements for restaurants. A total of 16 states presently have some form of state-mandated food safety certification program. Of these programs, 14 are administered through state restaurant associations and 2 are run by the state. Additionally, 34 states have some form of voluntary food safety certification program. Twenty-four of these programs are administered through the respective state restaurant associations while the remaining 10 programs are offered by other entities. In many cases, the National Restaurant Association (NRA) Educational Foundation's ServSafe program was the model used for mandated (and voluntary) food safety training and certification programs. Appendix B provides a classification of states according to current mandatory or voluntary food safety certification requirements for restaurants.

States with Mandatory Food Safety Certification Programs Administered by Restaurant Associations

A total of 16 states were found to have state-mandated food safety certification programs that were administered by their respective state restaurant associations.

Connecticut

Food safety certification for restaurant workers in Connecticut has been mandatory since August 2001. The mandate states that a Qualified Food Operator (QFC), a person possessing qualified knowledge of safe food handling techniques, must be employed on a full-time basis. The mandate also requires the designation of an alternate QFC (certification is not required) as well as documentation that all employees have received training on basic food preparation. It varies by county whether the certified and/or alternate employee is required to be present at all times.

The ServSafe classes offered regularly by the Connecticut Restaurant Association meet all of the requirements for a Qualified Food Operator. The classes are offered twice per month in the 8-hour, 1-day format. Recertification is not required at this time. The NRA issues the certification and maintains the main database; however, the association also keeps its own files for quick reference purposes. Once the exam is passed, a certificate is sent to the participant as proof of certification. Since September 2001, about 500 people have been certified.

The association changed the pricing structure of the class when certification became mandatory because they wanted to remain competitive with other organizations that offered the course. The restaurant association generates profit from the program, which is returned to the Educational Foundation for scholarships. The cost of the course for both members and non-members is \$125 with 10 days advance pre-registration. The program is promoted as a benefit of membership. The association's membership dues are, on average, about \$400 and are based on a sliding scale.

Florida

Florida has two levels of mandatory food safety training and testing. The first level mandates all foodservice workers be trained in food safety. The Florida Department of Business and Professional Regulations is charged with writing the rules for directing the industry how to train their employees. The Florida Restaurant Association SafeStaff Foodhandler Training Program is the only contracted program and covers the following six key principles:

- Ensuring proper personal hygiene
- Preventing cross-contamination
- Controlling time and temperature when handling food
- Proper cleaning and sanitizing
- The causes and effects of food borne illnesses
- Ensuring proper vermin control

New hire training is required within 60 days of hire. Certification is good for three years and comes with a certificate of completion and a wallet-sized card. A certified manager must administer the program. An information sheet contained within the study book must be completed and sent back to the Florida Restaurant Association for inclusion in a database. The training book costs \$6.00.

The second level of certification requires that each establishment have a state certified manager. A state certified food manager must be on-site at all times in restaurants with four or more employees. The Florida Restaurant Association encourages use of the SafeStaff Managers Review Guide as a review for the National Restaurant Association's ServSafe Certified Food Managers Examination, which the Association administers. The program is accepted by Florida for the mandatory Food Manager Certification and recertification is required after 5 years. The cost of the ServSafe program is \$65 for members and \$90 for non-members. All revenue from these programs is reinvested back into the programs.

Florida is a test state for the on-site grading of the NRA ServSafe program. The Florida Restaurant Association has been able to reduce the formal training time to four hours and has recorded a successful passing rate of 75%. They hold over 600 exams per year, with an average of 41 attendees (approximately 25,000 people were trained last year). They are currently proposing that they be contracted by the State to administer the manager certification program.

Illinois

Food safety certification in Illinois was made mandatory in 1998 (the city of Chicago had an existing certification requirement at this time). While the restaurant association offers the classes and issues certificates on behalf of the city, anyone who is certified by the city and/or the state may administer

the program. The statute reads, "there must be at least one person on duty at all times that food is being prepared/handled, who is certified in sanitation." The requirement that a certified person must be on-site at all times therefore necessitates the training and certification of more than 1 person.

Illinois uses the ServSafe materials to teach the classes; however, there is no single curriculum that is required. Once instructors are certified, they must have their syllabus approved by the city and/or state health departments. The state requires 15 hours of class contact for someone being certified for the first time, accomplished in three 7-hour days (including breaks and lunch). For recertification, 6 hours of class time are required. The association charges its members \$175 (and non-members \$225) to complete the program. The association does generate revenue; however, no amount was specified. The association believes the offering of the program has helped significantly in attracting new members.

Indiana

Indiana recently passed a law requiring one person at each restaurant to be certified by an approved program (which is decided by the Conference for Food Protection) by January 1, 2005. The ServSafe program is used as the training model in an estimated 80 percent of the cases and is administered by the Restaurant and Hospitality Association of Indiana (RHA). The mandate requires the successful completion of the exam but does not require class time. The ServSafe course is offered in the 8-hour, 1-day format, as well as the 16-hour, 2-day format. It costs \$99 for members and \$120 for non-members. The National Restaurant Association issues the certification and maintains the central database, but the state association also maintains a list of certified workers. The program generates profit for the association. Since 1998, 2,845 people have been trained. Because certification is state mandated, the program does draw new members. Before, it did not serve as a big member draw but was a visible "feel good" image enhancer for the RHA.

