

**Conference for Food Protection
2016 Issue Form**

Issue: 2016 II-002

Council Recommendation: Accepted as Submitted _____ Accepted as Amended _____ No Action _____

Delegate Action: Accepted _____ Rejected _____

All information above the line is for conference use only.

Issue History:

This is a brand new Issue.

Title:

Report- Demonstration of Knowledge (DoK) Committee

Issue you would like the Conference to consider:

The Conference for Food Protection (CFP) Demonstration of Knowledge Committee seeks Council II's acknowledgment of the committee's final report.

Public Health Significance:

Demonstration of knowledge is identified as one of the five key public health interventions to protect consumer health. The designated person in charge who is knowledgeable about foodborne disease prevention, Hazard Analysis and Critical Control Point (HACCP) principles, and Code requirements is prepared to recognize conditions that may contribute to foodborne illness or that otherwise fail to comply with Code requirements, and to take appropriate preventive and corrective actions. A dialogue with the person in charge during the inspection process will also reveal whether or not that person is enabled by a clear understanding of the Code and its public health principles to follow sound food safety practices and to produce foods that are safe, wholesome, unadulterated, and accurately represented.

Recommended Solution: The Conference recommends...:

1. Acknowledgement of the 2014-2016 Demonstration of Knowledge (DoK) Committee Report and attachments, and
2. Acknowledgement of the committee members for their participation on the conference calls, surveys and work completed.

Submitter Information 1:

Name: Michelle Haynes
Organization: 2014-2016 Demonstration of Knowledge Committee
Address: DBPR, Hotels and Restaurants 1940 N Monroe St.

City/State/Zip: Tallahassee, FL 32399-1011
Telephone: 850.717-1734
E-mail: michelle.haynes@myfloridalicense.com

Submitter Information 2:

Name: Eric Moore, Committee Co-Chair
Organization: 2014-2016 Demonstration of Knowledge Committee
Address: ACME Markets75 Valley Stream Parkway
City/State/Zip: Malvern, PA 19355
Telephone: 267.971.0916
E-mail: eric.moore@acmemarkets.com

Content Documents:

- "2014-2016 DoK Committee Final Report"
- "Attachment I 2014-2016 DoK Roster"
- "Attachment II 2014-2016 DoK Meeting Record"
- "Attachment III 2014-2016 DoK Pro Con Table 2-102.11 Template"
- "Attachment IV 2014-2016 DoK Pro Con Listing 2013 Food Code 2-102.11 (A)"
- "Attachment V 2014-2016 DoK Pro Con Listing 2013 Food Code 2-102.11 (C)"
- "Attachment VI 2014-2016 DoK Alternative Methods of Demonstrating Knowledge"
- "Attachment VII 2014-2016 DoK Final Survey Results"

It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.

Conference for Food Protection – Committee FINAL Report

Template approved: 08/14/2013

Committee Final Reports are considered DRAFT until deliberated and acknowledged by the assigned Council at the Biennial Meeting

COMMITTEE NAME: Demonstration of Knowledge Committee (DoK)

COUNCIL or EXECUTIVE BOARD ASSIGNMENT: Council II

DATE OF REPORT: January 31, 2016

SUBMITTED BY: Michelle Haynes and Eric Moore, Co-Chairs

COMMITTEE CHARGE(s):

1. Review the current methods in Food Code Section 2-102.11 for demonstrating knowledge.
2. Identify the pros and cons of the existing methods in Food Code Section 2-102.11(A) and 2-102.11(C) for the Person in Charge to demonstrate knowledge.
3. In lieu of Food Code Section 2-102.11(A) and 2-102.11(C), identify methods that could be used to demonstrate knowledge if/when the Certified Food Protection Manager (CFPM) is not onsite.
4. Identify the pros and cons of alternative methods to demonstrate knowledge if/when the CFPM is not onsite. Although not limited to the following areas, the committee should assess the pros and cons of each alternative method in light of the following areas:
 - a. Differentiation between knowledge and application;
 - b. Emphasis on risk factors;
 - c. Ease of uniform assessment by regulators and industry;
 - d. Enabling the Person in Charge to demonstrate knowledge even when there is language barrier;
 - e. What corrective action should be taken when there is not a demonstration of knowledge from the Certified Food Protection Manager or the Person In Charge.
5. Report back to the 2016 Biennial Meeting.

COMMITTEE ACTIVITIES AND RECOMMENDATIONS:

1. Progress on Overall DoK Committee Activities:
 - a. The DoK Committee began actively addressing the charges starting with the first of many web conference calls in November 2014. Meeting records are detailed in Attachment II 2014-2016 DoK Meeting Record. After an initial review of the relevant Food Code section in question, committee members contributed their suggestions of pros, cons and alternative methods via email. The compilation was shared and vigorously discussed among the members during monthly web conference calls. Customized online surveys (see Attachment VII) were used to determine the selected statements that would be included in the final report.
 - b. The DoK committee was able to successfully complete the majority of its charges except Charge 4.
 - i. Charge 1, completed: “Review the current methods in Food Code Section 2-102.11 for demonstrating knowledge.”
 1. The review of Food Code Section 2-102.11 was completed by having committee members fill out a form (*Attachment III DoK Pro & Con Table*

Conference for Food Protection – Committee FINAL Report

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- 2-102.11) that classified each article in Food Code Section 2-102.11 as a pro or con.
 2. Each member was requested to provide an explanation for each article in section 2-102.11 for both pro and con point of view.
 3. This form was then compiled in to one list for use in completing Charge 2 and 3.
- ii. Charge 2, completed: *“Identify the pros and cons of the existing methods in Food Code Section 2-102.11(A) and 2-102.11(C) for the Person in Charge to demonstrate knowledge.”*
1. Member feedback from charge 1 was then compiled into two separate pro and cons documents:
 - a. Attachment IV 2014-2016 DoK Pro Con Listing 2013 FDA Food Code 2-102.11(A)
 - i. This document identifies the Pros and Cons determined by the committee through consensus that would be used to develop the DoK Final Survey that would be used to support the committee’s recommendations to the conference.
 - ii. Should the conference grant re-formation of the Demonstration of Knowledge Committee this document is recommended for use.
 - b. Attachment V 2014-2016 DoK Pro Con Listing 2013 FDA Food Code 2-102.11(C)
 - i. This document identifies the Pros and Cons determined by the committee through consensus that would be used to develop the DoK Final Survey that would be used to support the committee’s recommendations to the conference.
 - ii. Should the conference grant re-formation of the Demonstration of Knowledge Committee this document is recommended for use.
 2. Consensus for all pros and cons was reached by the Demonstration of Knowledge Committee
- iii. Charge 3, complete: *“In lieu of Food Code Section 2-102.11(A) and 2-102.11(C), identify methods that could be used to demonstrate knowledge if/when the CFPM is not onsite.”*
1. Member feedback obtained from charge 1 was then compiled into Attachment VI 2014-2016 DoK Alternative Methods to Demonstrating Knowledge.
 - a. This document provides 10 methods which food establishments are able to demonstrate knowledge in the absence of a CFPM.
 - b. These methods were determined through committee consensus.
 - c. Also included are is suggested alternative Food Code language for Section 2-102.11.
 - d. Should the conference grant re-formation of the Demonstration of Knowledge Committee this document is recommended for use.

Conference for Food Protection – Committee FINAL Report

Template approved: 08/14/2013

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- iv. Charge 4, incomplete. *“Identify the pros and cons of alternative methods to demonstrate knowledge if/when the CFPM is not onsite. Although not limited to the following areas, the Committee should assess the pros and cons of each alternative method in light of the following areas:*
 - a. *Differentiation between knowledge and application;*
 - b. *Emphasis on risk factors;*
 - c. *Ease of uniform assessment by regulators and industry;*
 - d. *Enabling the Person in Charge to demonstrate knowledge even when there is a language barrier;*
 - e. *What corrective action should be taken when there is not a demonstration of knowledge from the Certified Food Protection Manager or the Person in Charge?”*
1. Due to time constraints, the DoK Committee was unable to address Charge 4. It is the Committee’s desire to be re-created and charged with completing this charge from the 2014 CFP Biennial Meeting using the methods outlined in Attachment VI Alternative Methods for Demonstrating Knowledge.

2. Recommendations for consideration by Council II:

- a. The committee recommends that the Council II acknowledge the final report, including Attachments I-VII.
- b. The DoK Committee will submit an issue to recommend re-creation of the committee in order to complete the charges originally assigned during the CFP 2014 Biennial Meeting, utilizing Attachments II-VII as reference documents.

CFP ISSUES TO BE SUBMITTED BY COMMITTEE:

1. Report – Demonstration of Knowledge Committee

The committee seeks acknowledgement of the DoK Committee report including the Attachments I-VII and thanks the committee members for their work.

2. Re-Create – Demonstration of Knowledge Committee

Recreate the Demonstration of Knowledge (DoK) Committee following the CFP 2016 Biennial Meeting with the following charges:

- a. Review findings of 2014-2016 DoK Charge 2 *“Identify the pros and cons of the existing methods in Food Code Section 2-102.11(A) and 2-102.11(C) for the Person in Charge to demonstrate knowledge.”* using the following:
 - i. Attachment IV 2014-2016 DoK Pro Con Listing 2013 FDA Food Code 2-102.11(A)
- b. Attachment V 2014-2016 DoK Pro Con Listing 2013 FDA Food Code 2-102.11(C) Continue evaluation of 2014-2016 DoK Committees original Charge 4: *“Identify the pros and cons of alternative methods to demonstrate knowledge if/when the CFPM is not onsite. Although not limited to the following areas, the Committee should assess the pros and cons of each alternative method in light of the following areas:*
 - a. *Differentiation between knowledge and application;*
 - b. *Emphasis on risk factors;*
 - c. *Ease of uniform assessment by regulators and industry;*

Conference for Food Protection – Committee FINAL Report

Template approved: 08/14/2013

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- d. Enabling the Person in Charge to demonstrate knowledge even when there is a language barrier;*
- e. What corrective action should be taken when there is not a demonstration of knowledge from the Certified Food Protection Manager or the Person in Charge?” using the following:*
 - i Attachment VI 2014-2016 DoK Alternative Methods to Demonstrating Knowledge*
- c. Propose alternative methods as recommended FDA Food Code language
- d. Present their findings at the CFP 2018 Biennial Meeting.

ATTACHMENTS:

- I. 2014-2016 DoK Roster
- II. 2014-2016 DoK Meeting Record
- III. 2014-2016 DoK Pro Con Table 2-102.11 Template
- IV. 2014-2016 DoK Pro Con Listing 2013 FDA Food Code, section 2-102.11(A)
- V. 2014-2016 DoK Pro Con Listing 2013 FDA Food Code, section 2-102.11(C)
- VI. 2014-2016 DoK Alternative Methods of Demonstrating Knowledge
- VII. 2014-2016 DoK Final Survey Results

2014-2016 Demonstration of Knowledge Committee Roster

Committee Name: Demonstration of Knowledge

Last	First	Position	Constituency	Employer	City	State	Telephone	Email
Bogard	April	Member	State Regulator	Minnesota DOH	St Paul	MN	(651) 201-5076	april.bogard@state.mn.us
Brown	Robert	Member	Industry	Whole Foods Market	Austin	TX	(512) 944-7405	robert.brown@wholefoods.com
Buck	Francie	Member	Industry	Sealed Air(Diversey)	Racine	WI	(505) 610-3818	francie.buck@sealedair.com
Crabtree	Deborah	Member	Local Regulator	Fairfax County Health Dept	Fairfax	VA	(703) 246-8431	deborah.crabtree@fairfaxcounty.gov
Dela Cruz	Hector	Member	Local Regulator	LA County Environmental Health	Los Angeles	CA	(818) 672-2230	hdelacruz@ph.lacounty.gov
Earnest	Mark	Member	Industry	Captain D's	Nashville	TN	(615) 231-2089	mark_earnest@captains.com
Ford	Lisa	Member	Industry	Brinker International	Dallas	TX	(972) 770-9627	lisa.ford@brinker.com
Gilliland	Robert	Member	Local Regulator	Kansas City, MO Health Department	Kansas City	MO	(816) 513-6181	rob.gilliland@kcmo.org
Haynes	Michelle	Co-Chair	State Regulator	DBPR, Division of Hotels & Restaurants	Tallahassee	FL	(850) 717-1734	michelle.haynes@myfloridalicense.com
Huang	Yao-Wen	Member	Academia	University of Georgia	Athens	GA	(706) 542-1092	huang188@gmail.com
Hughes	Stephen	FDA Advisor	Federal Regulator	FDA	College Park	MD	(240) 402-2833	stephen.hughes@fda.hhs.gov
Hults	Julie	Member	Local Regulator	City of Milwaukee	Milwaukee	WI	(414) 286-5746	jhults@milwaukee.gov
James-Davis	Lucia	Member	Industry	The Seritech Group	Charlotte	NC	(321) 287-1394	lucia.james-davis@steritech.com
Lively	Shanna	Member	State Regulator	TN Department of Agriculture	Nashville	TN	(615) 837-5176	shanna.lively@tn.gov
Marcello	John	FDA Advisor	Federal Regulator	FDA	Tempe	AZ	(480) 829-7396	john.marcello@fda.hhs.gov
Miklos	Mark(Mick)	Member	Industry	National Restaurant Association	Buford	GA	(770) 868-7422	mmiklos@restaurant.org
Moore	Eric	Co-Chair	Industry	ACME Markets	Malvern	PA	(267) 971-0916	eric.moore@acmemarkets.com
Morris	Sheri	Member	State Regulator	PA Dept. of Agriculture	Harrisburg	PA	(717) 787-5289	shmorris@pa.gov
Peters	Brad	Member	Industry	HRBUniversal LLC	Birmingham	AL	(855) 447-2864	bpeters@hrbuni.net
Sylvis	Christine	Member	Local Regulator	Southern Nevada Health District	Las Vegas	NV	(702) 759-1251	sylvis@snhdmail.org
Taylor	Todd	Member	Industry	Ecolab	Greensboro	NC	(336) 931-2200	todd.taylor@ecolab.com
Yamnik	Dale	Member	Industry	Yum! Brands, Inc.	Saint Cloud	FL	(407) 593-6181	dale.yamnik@yum.com
Zaziski	Linda	Member	Industry	Little Caesars Enterprises, Inc.	Detroit	MI	(313) 471-6550	linda.zaziski@lcecorp.com
Radke	Vince	CDC Advisor	Federal Regulator	CDC			(770) 488-7065	vradke@cdc.gov
Balli	Petra	At Large Member	Industry	Aramark	Philadelphia	PA	(215) 413-8745	balli-petra@aramark.com
Deslauriers	Susan	At Large Member	Industry	Big Y Foods	Springfield	MA	(413) 504-4452	deslaurs@bigy.com
Erwin	Rob	At Large Member	Local Regulator	Fairfax County Health Department	Fairfax	VA	(703) 246-8430	robert.erwin@fairfaxcounty.gov
Eckhardt	Christina	At Large Member	Industry	Aramark	Philadelphia	PA	(267) 939-4894	eckhardt-christina@aramark.com
Nelson	Laura	At Large Member	Industry	Alchemy Systems	Austin	TX	(512) 637-5100	laura.nelson@alchemysystems.com
Paster	Tara	At Large Member	Industry	Paster Training, Inc.	Gilbertsville	PA	(610) 970-1776	tara.paster@pastertraining.com
Tyjewski	Susan	At Large Member	Industry	CKE Restaurants Holdings, Inc.	Anaheim	CA	(714) 254-4552	styjewski@ckr.com
Wood	Sharon	At Large Member	Industry	HEB Grocery Company	San Antonio	TX	(210) 938-6511	wood.sharon@heb.com

2014 - 2016 CFP

Demonstration of Knowledge Committee

Teleconference: 1

Friday, November 14, 2014

1:00pm – 3:00p.m. EST

Call-In Number: 877-394-5901

Access Code: 2995496#

Co-Chairs: Eric Moore, Michelle Haynes

FDA Advisors: John Marcello Stephen Hughes

CDC Advisor: Vince Radke

Scribe: *Eric Moore*

AGENDA ITEMS:

1. Welcome, Roll-Call,	Eric & Michelle	X
2. Conference for Food Protection, Inc. Antitrust Statement	Eric	X
3. Review of CFP Committee Membership Expectations a. <i>CFP Biennial Meeting/Conference Procedures 2014, Part VIII</i> b. Participation and feedback expectations	Michelle	X
4. Demonstration of Knowledge Committee Charges	Eric	X
5. Food Code provisions review	Stephen Hughes	X
6. Review of issue "As Submitted" at 2014 CFP	April Bogard	X
7. Review CFP Timeline for Committee Work	Michelle	X
8. Work Plan Recommendations (Please be prepared to identify the charges in which you are most interested in the event of subgroup formation)	All	X
9. Other Items/General Discussion	All	X
10. Regular Monthly Meeting Dates (Please have your calendar's available)	All	X

Attendance:

April	Bogard	X
Robert	Brown	X
Deborah	Crabtree	X
Hector	Dela Cruz	X
Mark	Earnest	X
Robert	Gilliland	X
Michelle	Haynes	X
Julie	Hults	X
Lucia	James-Davis	X
Shanna	Lively	X
Mark(Mick)	Miklos	X
Eric	Moore	X

Sheri	Morris	X
Stephen	Hughes	X
Vince	Radke	X
Susan	Deslauriers	X
Christina	Meinhardt	X
Laura	Nelson	X
Tara	Paster	X
Susan	Tyjewski	X
Linda	Zaziski	X
Todd	Taylor	X
Christine	Sylvis	X
Dale	Yamnik	X

Meeting Minutes:

- Welcome and introductions completed, each member provided a brief history and why he/she were interested in the DoK Committee
- Recorded attendance
 - Read and reviewed the following CFP documents:
 - Antitrust statement
 - Committee member participation expectations
 - DoK Committee Charges
- FDA Advisor (Steven Hughes) provided Food Code provisions review

2014 - 2016 CFP

Demonstration of Knowledge Committee

- Food Code sections: 2-102.11, 2-102.20, 2-103.11, & Annex 3 Public Health Reasons/Administrative Guidelines
- Representative of Issue submitter (April Bogard) provided overview of why the issue was submitted to 2014 CFP
- Committee starting late and may require short timelines for feedback
- Next meeting to be scheduled for 12/5/14

Action Items for Committee:

1. Review of the following documents:
 - a. Demonstration of Knowledge issue as submitted at 2014 CFP
 - b. Food Code sections: 2-102.11, 2-102.20, 2-103.11, & Annex 3 Public Health Reasons/Administrative Guidelines
 - c. Demonstration of Knowledge Committee Charges
2. Identify the pros and cons of the existing methods in Food Code Section 2-102.11(A) and 2-102.11(C) for the Person in Charge to demonstrate knowledge.
 - a. Report all feedback on *2014 DoK Committee Feedback Template*
3. In lieu of Food Code Section 2-102.11(A) and 2-102.11(C), identify methods that could be used to demonstrate knowledge if/when the CFPM is not onsite.
 - a. Report all feedback on *2014 DoK Committee Feedback Template*

2014 - 2016 CFP Demonstration of Knowledge Committee

Teleconference: 2

Friday, December 05, 2014

1:00pm – 3:00p.m. EST

Call-In Number: 877-394-5901

Access Code: 2995496#

Co-Chairs: Eric Moore, Michelle Haynes

FDA Advisors: John Marcello Stephen Hughes

CDC Advisor: Vince Radke

Scribe: *Susan Tyjewski*

AGENDA ITEMS:

1. Welcome, Call to Order	Eric	
2. Roll-Call,	Eric	
3. Conference for Food Protection, Inc. Antitrust Statement	Eric	
4. Approval of minutes (<i>voting members</i>)	Eric	
5. Review CFP Timeline for Committee Work	Michelle	
6. Review of member submitted pros and cons of Food Code Section 2-102.11(A) and 2-102.11(C) for PIC to demonstrate knowledge	Michelle	
7. Review of member submitted proposed methods to demonstrate knowledge if/when the CFPM is not onsite	Eric	
8. Open discussion	All	
9. Determine next meeting date & action items	All	

ATTENDANCE:

April	Bogard	
Robert	Brown	X
Francie	Buck	
Deborah	Crabtree	X
Hector	Dela Cruz	
Mark	Earnest	X
Lisa	Ford	X
Robert	Gilliland	X
Michelle	Haynes	X
Yao-Wen	Huang	
Julie	Hults	X
Lucia	James-Davis	X
Shanna	Lively	X
Mark(Mick)	Miklos	X
Eric	Moore	X
Sheri	Morris	X
Linda	Zaziski	
Dale	Yamnik	X
Todd	Taylor	X

Christine	Sylvis	X
Stephen	Hughes	
John	Marcello	X
Vince	Radke	X
Petra	Balli	
Susan	Deslauriers	
Rob	Erwin	
Christina	Eckhardt	
Laura	Nelson	
Tara	Paster	X
Susan	Tyjewski	
Sharon	Wood	
Brad	Peters	X
David	Lawrence	X

Meeting Minutes:

- Meeting opened and roll call
- CFP committee report timeline reviewed
- Discussed individual committee member submitted pros & cons

2014 - 2016 CFP

Demonstration of Knowledge Committee

- Determined that most efficient method to review all pros & cons would be to compile all feedback provided by members and conduct on-line poll for members to review and vote on.

Teleconference: 3

Friday, January 23, 2015
1:00pm – 3:00p.m. EST

Call-In Number: 877-394-5901
Access Code: 2995496#

Co-Chairs: Eric Moore, Michelle Haynes
FDA Advisors: John Marcello Stephen Hughes
CDC Advisor: Vince Radke
Scribe: *Susan Tyjewski*

AGENDA ITEMS:

1. Welcome, Call to Order	Eric	
2. Roll-Call,	Eric	
3. Conference for Food Protection, Inc. Antitrust Statement	Eric	
4. Review of member submitted pros and cons of Food Code Section 2-102.11(A) and 2-102.11(C) for PIC to demonstrate knowledge	Michelle	
5. Review of member submitted proposed methods to demonstrate knowledge if/when the CFPM is not onsite	Michelle	
6. Open discussion	All	
7. Determine next meeting date & action items	All	

ATTENDANCE:

April	Bogard	X
Robert	Brown	X
Francie	Buck	
Deborah	Crabtree	X
Hector	Dela Cruz	X
Mark	Earnest	
Lisa	Ford	
Robert	Gilliland	X
Michelle	Haynes	X
Yao-Wen	Huang	X
Julie	Hults	X
Lucia	James-Davis	X
Shanna	Lively	X
Mark(Mick)	Miklos	X
Eric	Moore	X
Sheri	Morris	X
Linda	Zaziski	X
Dale	Yamnik	X
Todd	Taylor	X

Christine	Sylvis	X
Stephen	Hughes	X
John	Marcello	
Vince	Radke	X
Petra	Balli	
Susan	Deslauriers	
Rob	Erwin	
Christina	Eckhardt	
Laura	Nelson	
Tara	Paster	
Susan	Tyjewski	X
Sharon	Wood	
Brad	Peters	
David	Lawrence	X

2014 - 2016 CFP

Demonstration of Knowledge Committee

Meeting Minutes:

- Welcome and Roll-Call
- Discussion of pros and cons survey results
- Food Code Section 2-102.11(A)
 - Pro 1 Accepted alternate language
 - Pro 2 Accepted as is
 - Pro 3 Accepted as is
 - Pro 4 Amend alternate language – In 2nd sentence change is after “compliance” to may and take out “designed to Achieve Managerial Control”
 - Pro 5 Amend alternate language – replace “food employees” with PIC
 - Con 1 Accepted alternate language
 - Con 2 Accepted 1st alternate language
 - Con 3 Accepted 1st alternate language and agreed on taking 2nd sentence from original Con (language barriers) and create Con 6
 - Con 4 Accepted as is
 - Con 5 Omit, Con 2 sufficiently covers
- Food Code Section 2-102.11(C)
 - Pro 1 Accept the 1st alternate language with the code citation removed
 - Pro 2 Use the alternate language of Pro 5
 - Pro 3 Accept alternate language
 - Pro 4 Accept alternate language
 - Pro 5 At the end of the sentence of the original language, add – pertaining to their operation.
 - Pro 6 Accept the 2nd alternate language with adding the word customized before the word questions...
 - Pro 7 Accept as is
 - Pro 8 Amend the alternate language – replace restaurant with food establishment
 - Con 1 Accept alternate language with removing the last sentence
 - Con 2 Amend alternate language to read – Questions not asked while inspection is being conducted may take extra time or be forgotten
 - Con 3 Begin next call with this item

Action Item:

1. The Pros & Cons discussed today will be distributed with the agreed upon changes included.

Wrap Up

- First report from the Chair to the CFP Board is due in March, 2015
- Next call will be on Feb. 9 at the same time and discussion will begin with Con 3 of Food Code Section 2-102.11(C).