Louisiana

Food safety certification is state mandated in Louisiana. One person at each restaurant is required to be certified. ServSafe is the program used to meet the certification requirement. While the Louisiana Restaurant Association (LRA) does administer the program, it is not the only group. The LRA conducts a 1-day training class, and recertification is required every 5 years.

The cost of the program to the participant is \$95 for LRA members and \$150 for non-members. Usually the company, not the participant, pays the fee. It costs the association roughly \$85 per participant to administer the course. The NRA is charged with maintaining the certification database. Offering the certification program has helped the association draw new members.

Massachusetts

Food safety certification has been required in Massachusetts since 2001. Every restaurant must have at least one full-time employee who has passed a food safety exam that is recognized by the Department of Public Health. The ServSafe course is an accepted program. Although a training program is not required, the Massachusetts Restaurant Association believes that passing one of the recognized exams often does require participation in a formal training program.

The program offered through the association is the ServSafe course. The course costs \$120 for members and \$175 for non-members. Recertification is usually required after 5 years under the NRA ServSafe certification; however, this requirement is at the discretion of the local town health officials.

Minnesota

Food safety certification was made mandatory by the Minnesota Department of Health as of July 1, 2000. The Minnesota Department of Health requires all foodservice operations to have a certified food manager on staff at all times. The program offered in Minnesota is the NRA's ServSafe program. The Minnesota Restaurant, Hotel and Resort Association offers classes throughout the state about 40 times per year, with the majority of the classes taking place at its headquarters in St. Paul. Additionally, colleges or even individual instructors can also administer the program.

The training, classroom hours, and testing take place in one day. The program begins at 8:00 a.m. and testing begins at 5:00 p.m., meeting the state requirement of 8 classroom hours. The association charges \$109 for members and \$130 for non-members. The program has generated revenue for the association and has helped to draw new members. The association notes that it costs more for non-members to attend, so if a business is sending several students, the long-term savings of becoming a member benefits the business as well as the association. Overall the association believes the experience is very good and emphasizes the importance of excellent instructors. They also offer the course in Spanish, which helps those who otherwise would have to take this course in a second language. According to the association, the program is "time consuming to run, but well worth it."

Mississippi

In Mississippi, the State Department of Health accepts several different programs to meet the state's food safety certification requirements, but ServSafe accounts for the large majority of all the programs taught. The Health Department is responsible for verifying certification. The Mississippi Restaurant Association, in conjunction with the Mississippi State Extension Service, supplies the materials and teaches the classes. Some food distributors offer classes as well.

One person per foodservice permit is required to be certified unless the Health Department mandates more. This determination is usually made on a case-by-case basis. The certified person does not have to be on-site at all times, but this requirement is expected to change in the next 2 to 3 years. The training course requires a minimum of 8 hours of class time. The cost of the course varies depending on who is teaching it; however, it usually averages about \$95. The association generates very little profit from the program.

Oregon

Basic food handler education and certification was made mandatory in Oregon in 1995. It is a cooperative effort between the Oregon Restaurant Association and the state health division. The program offered is ServSafe, which is recognized as meeting or exceeding the basic course requirement for the state's food handler card. It also meets Oregon's new food code which mandates that there must be someone on duty at all times who can "demonstrate knowledge" of food safety.

The Oregon Department of Human Services (health division), directly and through county health departments, administers the program. The restaurant association's education foundation acts as a contractor. Everyone who is involved with serving food to the public (there are some exceptions such as volunteers in certain locations) is required to be certified. Completing the program takes about a day, or half-day with self-study, and costs \$109 for members and \$139 for non-members. Additionally, the association's education foundation is often contracted by the major food distributors to provide this course to their key customers for a reduced rate, which provides them with a valuable marketing tool. The association says a small amount of profit is generated. Offering the program has not markedly impacted new-member recruitment.

Pennsylvania

Pennsylvania requires that at least one person per restaurant be certified in food safety. The state-mandated deadline for certification is July 1, 2003. Pennsylvania mandates 15 hours of class instruction, in addition to the successful completion of the NRA's ServSafe examination, in order to apply for a state food safety certificate. The certification is valid for 5 years.

The Pennsylvania Restaurant Association (PRA) offers the ServSafe program to provide food safety knowledge and training to the state's foodservice workers. The NRA Educational Foundation issues a certificate to workers passing the ServSafe exam. Upon receipt of the NRA certificate, the worker is eligible to apply for state food safety certification.

The PRA's current fee structure for the ServSafe course is about \$125 for members and \$165 for non-members. The program has generated profit for the association and has been useful in drawing new members.

Rhode Island

In Rhode Island, one person must be certified in food safety for foodservice establishments with 10 or fewer employees, and 2 people must be certified for establishments with more than 10 employees. In hospitals and nursing homes, there must be one certified person on premises at all times. The Rhode Island Hospitality and Tourism Association administers the ServSafe program in fulfillment of the certification requirements. The cost for certification is \$150 for members and \$170 for non-members. The National Restaurant Association issues the certification and maintains the database of certified workers. Recertification is required after 3 years.