2014 - 2016 CFP Demonstration of Knowledge Committee

Teleconference: 4

Monday, February 9, 2015

1:00pm – 3:00p.m. EST

Call-In Number: 877-394-5901

Access Code: 2995496#

Co-Chairs: Eric Moore, Michelle Haynes

FDA Advisors: John Marcello Stephen Hughes

CDC Advisor: Vince Radke

Scribe: *Susan Tyjewski*

AGENDA ITEMS:

1. Welcome, Call to Order	Eric	
2. Roll-Call,	Eric	
3. Continue discussion of Pros & Cons	All	
4. Determine next meeting date & action items	All	

ATTENDANCE:

April	Bogard	X
Robert	Brown	X
Francie	Buck	X
Deborah	Crabtree	X
Hector	Dela Cruz	X
Mark	Earnest	X
Lisa	Ford	
Robert	Gilliland	X
Michelle	Haynes	X
Yao-Wen	Huang	X
Julie	Hults	X
Lucia	James-Davis	X
Shanna	Lively	X
Mark(Mick)	Miklos	X
Eric	Moore	X
Sheri	Morris	X
Linda	Zaziski	X
Dale	Yamnik	X
Todd	Taylor	X

Christine	Sylvis	X
Stephen	Hughes	X
John	Marcello	
Vince	Radke	X
Petra	Balli	
Susan	Deslauriers	
Rob	Erwin	
Christina	Eckhardt	
Laura	Nelson	
Tara	Paster	
Susan	Tyjewski	X
Sharon	Wood	
Brad	Peters	X
David	Lawrence	X

Meeting Minutes:

- Welcome and Roll-Call
- Review of minutes from January 23 meeting
- Discussion of pros and cons survey results continued

2014 - 2016 CFP

Demonstration of Knowledge Committee

- Food Code Section 2-102.11(C)
 - Con 3 Submitter withdraws
 - Con 4 Omit – this is covered in Con 10
 - Con 5 Omit – it is combined with Con 9
 - Con 6 Alternate language accepted
 - Con 7 The agreed upon language for Con 7 is the 2nd sentence from the 2nd alternate language of Con 9. “Regulators need to ensure only questions relevant to the operation are asked and that answers given for a facilities procedure that exceeds the minimum requirement (such as temperatures) are not debited for.”
 - Con 8 Accepted as is
 - Con 9 Use the 1st alternate language for now. This can be re-evaluated when the form with amended verbiage is circulated.
 - Con 10 Eric and Michelle will make changes with a focus on nerves, intimidation, ability to communicate, etc. Will start the next call with this item.
 - Con 11 Submitter removes
 - Con 12 Submitter removes because the core is covered in #7.
- Action Item 3
- In lieu of Food Code Section 2-102.11(A) and 2-102.11(C), identify methods that could be used to demonstrate knowledge if/when the CFPM is not onsite.
 - #1 Strike this one. It is not aligned with the committee’s charge.
 - #2 Strike this for #11.
 - #11 Discussion on amending #11 to include organizations that have their own program that matches an ANSI-ASTM accredited program.

Wrap Up

During the discussion of food safety training in #11 it was mentioned there is another CFP committee that is working on employee food safety training standards. Susan Quam will contact the chairs, Chuck Catlin and Ben Chapman for a possible meeting with Eric and Michelle to discuss the overlap of this topic between the two committees.

Next Meeting

The following was provided by Julie Hults to be incorporated into suggestion #3 for discussion.

Language from the WI version of the food code 2-102.11 (C):

(C) Demonstrating FOOD safety principles based on the PERMITTED/LICENSED establishment’s specific FOOD operations. The areas of knowledge include:

Next meeting is scheduled for February 27, 2015 at 1:00 pm Eastern time.

Discussion should start with Con 10 of Food Code Section 2-102.11(C)

2014 - 2016 CFP Demonstration of Knowledge Committee

Teleconference: 5

Monday, March 23, 2015

1:00pm – 3:00p.m. EST

Call-In Number: 877-394-5901

Access Code: 2995496#

Co-Chairs: Eric Moore, Michelle Haynes

FDA Advisors: John Marcello Stephen Hughes

CDC Advisor: Vince Radke

Scribe: *Susan Tyjewski*

AGENDA ITEMS:

5. Welcome, Call to Order	Eric	
6. Roll-Call,	Eric	
7. Continue discussion of Action Item 3	All	
8. Determine next meeting date & action items	All	

ATTENDANCE:

April	Bogard	
Robert	Brown	
Francie	Buck	X
Deborah	Crabtree	X
Hector	Dela Cruz	X
Mark	Earnest	X
Lisa	Ford	
Robert	Gilliland	X
Michelle	Haynes	X
Yao-Wen	Huang	
Julie	Hults	X
Lucia	James-Davis	
Shanna	Lively	X
Mark(Mick)	Miklos	X
Eric	Moore	X
Sheri	Morris	X
Linda	Zaziski	
Dale	Yamnik	X
Todd	Taylor	

Christine	Sylvis	
Stephen	Hughes	X
John	Marcello	
Vince	Radke	
Petra	Balli	
Susan	Deslauriers	
Rob	Erwin	
Christina	Eckhardt	
Laura	Nelson	
Tara	Paster	
Susan	Tyjewski	X
Sharon	Wood	
Brad	Peters	
David	Lawrence	

Meeting Minutes:

- Welcome
- Review and approval of minutes from February 9 meeting
- Announcements

2014 - 2016 CFP

Demonstration of Knowledge Committee

- Eric & Michelle haven't connected with the other CFP committee – Food Safety Training. They will discuss off line with Susan if that should still be done.
- The Chair and Co-Chair were notified last week that Miss Bogard has to resign from the committee, she is leaving her position. We are in the process of identifying a substitute regulatory representative to take her position as a voting member of the committee. We are appreciative of all the work she has done and wish her luck in her future endeavors.
- Roll-Call
- Discussion began on Action Item 2 –Identify the pros and cons of the existing methods in Food Code Section 2-102.11(A) and 2-102.11(C) for the Person in Charge to demonstrate knowledge. - Con 7
 - Modify to clearly address the state of mind of the worker and eliminate all other concerns because they are covered in Con 5. Submitter of Con 7 agrees.
 - Michelle proposed new wording that was accepted regarding nervousness, intimidation and anxiety.
 - Discussion regarding whether this Con speaks to the problem of even asking questions to determine compliance.
 - Yes it does and there are 2 other methods that can be utilized.
Agreement that this is not the right place to make a statement on this.
- Continued discussion on Action Item # 3, In lieu of Food Code Section 2-102.11(A) and 2-102.11(C), identify methods that could be used to demonstrate knowledge if/when the CFPM is not onsite. - #3
 - Mick Miklos opposes this one and gave an industry perspective about increasing the # of options allowed to demonstrate knowledge not reduce them.
 - Stephen Hughes with the FDA added that there was a lot of effort that went into developing what constitutes the appropriate body of knowledge for a manager. There would be some concern if it were suggested a second and different certification process (food handler) be introduced into that section.
 - There was clarification on the intent of #3 and that was to change the requirement of having to meet one of the three options to having to meet two of the three.
 - Sherry Morris pointed out there is a difference of opinion between industry and regulators on whether to change the # of options required to meet the determination.
 - Agreement that the voting members of this committee should vote on #3 again.
 - Bullet points should be incorporated so when there is a vote it will be clear what the issues are. Various members will contribute their comments and Michelle will add them to the documentation.

Next Meeting

We will begin the next meeting with Julie Hults having the opportunity to give her perspective on Action Item 3 and the following language from the WI version of the food code 2-102.11 (C):

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Demonstration of Knowledge Committee

“Demonstrating FOOD safety principles based on the PERMITTED/LICENSED establishment’s specific FOOD operations. The areas of knowledge include:”

Eric will send out different dates to choose from for our next meeting.

2014 - 2016 CFP Demonstration of Knowledge Committee

Teleconference: 6

Monday, April 17, 2015

1:00pm – 2:30p.m. EST

Call-In Number: 877-394-5901

Access Code: 2995496#

Co-Chairs: Eric Moore, Michelle Haynes

FDA Advisors: John Marcello Stephen Hughes

CDC Advisor: Vince Radke

Scribe: *Susan Tyjewski*

AGENDA ITEMS:

9. Welcome, Call to Order	Eric	
10. Roll-Call,	Eric	
11. Continue discussion of Action Item 3	All	
12. Determine next meeting date & action items	All	

ATTENDANCE:

April	Bogard	
Robert	Brown	
Francie	Buck	X
Deborah	Crabtree	X
Hector	Dela Cruz	X
Mark	Earnest	X
Lisa	Ford	X
Robert	Gilliland	X
Michelle	Haynes	X
Yao-Wen	Huang	
Julie	Hults	X
Lucia	James-Davis	
Shanna	Lively	
Mark(Mick)	Miklos	X
Eric	Moore	X
Sheri	Morris	X
Linda	Zaziski	X
Dale	Yamnik	X
Todd	Taylor	X
Christine	Sylvis	X
Stephen	Hughes	X
John	Marcello	
Vince	Radke	X
Petra	Balli	
Susan	Deslauriers	
Rob	Erwin	X
Christina	Eckhardt	

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Laura	Nelson	
Tara	Paster	
Susan	Tyjewski	
Sharon	Wood	
Brad	Peters	
David	Lawrence	

Meeting Min:

Julie Hults: WI version of the food code 2-102.11 (C):

“Demonstrating FOOD safety principles based on the PERMITTED/LICENSED establishment’s specific FOOD operations. The areas of knowledge include:”

Demonstrating in place of

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Teleconference: 7

Friday, June 19, 2015

1:00pm – 3:00p.m. EST

Call-In Number: 877-394-5901

Access Code: 2995496#

Co-Chairs: Eric Moore, Michelle Haynes

FDA Advisors: John Marcello Stephen Hughes

CDC Advisor: Vince Radke

Scribe: *Susan Tyjewski*

AGENDA ITEMS:

13. Welcome, Call to Order	Eric	
14. Roll-Call,	Eric	
15. Continue discussion of Action Item 3	All	
16. Determine next meeting date & action items	All	

ATTENDANCE:

Robert	Brown	✓
Francie	Buck	✓
Deborah	Crabtree	
Hector	Dela Cruz	
Mark	Earnest	
Lisa	Ford	
Robert	Gilliland	
Michelle	Haynes	✓
Yao-Wen	Huang	
Julie	Hults	
Lucia	James-Davis	✓
Shanna	Lively	✓
Mark(Mick)	Miklos	✓
Eric	Moore	✓
Sheri	Morris	✓
Linda	Zaziski	✓
Dale	Yamnik	✓
Todd	Taylor	✓

Christine	Sylvis	✓
Stephen	Hughes	✓
John	Marcello	
Vince	Radke	
Petra	Balli	
Susan	Deslauriers	
Rob	Erwin	✓
Christina	Eckhardt	
Laura	Nelson	
Tara	Paster	
Susan	Tyjewski	✓
Sharon	Wood	
Brad	Peters	
David	Lawrence	

Meeting Minutes:

- Welcome
- Antitrust Statement Reminder
- Are there any comments on the minutes of March 23? No
- Discussion begins with Action Item 3, # 14.