The program does generate profit for the association, but no specific amount was specified. Approximately 5,000 people have been either trained or recertified since 1994. Offering the program has helped the association draw new members.

South Dakota

In South Dakota, ServSafe was made mandatory in July 1997. All restaurants were expected to be in compliance by July 2001. The South Dakota Retailers Association (Restaurant Division) administers the program. All full-time workers are required to be certified, but a certified worker does not have to be on-site at all times. The training course requires 8 hours of classroom time including testing. The association charges \$80 to its members and \$130 to non-members to take the training course. The association does generate profit; however, no amount was specified. The association believes the program has helped attract new members. Recertification is required after 4 years.

Utah

Food safety training and certification is mandatory in Utah. One person at each restaurant is required to be certified. The ServSafe program satisfies the training requirements and is offered by the Utah Restaurant Association. The course is taught in the 8-hour, 1-day format, and the cost of the program is \$115. Recertification is required after 3 years.

The NRA issues the certification and maintains the database of certified workers. There is an identification card given to each worker passing the program as proof of certification. The Utah Restaurant Association does report generating profit from the program. Several thousand workers have been trained through the program, and it has helped the association draw new members.

Wisconsin

Food safety certification is mandatory in Wisconsin. A training course is not mandated; rather, the state requires the passing of a food safety exam. While the state oversees the program, the Wisconsin Restaurant Association's role, along with other providers, is to offer the training and testing of approved Conference for Food Protection (CFP) programs. Statewide, one person at each establishment is required to be certified. The standard is different in Milwaukee where one certified person must be on duty at each foodservice establishment during open hours. The CFP-approved curriculum taught by the association is the ServSafe program. New employees must be certified within 90 days, and recertification is required within 5 years.

The time it takes to complete the course varies; however, one day is usually the norm. The cost of the course is \$120 for members and \$150 for non-members. The certification is issued by the State Health Department, who also maintains the database of certified workers. Once the exam is passed, the participants are issued a certificate as well as a wallet-size card. The Wisconsin Restaurant Association's education foundation does generate a profit. Since 1995, 17,000 people have been trained through the program, and the association believes the program has helped draw in new members. Current annual dues range from \$300 to \$5,000 depending on gross sales.

States with Mandatory Food Safety Certification Programs Not Administered by Restaurant Associations

Of the 16 states found to have mandatory food safety certification, 2 states (California and Washington) have programs that are administered by the state.

California

In California, food safety certification has been mandated by the state since 1998; however, this standard can be met through a variety of programs including ServSafe, as well as other programs administered by the Chauncey Group, the National Assessments Institute, Professional Testing, or the Dietary Manager Association. California mandates that one employee at each foodservice establishment must be certified in food safety.

Up until January 2, 2002, the California Restaurant Association offered the 8-hour ServSafe program, but because California is so large, it discontinued the program. The association does offer the NRA's train-the-trainer program and acts as an instructor referral system to its members. Currently, certification for food handling is valid for 3 years in California. The association explains that when it did offer the course, a profit was made. The charge for the training program ranged from \$110 to \$170 per student. Approximately 1,000 people were trained through the ServSafe program annually, but the association states that it did not help to draw new members.

Washington

A current Food Code Bill has passed the legislature for implementation in 2005. The governor has not yet signed the bill; therefore, the status of Food Code revisions is unclear. Presently in Washington, foodservice workers are required to hold a Food Worker Permit. There is no state standardized test; however, there are state minimum requirements. Currently, each county can determine the final requirements for issuing the permits. The cost of the permit is \$8.

The Washington Restaurant Association (WRA) does not play a direct role in administering the Food Worker Permit program. In most cases, the counties provide for training and testing required to meet State food safety requirements and permit acquisition. However, the WRA's Education Foundation has developed a Food Worker Permit program that can be utilized in King County

(Seattle). The association provides a "train the trainer service" to participating restaurants, preparing an employee to train the staff. The association also provides training materials that include a 30-minute video (for on-site training) and return tests. The cost of this service is \$25 for members and \$150 for non-members. The association grades the exams, and permits are issued to workers passing the exam through the WRA office. This service has been offered to other counties.

ServSafe is considered to be an "advanced" food safety program. Many operators and employees choose to undergo the training, and the WRA's Educational Foundation encourages advanced safe food handling. ServSafe courses are offered in a modified 4-hour in-class format, with mandatory pre-study required. The ServSafe course is \$99 for members. While there is no state mandate for this level of training, there are additional benefits of completing advanced food safety programs. For example, in King County, Food Worker Permits can be extended to 5 years when a foodservice worker successfully completes the ServSafe program. There are also other options in advance training (i.e., HACCP, private programs) that are also acceptable for card extensions.

States with Voluntary Food Safety Certification Programs Administered by Restaurant Associations

Twenty-four states were found to have voluntary food safety certification programs administered through the state restaurant associations. Some states have counties or municipalities that require food safety certification, even in the absence of a state mandate.

Alabama

Alabama does not have a state-mandated food safety certification program; however, three counties currently require food handler's certification (Certified Food Safety Manager & Foodhandler Certification). Jefferson County has mandated certification since February 2001, with a phase-in process from April 1, 2001, to March 31, 2002. The county requires that a Certified Food Safety Manager be on duty during operating hours. In Baldwin County, at least one employee certified in food safety must be on duty. Mobile County requires anyone who handles food to obtain a Food Handler Card from the state health department. The role of the restaurant association is to provide nationally recognized food safety certification to the state's foodservice industry.

The course that the Alabama Restaurant Association (ARA) offers is the ServSafe program. It is recognized nationally and transferable from state to state/county to county. The ARA offers the ServSafe course in a 1-day, 8-hour format. It costs \$99 for ARA members and \$149 for non-members (the \$50 difference can be applied to ARA membership for new members). Funds generated are used for scholarships awarded to high school and post-secondary students to further their hospitality education and careers, as well as for funding for the ARA's School-to-Career Program. The program has helped the association draw new members.

Alaska

Food safety certification is not state mandated in Alaska. It is required; however, in the Municipality of Anchorage. The program involves 8-hours of food safety management training. Several different organizations, including the Alaska Cabaret, Hotel, Restaurant, and Retailers Association, offer the ServSafe manager certification program to fulfill this requirement. One employee involved in the day-to-day operation of a foodservice establishment is required to pass the course, but he/she does not have to be on-site at all times. The 8-hour classroom program is offered and costs \$75 for members (\$150 for non-members). The program does generate profit for the association and serves as a draw for new members.

Arizona

Arizona does not have a mandatory food safety certification program; however, it has recently adopted the 2001 FDA Model Food Code. The Food Code has a provision that requires that each establishment have a person on staff who can demonstrate proper food safety skills and be responsible for the education of the staff in proper food safety protocols. There are 15 counties in Arizona, and each county has jurisdiction regarding food safety certification. In some counties, correctly answering the health inspector's questions will suffice. In other counties, such as Maricopa County, one person from each establishment must be a certified food manager. This person must be involved in the day-to-day operations of the kitchen and must be a full-time worker. Usually this person is the owner, kitchen manager, chef, or general manager. The certified food person does not have to be on-site at all times, but must be accessible by phone, pager, etc., during his/her off times.

The Arizona Restaurant & Hospitality Association sponsors food manager safety training and certification classes and offers the ServSafe program. For English classes, instruction time is approximately 3½ hours, with an 80-question, multiple-choice exam. The questions are based on the 2001 Food Code. The association has developed its own study material for home study to supplement the class. The English class costs \$60 for members and \$90 for non-members. At this time, the Spanish class is \$60 for members (\$150 for non-members) and is offered in the 8-hour class format. It takes about 3 weeks to get exam results back from the NRA's Educational Foundation. The results are then sent to the enrollee. In the case of Maricopa County, if the enrollee has passed the exam he/she receives a certificate, which must be presented to the County Health Department in order to get the required Food Manager Card. This card must be kept on file at the establishment and be presented to the inspector upon request. At this time, the card expires after 3 years, but a 5-year expiration date is being discussed.

Overall, the program is a major source of revenue for the association. It exposes the association to non-members (which aids in recruitment) and keeps them in contact with their current membership. There are other companies that offer food safety training, but based upon feedback from attendees, the association is the most convenient and competitively priced program.

Colorado

Food safety certification is voluntary in Colorado. The restaurant association administers the ServSafe program, as do other organizations. The ServSafe program is offered in the 1-day, 8-hour format and cost \$130 for members and \$170 for non-members. The NRA maintains the database of certified workers and issues an identification card to the participants as proof of certification. The Colorado Restaurant Association generates profit from the program and has trained several thousand workers. The training program has helped the association draw new members.

Delaware

Food safety certification is not mandatory in Delaware. The association provides the ServSafe course through the NRA for \$125 for members and \$145 for non-members.

Georgia

Food safety certification is voluntary in Georgia. The Georgia Hospitality and Travel Association offers the ServSafe program to interested operations. The program generates enough revenue to cover expenses and has helped to draw new members into the association.

Hawaii

Food safety training is not mandated in Hawaii. The program, offered on a voluntary basis, is the ServSafe program. No further details are available.

Iowa

In Iowa, food safety training is voluntary. Training is offered throughout the state, but no standardized program is required. The Iowa Hospitality Association, in addition to other providers, offers the ServSafe program to interested foodservice operators. The ServSafe training course is usually 8 hours and costs \$90 for association members and \$140 for non-members. The Iowa Hospitality Association Educational Foundation issues the certification and maintains a database of certified workers. Training courses are conducted at numerous locations.

The association does not generate enough revenue from the program to cover costs, however, the association has benefited by drawing new members. The association suggests implementing the Food Safety Seal of Commitment Recognition Program, as well as securing funding for the ProSafe Food Safety Training Initiative.

Kentucky

While the state of Kentucky does not mandate food safety certification for restaurant workers, every county has established such a requirement. The county mandates require that one person certified in food safety be on premises at all times while the restaurant is in operation. The primary program used to meet these requirements is the 8-hour ServSafe course, which is offered by the Kentucky Restaurant Association. The cost of the program varies according to the number of participants and location of the course. Recertification varies according to county and ranges from 3 to 5 years.