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Demonstration of Knowledge Committee

- Mic reads language he has suggested.
 - Consider recommending that Section 2-102.11 of the Food Code be deleted rather than amended.
 - Section 2-102.11(A) The lack of priority violations may be accidental and not a true demonstration of knowledge.
 - Section 2-202.11(B) The presence of a CFPM is already required in Section 2-102.12(A).
 - Section 2-102.11(C) The risk based inspection identifies whether an establishment is being well run and whether knowledge is being demonstrated. The list of 17 questions could be moved to Annex 5 as guidelines for dialogue with PICs.
- There is discussion with Stephen Hughes on clarification of the requirement of a CFPM in Section 2-102.11 and 2-102.12.
- Mic comments the inspection itself shows if the facility is well run proving demonstration of knowledge. The 2 sections are like “double dipping”.
 - Mic meant for # 14 to be a blanket suggestion to change the Food Code in place of all Action Items.
- There is discussion on how the committee will proceed with input to CFP.
- Mic and Sheri Morris will further modify and refine the suggested language of #14 to incorporate what was discussed and submit to Eric and Michelle.
- Eric and Michelle will reformat the survey and use the information for the upcoming report due by 7/2.
- After the report is submitted the action item feedback will be circulated for final review by the committee.
- Eric will send invitations to the next meeting.

2014 - 2016 CFP Demonstration of Knowledge Committee

Teleconference: 8

Wednesday September 30, 2015

2:00pm – 3:30p.m. EST

Call-In Number: 877-394-5901

Access Code: 2995496#

Co-Chairs: Eric Moore, Michelle Haynes

FDA Advisors: Stephen Hughes

CDC Advisor: Vince Radke

Scribe: *Susan Tyjewski*

AGENDA ITEMS:

1. Welcome, Call to Order	Michelle	
2. Roll-Call,	Michelle	
3. Review of last meeting's minutes	All	
4. Discussion will begin with # 14 amended language	All	
5. Brief overview of entire PDF document	Michelle	
6. Review voting process and timeline	Michelle	

ATTENDANCE:

Robert	Brown	
Francie	Buck	✓
Deborah	Crabtree	✓
Hector	Dela Cruz	
Mark	Earnest	
Lisa	Ford	
Robert	Gilliland	✓
Michelle	Haynes	✓
Yao-Wen	Huang	
Julie	Hults	✓
Lucia	James-Davis	✓
Shanna	Lively	
Mark(Mick)	Miklos	✓
Eric	Moore	✓
Sheri	Morris	✓
Linda	Zaziski	✓
Dale	Yamnik	✓
Todd	Taylor	✓

Christine	Sylvis	✓
Stephen	Hughes	✓
John	Marcello	
Vince	Radke	
Petra	Balli	
Susan	Deslauriers	
Rob	Erwin	✓
Christina	Eckhardt	
Laura	Nelson	
Tara	Paster	
Susan	Tyjewski	✓
Sharon	Wood	✓
Brad	Peters	
David	Lawrence	

Meeting Minutes:

- Welcome
- Antitrust Statement Reminder

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Demonstration of Knowledge Committee

- Are there any comments/changes to the minutes of June 19? No
- Discussion begins - There are three tables that summarize our committee work.
 - Mic refers to Method 12 which is a recommendation to replace demonstration with duties. He acknowledges Dale and Sherry for their input.
 - Stephen clarifies that section 2.102.11 requires someone to be on site with knowledge. Section 2.102.12 requires someone on staff to be a CFPM but does not require them to be on site.
 - The FDA would be reluctant to eliminate section B.
 - This may not be the charge of the committee which is to recommend alternate methods.
 - Sherry comments that the charge of the committee is to list alternative methods discussed whether they are viable or not.
 - Mic will take a look at the language in the 2nd bullet in view of Stephen's comments.
- Going to the beginning – discussion on improving how the Pros & Cons are written.
 - Dale volunteers to provide improved wording on
 - Page 1 – Pro 1
 - Page 2 – Con 1
 - Page 2 – Con 2
 - Minor changes to Con 3 & Con 4 are offered and accepted.
 - Michelle reads modified language for Page 2 Pro 1. It is accepted.
- Returning to the Alternative Methods.
 - Mic proposes that we strike Method 3 because that is not the committee's charge. Agreed.
 - Method 4 – wording modified during call.
 - Clarification on Method 11 – food safety principles be demonstrated instead of responding to questions.
 - Discussion on how some methods are thematically the same but the order should be changed. For voting the order will be
 - Method 2
 - Method 10
 - Method 9
 - Method 12
 - Discussion on whether Method 5 should be removed because it's covered in other methods. Dale offers to improve wording on this for voting.
 - Remove Method 7 – it refers to computer tablets.
- **Next Steps**
- All adjusted wording will be submitted to Michelle on Monday by noon.
- The link to the survey will be sent out on Tuesday and you'll have one week to review.
- We will have another meeting after the results of the survey are analyzed so the final report can be discussed.

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Demonstration of Knowledge Committee

Teleconference: 9

Friday November 6, 2015

2:00pm – 3:30p.m. EST

Call-In Number: 877-394-5901

Access Code: 2995496#

Co-Chairs: Eric Moore, Michelle Haynes

FDA Advisors: Stephen Hughes

CDC Advisor: Vince Radke

Scribe: *Susan Tyjewski*

AGENDA ITEMS:

1. Roll call	Michelle	
2. Reminder on anti-trust statement	Michelle	
3. Review of last meeting's minutes	Michelle	
4. Review of remaining timeline for report submission	Michelle	
5. Discussion of survey results	All	
6. Proposal of issues that the committee would like to submit for 2016 CFP	All	

ATTENDANCE:

Robert	Brown	✓
Francie	Buck	✓
Deborah	Crabtree	
Hector	Dela Cruz	✓
Mark	Earnest	✓
Lisa	Ford	
Robert	Gilliland	
Michelle	Haynes	✓
Yao-Wen	Huang	
Julie	Hults	✓
Lucia	James-Davis	✓
Shanna	Lively	✓
Mark(Mick)	Miklos	
Eric	Moore	
Sheri	Morris	✓
Linda	Zaziski	✓
Dale	Yamnik	✓
Todd	Taylor	✓

Christine	Sylvis	
Stephen	Hughes	✓
John	Marcello	
Vince	Radke	✓
Petra	Balli	
Susan	Deslauriers	✓
Rob	Erwin	✓
Christina	Eckhardt	
Laura	Nelson	
Tara	Paster	✓
Susan	Tyjewski	✓
Sharon	Wood	v
Brad	Peters	
David	Lawrence	

Meeting Minutes:

- Welcome
- Antitrust Statement Reminder

2014 - 2016 CFP

Demonstration of Knowledge Committee

- Review of minutes of Sept. 30 meeting. Any comments or questions? - No
- Timeline for report submissions
 - Final report must be turned in to Susan Quam by Dec. 4.
 - The following volunteered to help with the final report.
 - Tara
 - Dale
 - Linda
 - Hector
 - The Issues must be submitted by Jan. 15.
- Discussion on the Survey Results
- Dale recommended that the questions be put in order by the % of agreement with the high on top and the low at the bottom. Also questions with the level of agreement split closely be removed.
 - A comment was made that only 12 out of the 21 voting members participated by voting. There will be a reminder sent out with a survey deadline.
- Discussion continued on questions where the % of agreement was close and if they should be deleted.
 - There was a motion to eliminate Q1 because Q2 is a restatement.
 - The motion was seconded and no one opposed.
 - Q1 will be removed.
 - There was a motion to eliminate Q20 in favor of Q21.
 - The motion was seconded and no one opposed.
 - Q20 will be removed.
 - There was a motion to eliminate Q3.
 - The motion was seconded and no one opposed.
 - Q3 will be removed.
 - Discussion on Q39 and Q40 determined that they were not exactly the same. Q39 recommends eliminating the code section and Q40 recommends modifying. They will both stay.
- Proposal for the issue submission
 - Recommend the acceptance of the final report
 - This committee did not complete the complete charge.
 - Item # 4 of the original charge.
 - Identify the pro's and con's of alternative methods to demonstrate knowledge if/when the CFPM is not onsite. Although not limited to the following areas, the committee should assess the pro's and con's of each alternative method in light of the following areas:
 - a. Differentiation between knowledge and application.
 - b. Emphasis on risk factors;
 - c. Ease of uniform assessment by regulators and industry;
 - d. Enabling the Person in Charge to demonstrate knowledge even when there is a language barrier.

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Demonstration of Knowledge Committee

- e. What corrective action should be taken when there is not a demonstration of knowledge from the Certified Food Protection Manager or the Person in charge.
- Recommend the committee be re-formed to complete the charge and also list the alternative methods to be evaluated by the new committee.
 - Recommend the committee propose either to change the language in the food code or provide an alternative method.
- It was agreed that the committee will request a meeting time at the CFP on Friday afternoon and also present a report on Sunday morning.
- The final report will be prepared and submitted to Susan Quam by Dec. 4.
- Meeting adjourned.

2014 - 2016 CFP

Demonstration of Knowledge Committee

2-102.11 Demonstration.

Based on the RISKS inherent to the FOOD operation, during inspections and upon request the PERSON IN CHARGE shall demonstrate to the REGULATORY AUTHORITY knowledge of foodborne disease prevention, application of the HAZARD Analysis and CRITICAL CONTROL POINT principles, and the requirements of this Code. The PERSON IN CHARGE shall demonstrate this knowledge by:

Regulation	Pro	Con
(A) Complying with this Code by having no violations of PRIORITY ITEMS during the current inspection; Pf		
(C) Responding correctly to the inspector's questions as they relate to...(1) Describing the relationship between the prevention of foodborne disease and the personal hygiene of a FOOD EMPLOYEE; Pf		
(C) Responding correctly to the inspector's questions as they relate to... (2) Explaining the responsibility of the PERSON IN CHARGE for preventing the transmission of foodborne disease by a FOOD EMPLOYEE who has a disease or medical condition that may cause foodborne disease; Pf		
(C) Responding correctly to the inspector's questions as they relate to... (3) Describing the symptoms associated with the diseases that are transmissible through FOOD; Pf		

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Demonstration of Knowledge Committee

Regulation	Pro	Con
(C) Responding correctly to the inspector's questions as they relate to... (4) Explaining the significance of the relationship between maintaining the time and temperature of TIME/TEMPERATURE CONTROL FOR SAFETY FOOD and the prevention of foodborne illness; Pf		
(C) Responding correctly to the inspector's questions as they relate to... (5) Explaining the HAZARDS involved in the consumption of raw or undercooked MEAT, POULTRY, EGGS, and FISH; Pf		
(C) Responding correctly to the inspector's questions as they relate to... (6) Stating the required FOOD temperatures and times for safe cooking of TIME/TEMPERATURE CONTROL FOR SAFETY FOOD including MEAT, POULTRY, EGGS, and FISH;Pf		
(C) Responding correctly to the inspector's questions as they relate to... (7) Stating the required temperatures and times for the safe refrigerated storage, hot holding, cooling, and reheating of TIME/TEMPERATURE CONTROL FOR SAFETY FOOD;Pf		

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Demonstration of Knowledge Committee

Regulation	Pro	Con
(C) Responding correctly to the inspector's questions as they relate to... (8) Describing the relationship between the prevention of foodborne illness and the management and control of the following: (a) Cross contamination, <i>Pf</i> (b) Hand contact with READY-TO-EAT FOODS, <i>Pf</i> (c) Handwashing, <i>Pf</i> and (d) Maintaining the FOOD ESTABLISHMENT in a clean condition and in good repair; <i>Pf</i>		
(C) Responding correctly to the inspector's questions as they relate to... (9) Describing FOODS identified as MAJOR FOOD ALLERGENS and the symptoms that a MAJOR FOOD ALLERGEN could cause in a sensitive individual who has an allergic reaction. <i>Pf</i>		
(C) Responding correctly to the inspector's questions as they relate to... (10) Explaining the relationship between FOOD safety and providing EQUIPMENT that is: (a) Sufficient in number and capacity, <i>Pf</i> and (b) Properly designed, constructed, located, installed, operated, maintained, and cleaned; <i>Pf</i>		

2014 - 2016 CFP

Demonstration of Knowledge Committee

Regulation	Pro	Con
(C) Responding correctly to the inspector's questions as they relate to... (11) Explaining correct procedures for cleaning and SANITIZING UTENSILS and FOOD-CONTACT SURFACES OF EQUIPMENT; Pf		
(C) Responding correctly to the inspector's questions as they relate to... (12) Identifying the source of water used and measures taken to ensure that it remains protected from contamination such as providing protection from backflow and precluding the creation of cross connections; Pf		
(C) Responding correctly to the inspector's questions as they relate to... (13) Identifying POISONOUS OR TOXIC MATERIALS in the FOOD ESTABLISHMENT and the procedures necessary to ensure that they are safely stored, dispensed, used, and disposed of according to LAW; Pf		
(C) Responding correctly to the inspector's questions as they relate to... (14) Identifying CRITICAL CONTROL POINTS in the operation from purchasing through sale or service that when not controlled may contribute to the transmission of foodborne illness and explaining steps taken to ensure that the points are controlled in accordance with the requirements of this Code; Pf		

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Demonstration of Knowledge Committee

Regulation	Pro	Con
(C) Responding correctly to the inspector's questions as they relate to... (15) Explaining the details of how the PERSON IN CHARGE and FOOD EMPLOYEES comply with the HACCP PLAN if a plan is required by the LAW, this Code, or an agreement between the REGULATORY AUTHORITY and the FOOD ESTABLISHMENT; Pf		
(C) Responding correctly to the inspector's questions as they relate to... (16) Explaining the responsibilities, rights, and authorities assigned by this Code to the: (a) FOOD EMPLOYEE, Pf (b) CONDITIONAL EMPLOYEE, Pf (c) PERSON IN CHARGE, Pf (d) REGULATORY AUTHORITY; Pf		
(C) Responding correctly to the inspector's questions as they relate to... (17) Explaining how the PERSON IN CHARGE, FOOD EMPLOYEES, and CONDITIONAL EMPLOYEES comply with reporting responsibilities and EXCLUSION OR RESTRICTION OF FOOD EMPLOYEES.		
Alternative Method to Demonstrate Knowledge if/when CPM is Not Onsite	Pro	Con
1.		

Pro/Con Listing for 2-102.11(A)

2-102.11 Demonstration

Based on the RISKS inherent to the FOOD operation, during inspections and upon request the PERSON IN CHARGE shall demonstrate to the REGULATORY AUTHORITY knowledge of foodborne disease prevention, application of the HAZARD Analysis and CRITICAL CONTROL POINT principles, and the requirements of this Code. The PERSON IN CHARGE shall demonstrate this knowledge by:

A) Complying with this Code by having no violations of PRIORITY ITEMS during the current inspection; Pf

Pro 1: This is a good way to show knowledge because it allows the PIC to demonstrate operational controls as they relate to Food Code requirements.

Pro 2: Having no PRIORITY ITEMS allows both regulators and industry to easily know when a food establishment is in compliance with the demonstration of knowledge requirements. It also allows both the inspector and industry to know which sections of the Food Code to focus training on.

Pro 3: Easy for the inspector to evaluate.

Pro 4: If you accept the assumption that performance is a direct reflection of the PIC's level of knowledge, then the absence of Priority Item violations is indicative of the individual's knowledge. Additionally, full compliance may be indicative that the principles and the elements of a food safety management system are in place to control risk.

Con 1: Inspections capture conditions at a facility at a given point in time, and as such, may miss some systemic failures that are present and ongoing but not detectable at the moment. Although the desired end is the elimination of risk factors and full compliance with this Code works to that end, it might be argued that this subsection is Demonstration of Compliance rather than Demonstration of Knowledge.

Con 2: Could be subjective in the day to day reality of conducting inspections. Relies on regulator's judgment resulting in lack of consistency.

Con 3: The undue focus on Priority Items to the exclusion of Priority Foundation and Core violations could overlook potential threats to Food Safety.

Con 4: Studies have shown that knowledge and behavior do not always go hand-in-hand.

Con 5: Language barriers may cause a loss of effective communication between inspectors and operators.

Pro/Con Listing for 2-102.11(C)

2-102.11 Demonstration

Based on the RISKS inherent to the FOOD operation, during inspections and upon request the PERSON IN CHARGE shall demonstrate to the REGULATORY AUTHORITY knowledge of foodborne disease prevention, application of the HAZARD Analysis and CRITICAL CONTROL POINT principles, and the requirements of this Code. The PERSON IN CHARGE shall demonstrate this knowledge by:

C) Responding correctly to the inspector's questions as they relate to the specific FOOD operation. The areas of knowledge include.....

Pro 1: This gives the inspector the opportunity to ask customized questions directly related to operation being observed; not just utilizing standard questions.

Pro 2: This gives the PIC the opportunity to explain the processes performed in their food establishment which can often be validated with operations manuals and other training tools.

Pro 3: Gives a clear understanding for regulators and industry of the requirements and rationale to demonstrate Food Code knowledge as it pertains to their operations.

Pro 4: PIC is able to demonstrate food safety knowledge by successfully answering questions pertaining to their operation.

Pro 5: It addresses the importance of the PIC having knowledge of the risks and how they relate to foodborne illness.

Pro 6: If completely and correctly answered, the PIC can establish him/herself as properly trained, knowledgeable and engaged in the management of food safety in the establishment. It reflects that systems for managing food safety are in place even if momentary execution might be lacking.

Pro 7: Through Q&A the inspector is able to determine training needs.

Pro 8: This essentially amounts to an abbreviated CFPM oral exam. If the PIC is able to successfully answer all questions posed, they clearly have a solid understanding of basic food safety principals pertaining to their operation.

Con 1: Inspector's questions could be easily misunderstood by a PIC, especially if the inspector is not properly trained on asking appropriate questions relevant to the establishment's operation. This could also result in a degree of inconsistency based on the types and numbers of questions asked of the PIC by the inspector. For instance, there is no standard for how many questions a PIC must answer correctly to demonstrate knowledge.

Con 2: Inspector may focus on the questions and may not make observations of behaviors a higher priority.

Con 3: Regulators need to ensure only questions relevant to the operation are asked and that answers given for a food establishment's procedures that exceed the minimum requirement (such as temperatures) are not debited if in compliance with food establishment's standards.

Con 4: If a PIC is not accompanying an inspector at the time the inspector has a question, the inspector may need to take extra time at the end of the inspection to return to an area with the PIC to question the food establishment's procedure, thereby adding additional time for completion of the inspection. In some cases, if the PIC is not with the inspector, the inspector may have entirely forgotten the question he had regarding that process by the time the PIC rejoins the inspection.

Con 5: The number of questions asked and the percent that must be answered correctly in order to "pass" these criteria for demonstration of knowledge is not standardized resulting in inconsistent application from one inspector to another.

Con 6: The quality of an interview is as much a function of the interviewer's ability as it is the interviewee's competence. If the inspector does not ask questions properly/clearly, then the PIC's ability to successfully answer them will be limited. This "oral exam" also assumes that the inspector is a subject matter expert, has no competency issues, and knows the correct answers to the questions posed. On a more practical level, in many establishments English is not the primary language of the PIC or kitchen staff. Clearly, communication barriers are difficult to overcome in these situations. CFPM classes/exams overcome this by way of bilingual instructors and translated study materials/exams; however, it is far more challenging to overcome this in an on-site interview with an inspector.

Con 7: Nervousness, intimidation, and anxiety are all factors that may affect the employee's ability to relay accurate answers to the regulator's questions.

Alternative Methods for Demonstrating Knowledge

Method 1: The person in charge can demonstrate Food Code knowledge through practical means such as showing how they take temperatures, calibrate a thermometer, mix or test sanitizer, showing a posted employee health policy or list of major food allergens, etc.

Method 2: Establishment is in compliance with 2-103.11.

Method 3 : Recommend *modifying* Section 2-102.11 of the Food Code as follows:

Section 2-102.11 (B) would remain as currently written in the Food Code and would be followed by this:

- If the Certified Food Protection Manager is not present, and because the distinction between knowledge and application is vague and difficult to articulate which often leads to frustration between operators and regulators, the PIC shall be a food handler certificated through an ANSI-ASTM accredited program or its equivalent. The PIC shall substantiate knowledge through direct application of (A) through (O) of the Duties Section of the Food Code (2-103.11.) The successful completion of these tasks should adequately demonstrate the PIC's knowledge.
 - Eliminate Section 2-102.11 (A). The number of times that an establishment has no priority violations is statistically insignificant. There is also the suspicion among regulators that a lack of priority violations could be accidental and not a true reflection of demonstration of knowledge.
 - Eliminate Section 2-102.11 (C). The Food Code already articulates the duties of a PIC in Section 2-103.11. In addition, the entirety of the risk based inspection identifies whether an establishment is controlling risk and, by extension, whether knowledge is being demonstrated through application. The current list of 17 questions found in 2-102.11 (C) could be moved to Annex 5 as guidelines for inspectors who wish to have dialogue with PICs.

Method 4: Employees are completing tasks correctly.

Method 5: Having one or more food handlers who are certificated through an ANSI-ASTM accredited program or equivalent and who comply with section 2-103.11 of this Code, thus applying practical means knowledge to the successful completion of tasks.

Method 6: The PIC can show evidence of demonstration of knowledge through the use of job aides or other means.

Method 7: Change the Demonstration of Knowledge criteria. Instead of meeting one of the three options to be in compliance, change it to having to meet two of the three options to be in compliance.

Method 8: The establishment has a food handler certificated program through an ANSI-ASTM program or equivalent and one or more employees is certificated through the program.

Method 9: Change the code language in 2-102.11 (C) to: “Demonstrating food safety principles based on the specific food operation. The areas of knowledge include...”.

Method 10: Recommend *eliminating* Section 2-102.11 within the Food Code as follows:

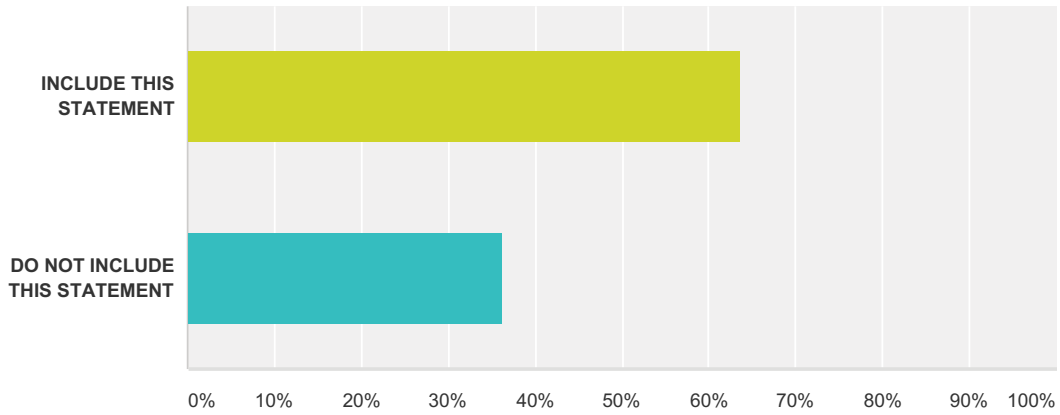
This method seeks to replace the Demonstration Section, in its entirety with reliance instead on the Duties Section as it might be performed by ANSI-ASTM accredited food handlers:

Allow the Duties Section of the Food Code (2-103.11) to substantiate demonstration of knowledge in lieu of the Demonstration Section (2-102.11). The distinction between knowledge and application is vague and difficult to articulate and this can lead to frustration between operators and regulators. Having one or more food handlers certificated through an ANSI-ASTM accredited program or equivalent and who comply with (A) through (O) of Section 2-103.11 by applying practical knowledge to the successful completion of tasks should adequately demonstrate knowledge of the PIC.