Maine

While food safety certification is not mandated in Maine, the Maine Restaurant Association promotes voluntary certification. The association believes that certification helps add value to the worker, as well as serves as a crisis management tool. Additionally, the state at times may require all employees of a specific restaurant to undergo safety certification if a foodborne illness outbreak occurs.

The association does generate profit, but the program has not helped to draw members. On a yearly basis, about 1200 people are trained through the ServSafe program. The course is also offered through community colleges.

Maryland

In Maryland, food safety certification is not mandated. However, local county health departments may adopt regulations more stringent than the state health requirements. Most jurisdictions accept ServSafe as the standard food safety training program and offer the program via the local health departments. The role of the Restaurant Association of Maryland is to teach the ServSafe course to managers. In two of the counties, a certified person must be on-site at all times. The ServSafe course is taught in the 16-hour format and costs \$144 for members and \$174 for non-members. The restaurant association does generate revenue from it and believes the program has helped to draw new members.

Michigan

Michigan does not mandate food safety certification at the state level. However, 3 counties have a local mandate for food safety certification: Wayne, Oakland, and Livingston counties. In each of these counties, one employee at each restaurant must be certified. Some counties also require a

certified manager on duty. Michigan's Department of Agriculture has approved the ServSafe, ExperiOr, Dietary Managers Association, and Cornell University food safety programs to meet the mandates in the 3 counties. The Michigan Restaurant Association sells training products and offers training classes and on-line testing. The program materials used include the *ServSafe Coursebook*, *ServSafe Essentials* book, an interactive CD-ROM, and instructional video.

Recertification is required every 3 years. In terms of course format, the association offers the 16-hour, 2-day course and the "train-the-trainer" course. The 16-hour class costs \$150 for members and \$200 for non-members. The available on-line exam is \$45 for members and \$75 for non-members. The train-the-trainer course is offered at \$175 for members and \$250 for non-members. The association issues the certificate, but the NRA Educational Foundation maintains the database. An identification card is provided to the participants as proof of certification. The restaurant association does generate revenue. In 2001, 98 people were trained, and 113 workers were trained in 2002.

Missouri

Food safety certification is not required at the state level, but some cities and counties have such requirements. It was made mandatory, for example, in St. Louis City and County 15 years ago and is also required in Kansas City. It further became mandatory in the eastern part of the state through the efforts of both health departments and industry. It was felt that there was a need to have an ongoing training program for responsible and safe foodservice operations. Colleges, health departments, and the Missouri Restaurant Association administer the ServSafe program throughout Missouri in fulfillment of the either mandated or voluntary requirements for food safety training.

The association's role is to make certain that a food safety program is always available, even in the smallest of communities. They advertise courses to their members and administer them on a monthly basis. Program cost varies depending upon where the course is taken and if it is a college-credited course or not. Generally the range is from \$90 to \$150 per person. In terms of program revenue, the Missouri Restaurant Association more or less breaks even. The association believes that offering food safety training has been a positive experience overall and a useful service to its members.

Nebraska

Nebraska does have a voluntary state food safety certification program; however, no one is required to be certified. The Nebraska Restaurant Association, along with the University of Nebraska County Extension offices, administers the ServSafe program on a voluntary basis to interested parties. The trainees can select to take the 8 or 16-hour course as well as the home-study course. It generally costs the participant about \$105 per course. It costs the trade association \$85 for the course. The home-study program costs about \$90 (testing occurs on-line). The association provides on-site training, training at extension offices, or training at the restaurant.

Nevada

Currently the Nevada Restaurant Association and the Nevada Hotel and Lodging Association co-sponsor the ServSafe Food Safety Certification program through the National Restaurant Association. The classes are offered on a monthly basis with quarterly classes in Spanish and Asian languages. Nevada is currently reviewing a need to mandate food safety certification uniformly across the state. A focus group is studying the issue and developing a needs assessment plan, the result of which may be in legislation during the 2003 session.

New Hampshire

New Hampshire does not have a mandatory food safety certification program. However, the New Hampshire Lodging and Restaurant Association encourages ServSafe certification as a way to illustrate to the legislature that the industry cares about food safety and that mandates and regulation are not necessary. Classes use the ServSafe program, which is read in advance of the class. Class comprises a review period and then the exam. It is 1-day course and costs \$120 for members and \$170 for non-members. The restaurant association does generate revenue from the program, which goes to its Educational Foundation for scholarships and to keep the costs of other programs low. Overall, the association feels the course has been a good experience, and that it does help to draw new members.

New Jersey

New Jersey does not presently require food safety certification for restaurant workers; however, the adoption of such a requirement is pending. The 8-hour and 16-hour ServSafe course formats are offered by the New Jersey Restaurant Association to restaurants interested in food safety certification on a voluntary basis. The cost of the 2-day format is \$155 for members and \$175 for non-members. Other organizations, including county health departments and community colleges, also offer training.

New York

There is currently legislation in the New York State Senate that will require food safety certification; however, at this time there are no state-mandated food safety requirements. Food safety certification is required in some counties, including Greene, Westchester, Delaware, Rockland, Ostego, and Monroe. Tioga County has a sanitation requirement, but it is not ServSafe approved. Any qualified instructor can administer the ServSafe program, which is acknowledged as meeting the minimum requirements for food safety training. A person scoring 90 percent or better on the exam can register with the NRA to become a certified instructor.