- Eliminate Section 2-102.11 (A). The number of times that an establishment has no priority violations is statistically insignificant. There is also the suspicion among regulators that a lack of priority violations could be accidental and not a true reflection of demonstration of knowledge.
- Eliminate Section 2-102.11 (B). The Food Code already requires the presence of a CFPM in Section 2-102.12 (A). The FDA Risk Factor Study correlates the presence of a CFPM with better control of risk factors and provides justification for the requirement in the Food Code to have at least one CFPM per establishment.
- Eliminate Section 2-102.11 (C). The Food Code already articulates the duties of a PIC in Section 2-103.11. In addition, the entirety of the risk based inspection identifies whether an establishment is controlling risk and, by extension, whether knowledge is being demonstrated through application. The current list of 17 questions found in 2-102.11 (C) could be moved to Annex 5 as guidelines for inspectors who wish to have dialogue with PICs.

Q1 Pro 1: Good easy to follow expectation for both the regulator and industry representative to know the criteria to be in compliance and the rationale. Requirement is easy to provide training to both the regulator and industry.

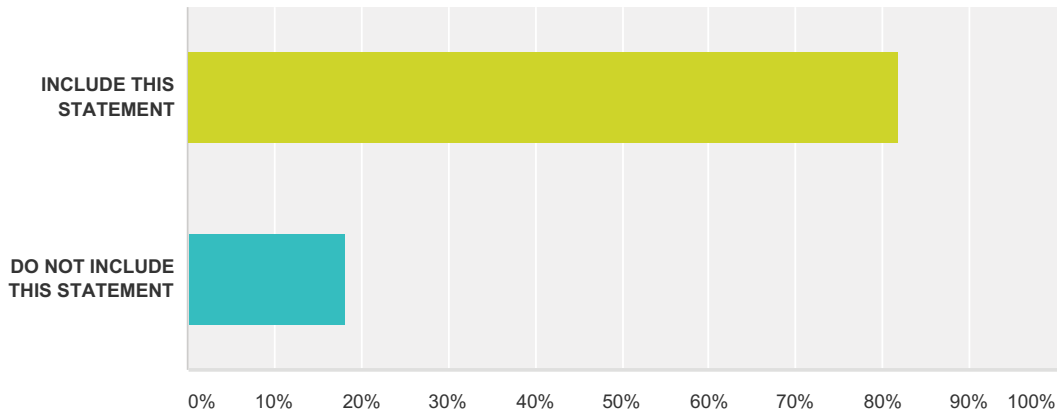
Answered: 11 Skipped: 1



Answer Choices	Responses
INCLUDE THIS STATEMENT	63.64% 7
DO NOT INCLUDE THIS STATEMENT	36.36% 4
Total	11

Q2 Pro 1.1: Having no PRIORITY ITEMS allows both regulators and industry to easily know when a food establishment is in compliance with the demonstration of knowledge requirements. It also allows both the inspector and industry to know which sections of the Food Code to focus training on.

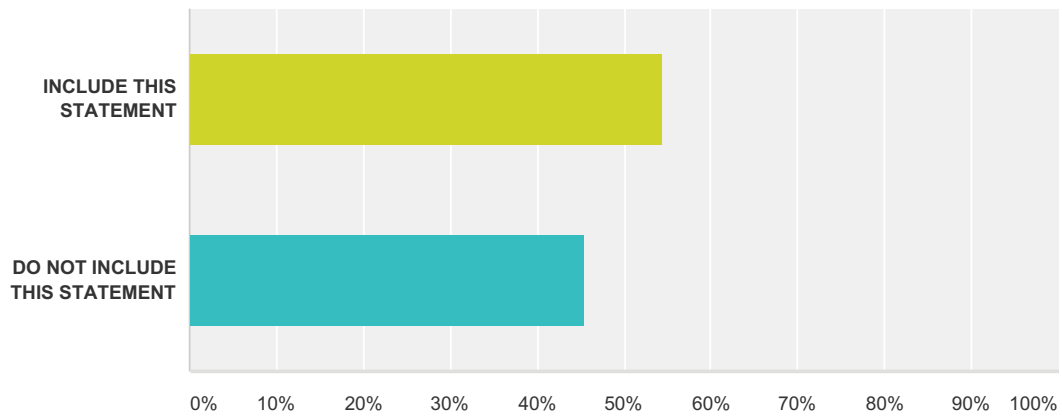
Answered: 11 Skipped: 1



Answer Choices	Responses
INCLUDE THIS STATEMENT	81.82% 9
DO NOT INCLUDE THIS STATEMENT	18.18% 2
Total	11

Q3 Pro 2: The establishment demonstrates knowledge through compliant operations.

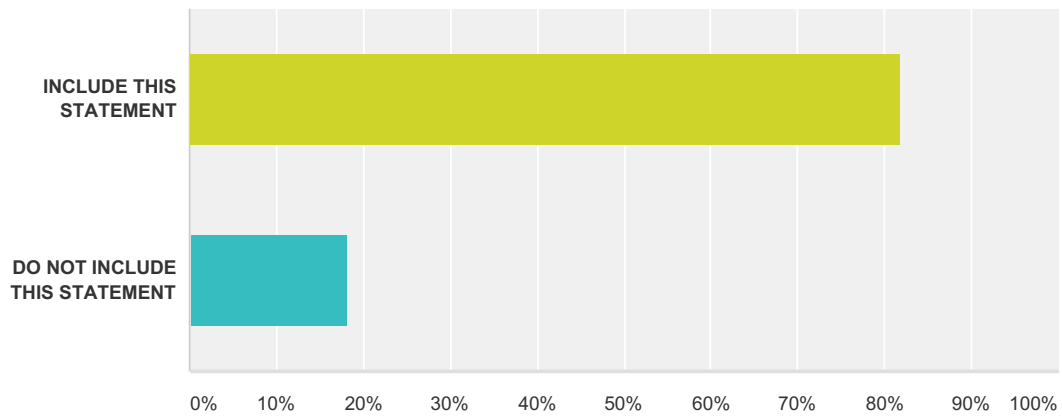
Answered: 11 Skipped: 1



Answer Choices	Responses
INCLUDE THIS STATEMENT	54.55% 6
DO NOT INCLUDE THIS STATEMENT	45.45% 5
Total	11

Q4 Pro 3: Easy for the inspector to evaluate.

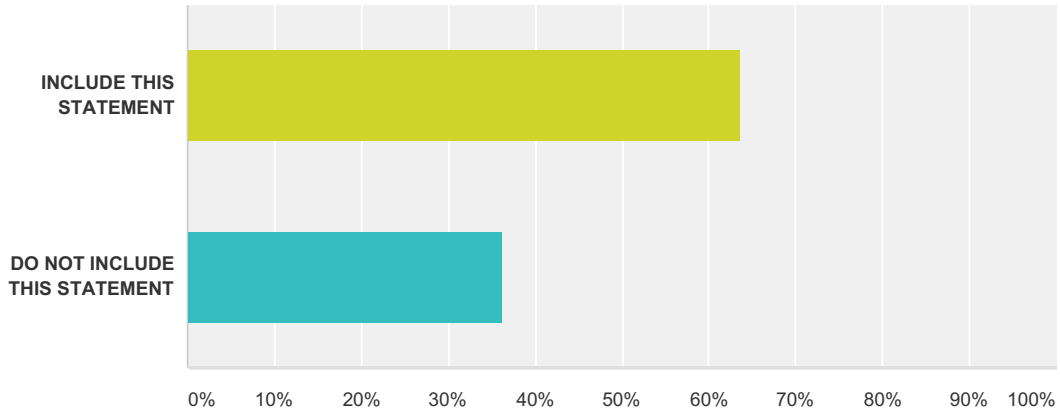
Answered: 11 Skipped: 1



Answer Choices	Responses
INCLUDE THIS STATEMENT	81.82% 9
DO NOT INCLUDE THIS STATEMENT	18.18% 2
Total	11

Q5 Pro 4: If you accept the assumption that performance is a direct reflection of the PIC's level of knowledge, then the absence of Priority Item violations is indicative of the individual's knowledge. Additionally, full compliance may be indicative that the principles and the elements of a food safety management system are in place to control risk.

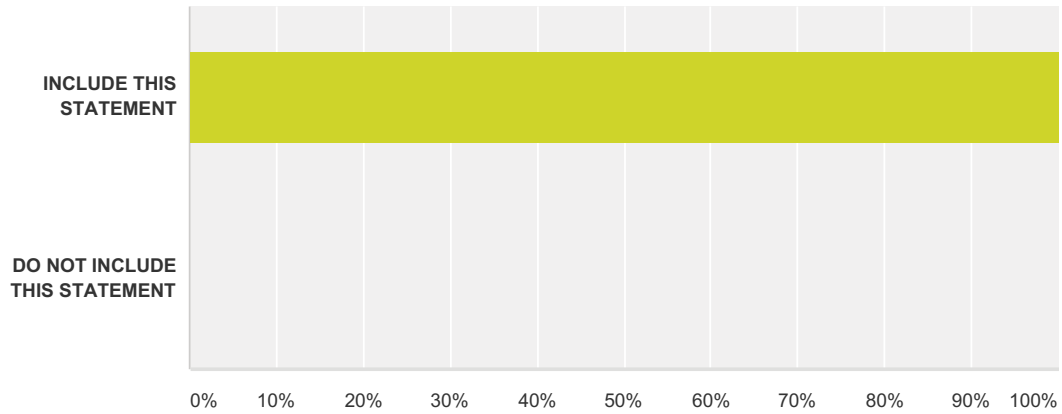
Answered: 11 Skipped: 1



Answer Choices	Responses
INCLUDE THIS STATEMENT	63.64% 7
DO NOT INCLUDE THIS STATEMENT	36.36% 4
Total	11

Q6 Pro 5: This is a good way to show knowledge because it allows the PIC to demonstrate operational controls as they relate to Food Code requirements.

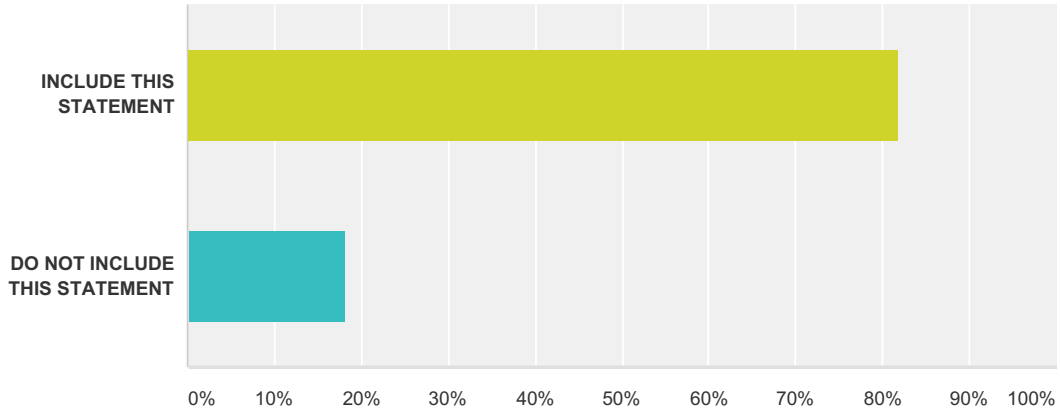
Answered: 11 Skipped: 1



Answer Choices	Responses	
INCLUDE THIS STATEMENT	100.00%	11
DO NOT INCLUDE THIS STATEMENT	0.00%	0
Total		11

Q7 Con 1: Could be subjective in the day to day reality of conducting inspections. Relies on regulator's judgment resulting in lack of consistency.

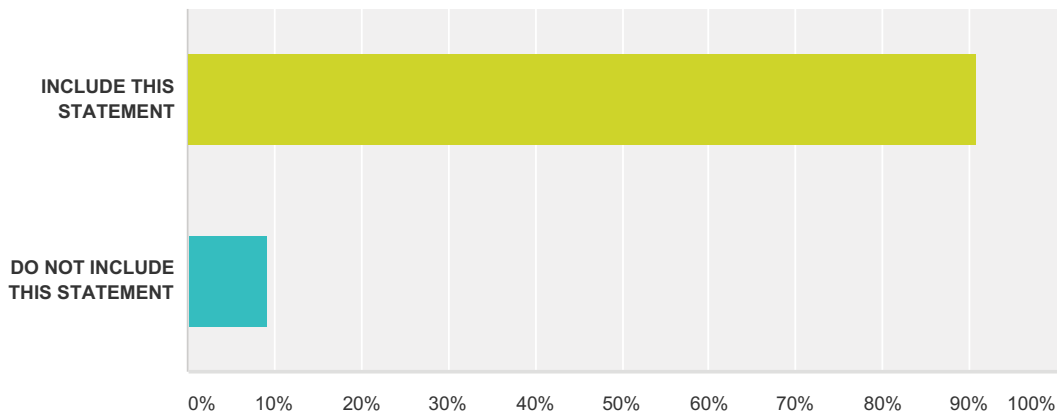
Answered: 11 Skipped: 1



Answer Choices	Responses
INCLUDE THIS STATEMENT	81.82% 9
DO NOT INCLUDE THIS STATEMENT	18.18% 2
Total	11

Q8 Con 2: Inspections capture conditions at a facility at a given point in time, and as such, may miss some systemic failures that are present and ongoing but not detectable at the moment. Although the desired end is the elimination of risk factors and full compliance with this Code works to that end, it might be argued that this subsection is Demonstration of Compliance rather than Demonstration of Knowledge.

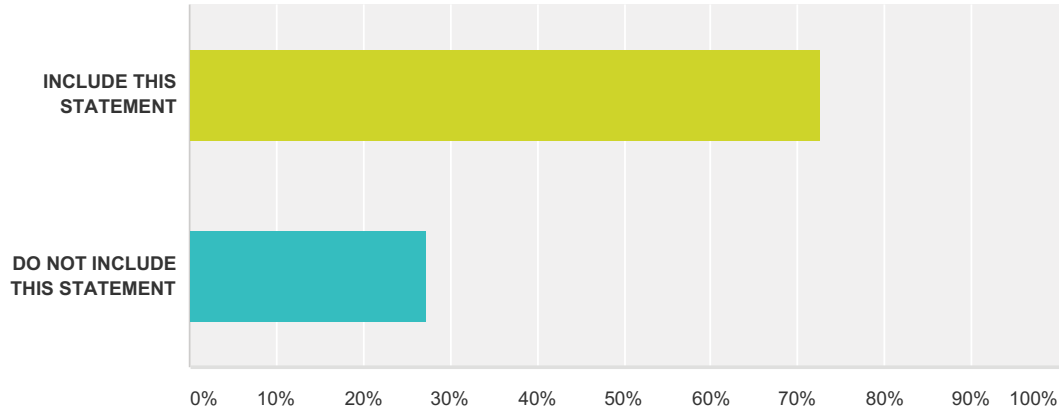
Answered: 11 Skipped: 1



Answer Choices	Responses
INCLUDE THIS STATEMENT	90.91% 10
DO NOT INCLUDE THIS STATEMENT	9.09% 1
Total	11

Q9 Con 3: The undue focus on Priority Items to the exclusion of Priority Foundation and Core violations could overlook potential threats to Food Safety.

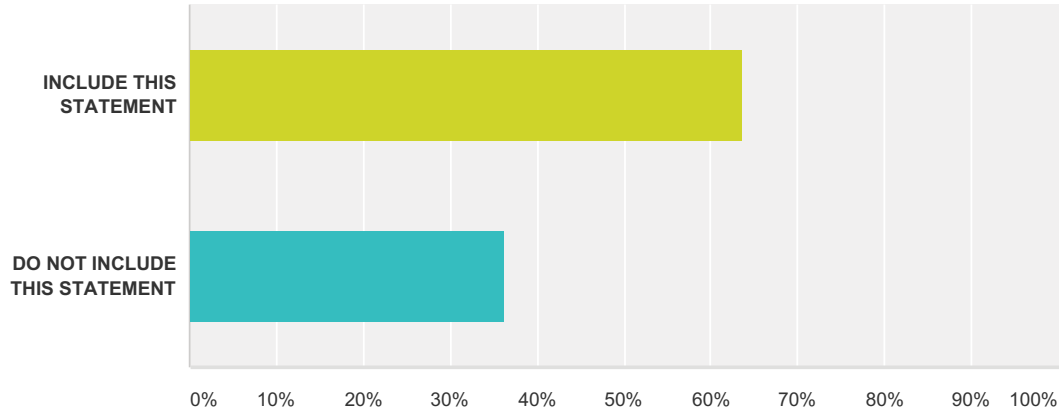
Answered: 11 Skipped: 1



Answer Choices	Responses
INCLUDE THIS STATEMENT	72.73% 8
DO NOT INCLUDE THIS STATEMENT	27.27% 3
Total	11

Q10 Con 4: Studies have shown that knowledge and behavior do not always go hand-in-hand.

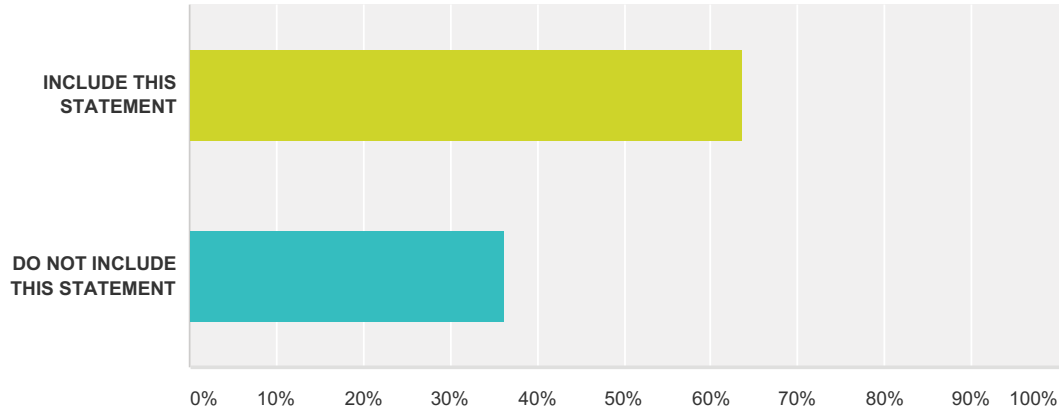
Answered: 11 Skipped: 1



Answer Choices	Responses
INCLUDE THIS STATEMENT	63.64% 7
DO NOT INCLUDE THIS STATEMENT	36.36% 4
Total	11

Q11 Con 5: Language barriers may cause a loss of effective communication between inspectors and operators.

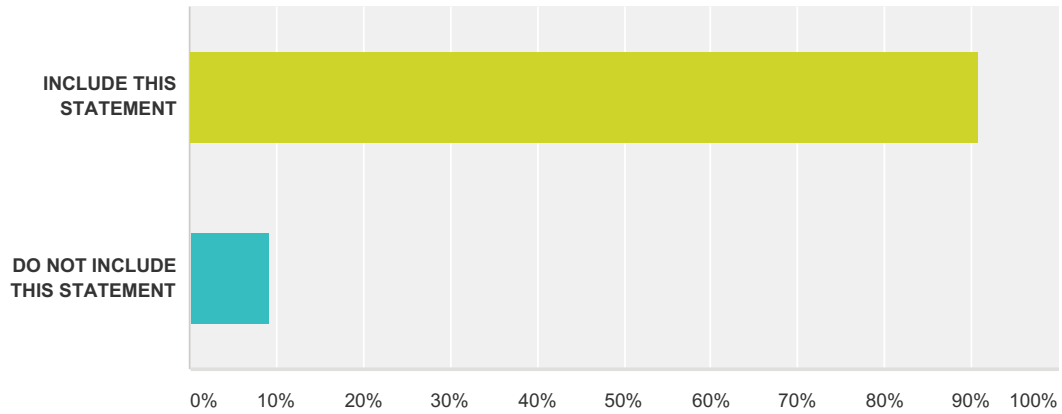
Answered: 11 Skipped: 1



Answer Choices	Responses
INCLUDE THIS STATEMENT	63.64% 7
DO NOT INCLUDE THIS STATEMENT	36.36% 4
Total	11

Q12 Pro 1: Gives a clear understanding for regulators and industry of the requirements and rationale to demonstrate Food Code knowledge as it pertains to their operations.

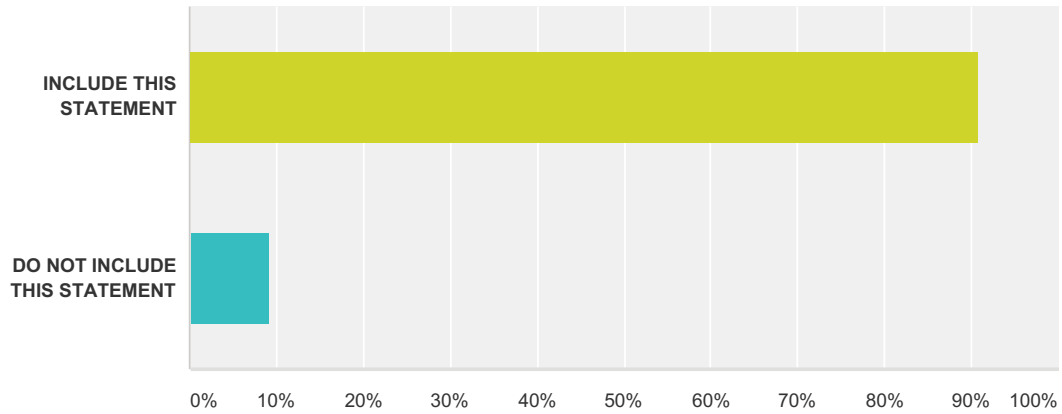
Answered: 11 Skipped: 1



Answer Choices	Responses
INCLUDE THIS STATEMENT	90.91% 10
DO NOT INCLUDE THIS STATEMENT	9.09% 1
Total	11

Q13 Pro 2: PIC is able to demonstrate food safety knowledge by successfully answering questions pertaining to their operation.