The role of the New York State Restaurant Association is to provide the classes to restaurants. In the counties in which food safety certification is mandated, any person handling food is required to be certified. The course is 15 hours and costs between \$125 and \$150. The restaurant association does generate revenue from the program. Anyone teaching the ServSafe class, including colleges, may purchase the necessary materials from the restaurant association. The association believes the program has been useful in adding new members.

Oklahoma

Food safety certification is not mandated at the state level in Oklahoma; however it is mandated in Tulsa City, Oklahoma County, and Still Water City. The Oklahoma Restaurant Association administers the voluntary ServSafe program on a monthly basis. In the cities that mandate certification, one person at each restaurant must be certified, and it is usually the manager or the owner. Recertification is required every 3 to 4 years. The ServSafe course is taught in the 8-hour format and costs \$90 for members and \$115 for non-members. The counties issue the certification; however, the association maintains the database of certified workers. No profit is generated from the program by the association, but it does help draw new members. Approximately 1000 employees are trained per year.

South Carolina

South Carolina does not mandate food safety certification. The association administers the ServSafe program along with the Health Department. The program does provide profit for the Education Foundation. The association charges \$99 to members and \$149 to non-members. The program has helped to draw new members.

Texas

Food safety certification is not mandated in Texas at the state level; however, some local jurisdictions require food safety training and certification. The primary course taught by the Texas Restaurant Association is the ServSafe course, although they are not the sole providers of the program. For those jurisdictions with mandated certification, new employees must be certified within 30 days and be re-certified within 5 years. The cost of the program ranges from \$25 to \$150. The NRA issues the certification and maintains the database of certified workers. The restaurant association does not generate profit from the training program. Over 1000 people were trained last year, and the association believes the program does help to draw new members.

Vermont

Food safety training certification is voluntary in Vermont; however, there is currently legislation in the process of being adopted that would mandate certification of restaurant workers at the state level. The Vermont Lodging and Restaurant Association offers the ServSafe program to interested restaurants. The association charges \$90 for members and \$120 for non-members to enroll in the course. The course is also offered by the Department of Health, culinary schools, and community colleges.

Virginia

Food safety training and certification is not mandated in Virginia. The role of the Virginia Hospitality and Travel Association is limited to selling food safety training materials and arranging training classes through higher education institutions, such as local colleges. For those who decide to take the training class in Virginia, the program used is the ServSafe course, which normally takes about 8 hours. The cost of the course is \$99 for association members and \$149 for non-members. The association issues the certification and maintains the database of certified workers. The association says the program does generate profit and helps to draw new members. Annual dues are based on the restaurant's total annual sales column ranging from \$60 to \$2450.

Wyoming

Food safety training and certification for restaurant workers is voluntary in Wyoming. The program offered by the Wyoming Restaurant Association is the 8-hour, 1-day ServSafe program. The course is also administered by the agricultural extension service. The cost of the program offered by the association is \$100 for members and \$150 for non-members.

States with Voluntary Food Safety Certification Programs Not Administered by Restaurant Associations

Ten states have voluntary food safety certification programs in which the state restaurant association has a limited or non-existent role in program administration. In many instances, the state restaurant association will provide food safety (i.e., ServSafe) materials but does not offer training.

Arkansas

Food safety certification is not mandated in Arkansas. While those interested may choose to take the ServSafe exam, it is completely voluntary and the Arkansas Hospitality Association has no role other than to provide the ServSafe materials. The actual program is offered by Arkansas Health Department in conjunction with the Cooperative Extension Services throughout the state. Similar to other states offering the national ServSafe program, recertification is required every 5 years. The training course is structured under the 8-hour, 1-day format and costs \$85. The association

generates very little profit from selling food safety training materials. The NRA is responsible for the certification as well as for maintaining the database of certified workers.

Idaho

Food safety certification is voluntary in Idaho and is not administered by the association. The only role the Idaho Lodging and Restaurant Association plays is in providing the ServSafe books and materials as well as posting notices of upcoming courses. The program is offered through the Idaho departments of health and welfare as well as through food suppliers.

Kansas

Kansas does not require mandatory training. However, Kansas has adopted the 1999 Federal Food Code, which requires the person in charge of a foodservice operation to demonstrate knowledge of food safety. While ServSafe is the industry standard used for voluntary food safety certification, in Kansas, this knowledge can also be accomplished through any other training program or even on-the-job training.

Montana

Food safety certification is not mandated in Montana, but the state is leaning towards implementing a program. The primary certification course taught throughout Montana on a voluntary basis is the ServSafe program; however, the Montana Restaurant Association does not play a role in offering the program. Instead, private companies such as Food Services of America and other restaurant food delivery organizations offer the certification.

New Mexico

New Mexico does not mandate food safety certification. However, until 2001, the New Mexico Restaurant Association administered a voluntary food safety program. Up to that point, 653 people had been trained through the association's program since 1998. The association believes that the program did help draw new members. Currently, the only workers required to be certified are those working for companies with internal policies mandating the training.

North Carolina

Food safety certification is not mandatory in North Carolina. The North Carolina Restaurant Association supplies the educational materials for the ServSafe courses, but the program is offered through private companies as well as county cooperative extension offices. While no one is required to be certified, the ServSafe examination is recommended and used as an incentive for restaurant owners since having one certified management person adds 2 points to the restaurant's health inspection.

The association uses a couple of different texts, but they are all based on the ServSafe course and must be approved by the foodservice education committee. Recertification is required every 3 years. The training course is a minimum of 12 hours. The cost of the course varies depending upon the source of education: private companies charge about \$115 per person, and county Cooperative Extension Services charge approximately \$60 to 100 per person. The certification is issued by the NRA or any other provider of course materials equal to the ServSafe course.

The association generates some profit from selling materials. About 43,600 people have taken the exam, and the association's role as a provider of food safety/program materials has helped draw new members.

North Dakota

Food safety training and certification is voluntary in North Dakota. The restaurant association does not currently offer any type of program but is planning on initiating one in the near future.

Ohio

Food safety training and certification is voluntary in Ohio. The Ohio Restaurant Association does not administer the program; rather, they contract it out to three independent trainers. The association receives no revenue from this service. Once the person completes the training and passes the exam, the state department issues a certificate of completion. The benefit to having a certified person on-site is that the restaurant's number of annual health inspections is reduced from 3 to 2. Besides the Ohio Restaurant Association, there are many colleges and other organizations that offer the ServSafe training program. The program is usually taught in the 2-day, 16-hour format, and the cost is \$159 per participant, which is paid to the endorsed contractor. The state of Ohio issues the certificate and maintains the database of certified workers.

Tennessee

Food safety certification is not mandated in Tennessee. While those interested may choose to take the ServSafe exam, it is completely voluntary and the Tennessee Restaurant Association has no role other than to provide ServSafe and other class materials. The program is offered throughout the state by other organizations in the 8-hour, 1-day format. The association generates very little profit from the selling of the materials, which are sold at a price ranging from \$60 to \$64. The NRA is responsible for the certification as well as for maintaining the database of certified workers. Since 2001, there have been 570 people trained through the program.

West Virginia

In West Virginia, food safety certification is voluntary. Additionally, the West Virginia Hospitality and Travel Association does not play a role in food safety training and certification. The association provides ServSafe materials to workers interested in becoming certified and assists interested people in determining the class location.

THE SERVSAFE FOOD SAFETY TRAINING PROGRAM

With respect to program content, most state-mandated food safety certification programs are modeled after the National Restaurant Association's ServSafe program. The ServSafe program provides food safety education and training materials for the restaurant industry. It is geared toward managers, assistant level managers, shift leaders, chefs, health officials, inspectors, and anyone who needs to understand how to handle food safely within an operation. More than 1.5 million foodservice workers have been trained and certified through the program.

ServSafe is recognized and accepted by more federal, state, and local jurisdictions than any other food safety training program. The ServSafe Food Protection Manager Certification Examination is nationally recognized by the Conference for Food Protection Examination Recognition Program (CFP). This recognition verifies that the examination meets the standards for testing and certification of food protection managers, as adopted in April 2001 by the Conference for Food Protection in the *Standard for Accreditation of Food Protection Manager Certification Programs*.

Background

The ServSafe program evolved in 1974 as the National Institute for the Foodservice Industry's (NIFI) *Applied Foodservice Sanitation (AFS)* text and course. AFS became the ServSafe program in 1990, three years after NIFI merged with the educational department of the National Restaurant Association to form the National Restaurant Association Educational Foundation.

The original ServSafe manager certification program consisted of training and testing components that included two text-based training options: *Serving Safe Food*—a course book targeted to industry users, and *Applied Foodservice Sanitation*—a comprehensive text geared toward the academic community. In 1999, the NRA Educational Foundation updated its training materials to reflect updates in food safety science, revisions to the FDA Model Food Code, and industry best practices. The current program features the *ServSafe Coursebook*—an all-inclusive, comprehensive text and reference guide, and *ServSafe Essentials*—an exercise-intensive text that encourages class participation. Both books prepare participants for the ServSafe Food Protection Manager Certification Examination. The ServSafe program has been expanded to include flexible support tools for instructors and trainers, as well as a variety of learning formats for managers and employees—on-line, CD-ROM, text, video, and unit-level awareness posters.

About the Program

There are restaurants that put all of their employees through the ServSafe program. However, the two course books (*ServSafe Coursebook* and *ServSafe Essentials*) are at a higher reading level and may be difficult and too in-depth for employee-level training. Most jurisdictions that have mandated food safety certification require it at the manager level, although there are some that have specific employee-level requirements.

The NRA Education Foundation has developed several options targeted for employees. These cover food safety basics, including an *Introduction to Food Safety* CD-ROM (approximately 45 minutes to 1 hour, versus the 8-10 hour manager-level CD-ROM). There is an employee guide that is available in Spanish and Chinese, and there are also tools for managers to use to reinforce training once they themselves have become certified. The manager toolkit provides information for the manager to conduct short training sessions as well as training materials (i.e., posters and employee guides). Additionally, there is a video set available that can be used by either managers or employees.

The Examination and Certification Process

The ServSafe Food Protection Manager Certification is awarded to examinees who demonstrate an acceptable level of competency to perform effectively and safely in protecting the public from foodborne illnesses. A comprehensive food safety manager job-task analysis is conducted. It provides a description of the knowledge, skills, and abilities required for a manager to successfully perform his or her job. An examination is then administered to measure whether a manager has attained a minimum level of competency to become a certified Food Protection Manager. The examination development process includes consulting with content experts from all the segments of the foodservice industry. These industry experts work with professional examination developers to meet the test development and administration criteria of the *Standards for Accreditation of Food Protection Manager Certification Programs*.

APPENDIX A

Food Safety Certification Questionnaire

1. Does the state have a restaurant industry food safety certification program? Yes or No
2. Is it mandatory or voluntary? Mandatory or Voluntary
3. Does the restaurant association administer it? Yes or No
4. If not, how does the association participate in the program?
5. Who is required to be certified? (For example, all employees, one person at each restaurant, one on-site person)
6. About the Course
 - A. What program text is used?
 - B. How much time do new employees have to get certified?
 - C. When is recertification required?
 - D. How long is the training course?
 - E. How much does it cost the participant per course?
 - F. How much does it cost the company of the participant per participant?
 - G. How much does it cost the trade association per participant?
7. About the Certification:
 - A. Who issues the certification and maintains the database?
 - B. Where is the certification conducted?
 - C. Is there an identification card given to the participant as proof of certification?
8. Does the restaurant association generate revenue from it? Yes or No
9. Does the restaurant association generate profit from it? Yes or No
10. How many people have been trained through the program?
11. Has it helped the association draw new members?
12. What is the current annual operator dues rate schedule of the association?
13. If the program is outsourced, what company do you use?
14. Are the restaurant operators required to be members of the restaurant association? Yes or No
 - A. If so, does the restaurant association discount the fee for certification?
15. Does the food safety program include alcohol beverage services or is there a separate program?
16. What suggestions would you make to improve the program?

APPENDIX B

Table 2: Summary of State Food Safety Certification Requirements

| State | Status | Program Administration |
|-----------------------------|----------------|--|
| Alabama | Voluntary | Restaurant Association Administered |
| Alaska | Voluntary | Restaurant Association Administered |
| Arizona | Voluntary | Restaurant Association Administered |
| Arkansas | Voluntary | State Administered |
| California | State Mandated | Administration Varies |
| Colorado | Voluntary | Restaurant Association Administered |
| Connecticut | State Mandated | Restaurant Association Administered |
| Delaware | Voluntary | Restaurant Association Administered |
| Florida (1) – All Employees | State Mandated | Restaurant Association Administered |
| Florida (2) – Managers | State Mandated | Restaurant Association Administered (and Others) |
| Georgia | Voluntary | Restaurant Association Administered |
| Hawaii | Voluntary | Restaurant Association Administered |
| Idaho | Voluntary | State Administered |
| Illinois | State Mandated | Restaurant Association Administered |
| Indiana | State Mandated | Restaurant Association Administered |
| Iowa | Voluntary | Restaurant Association Administered |
| Kansas | Voluntary | Administration Varies |
| Kentucky | Voluntary | Restaurant Association Administered |
| Louisiana | State Mandated | Restaurant Association Administered |
| Maine | Voluntary | Restaurant Association Administered |
| Maryland | Voluntary | Restaurant Association Administered |
| Massachusetts | State Mandated | Restaurant Association Administered |
| Michigan | Voluntary | Restaurant Association Administered |
| Minnesota | State Mandated | Restaurant Association Administered |
| Mississippi | State Mandated | Restaurant Association Administered |
| Missouri | Voluntary | Restaurant Association Administered |
| Montana | Voluntary | Private Companies |
| Nebraska | Voluntary | Restaurant Association Administered |
| Nevada | Voluntary | Restaurant Association Administered |
| New Hampshire | Voluntary | Restaurant Association Administered |
| New Jersey | Voluntary | Restaurant Association Administered |
| New Mexico | Voluntary | Administration Varies |
| New York | Voluntary | Restaurant Association Administered |
| North Carolina | Voluntary | Private Companies |
| North Dakota | Voluntary | Administration Varies |
| Ohio | Voluntary | Independent Trainers |
| Oklahoma | Voluntary | Restaurant Association Administered |
| Oregon | State Mandated | Restaurant Association Administered |
| Pennsylvania | State Mandated | Restaurant Association Administered |
| Rhode Island | State Mandated | Restaurant Association Administered |
| South Carolina | Voluntary | Restaurant Association Administered |

| State | Status | Administered |
|---------------|----------------|-------------------------------------|
| South Dakota | State Mandated | Restaurant Association Administered |
| Tennessee | Voluntary | Administration Varies |
| Texas | Voluntary | Restaurant Association Administered |
| Utah | State Mandated | Restaurant Association Administered |
| Vermont | Voluntary | Restaurant Association Administered |
| Virginia | Voluntary | Restaurant Association Administered |
| Washington | State Mandated | State Administered |
| West Virginia | Voluntary | Administration Varies |
| Wisconsin | State Mandated | Restaurant Association Administered |
| Wyoming | Voluntary | Restaurant Association Administered |