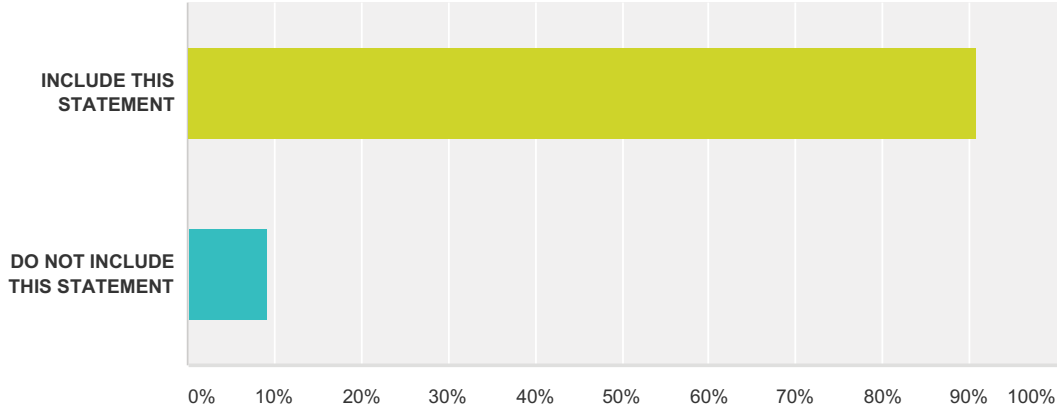
Answered: 11 Skipped: 1



Answer Choices	Responses
INCLUDE THIS STATEMENT	90.91% 10
DO NOT INCLUDE THIS STATEMENT	9.09% 1
Total	11

Q14 Pro 3: It addresses the importance of the PIC having knowledge of the risks and how they relate to foodborne illness.

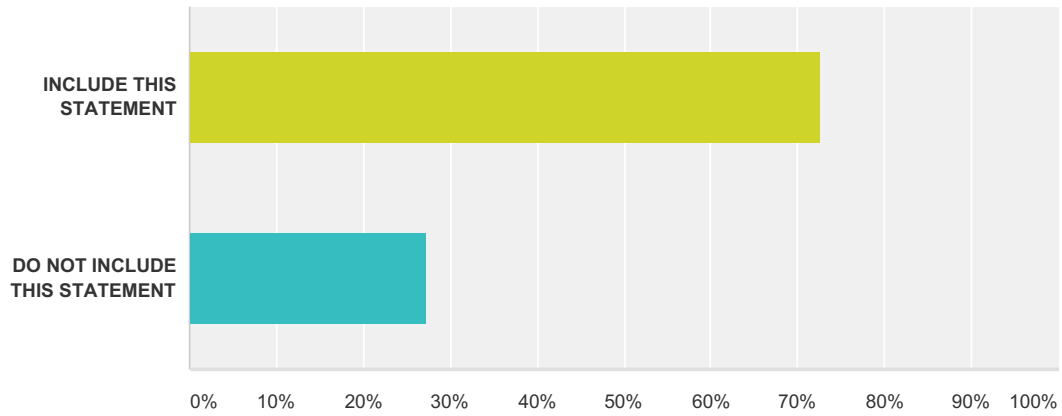
Answered: 11 Skipped: 1



Answer Choices	Responses
INCLUDE THIS STATEMENT	90.91% 10
DO NOT INCLUDE THIS STATEMENT	9.09% 1
Total	11

Q15 Pro 4: Through Q&A the inspector is able to determine training needs.

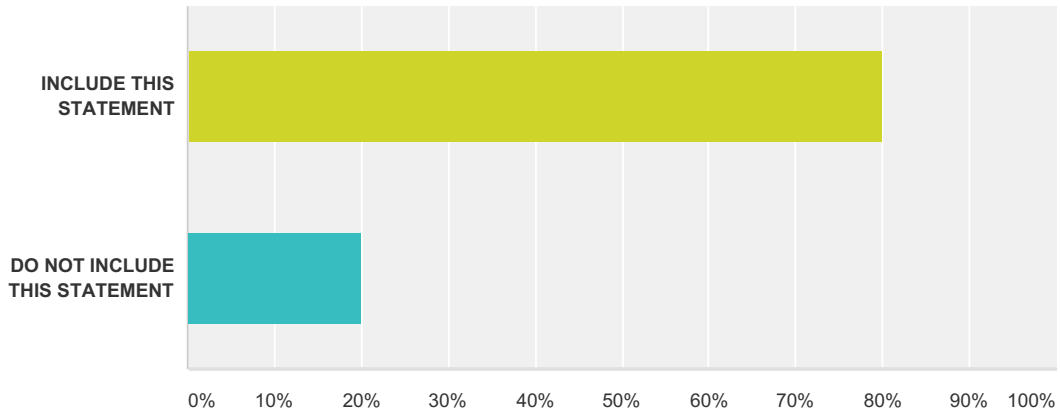
Answered: 11 Skipped: 1



Answer Choices	Responses
INCLUDE THIS STATEMENT	72.73% 8
DO NOT INCLUDE THIS STATEMENT	27.27% 3
Total	11

Q16 Pro 5: This essentially amounts to an abbreviated CFPM oral exam. If the PIC is able to successfully answer all questions posed, they clearly have a solid understanding of basic food safety principals pertaining to their operation.

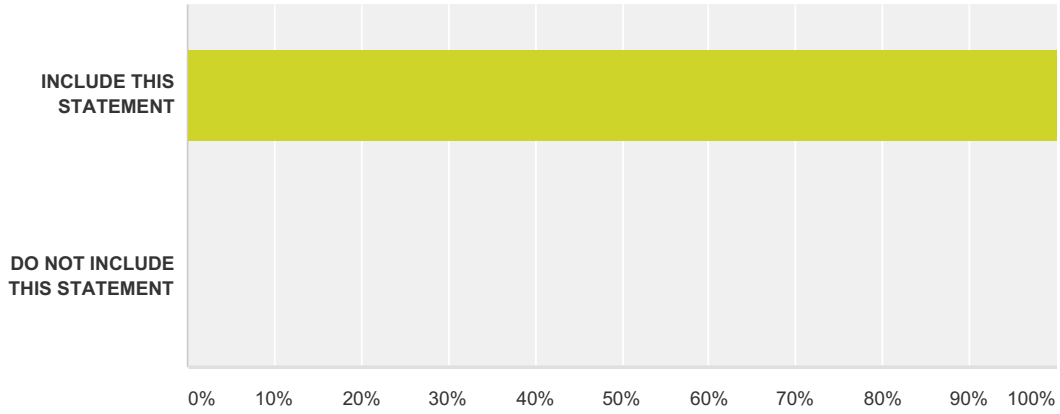
Answered: 10 Skipped: 2



Answer Choices	Responses
INCLUDE THIS STATEMENT	80.00% 8
DO NOT INCLUDE THIS STATEMENT	20.00% 2
Total	10

Q17 Pro 6: This gives the inspector the opportunity to ask customized questions directly related to operation being observed; not just utilizing standard questions.

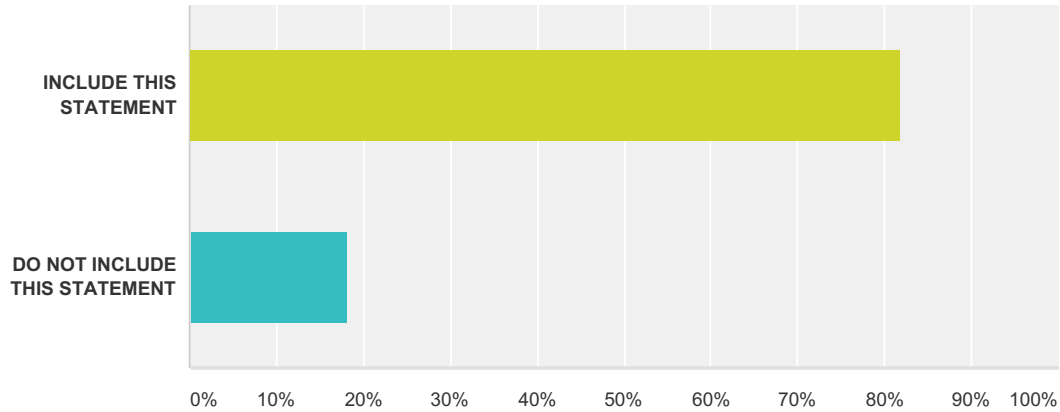
Answered: 11 Skipped: 1



Answer Choices	Responses	
INCLUDE THIS STATEMENT	100.00%	11
DO NOT INCLUDE THIS STATEMENT	0.00%	0
Total		11

Q18 Pro 7: If completely and correctly answered, the PIC can establish him/herself as properly trained, knowledgeable and engaged in the management of food safety in the establishment. It reflects that systems for managing food safety are in place even if momentary execution might be lacking.

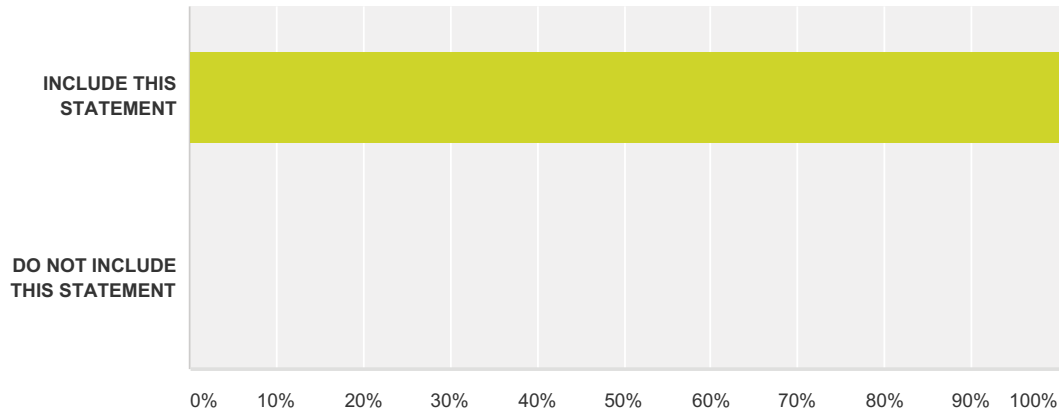
Answered: 11 Skipped: 1



Answer Choices	Responses
INCLUDE THIS STATEMENT	81.82% 9
DO NOT INCLUDE THIS STATEMENT	18.18% 2
Total	11

Q19 Pro 8: This gives the PIC the opportunity to explain the processes performed in their food establishment which can often be validated with operations manuals and other training tools.

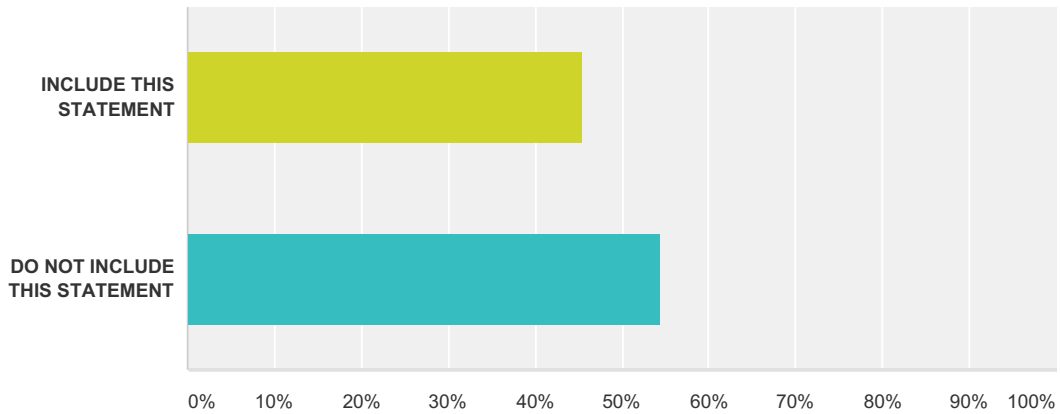
Answered: 11 Skipped: 1



Answer Choices	Responses	
INCLUDE THIS STATEMENT	100.00%	11
DO NOT INCLUDE THIS STATEMENT	0.00%	0
Total		11

Q20 Con 1: Could be easily misconstrued by regulators if not properly trained on asking appropriate questions based on the establishment's operation. Resulting in a level of consistency being lost. Pertaining to how many questions not answered correctly results in being marked OUT for Demo of Knowledge.

Answered: 11 Skipped: 1

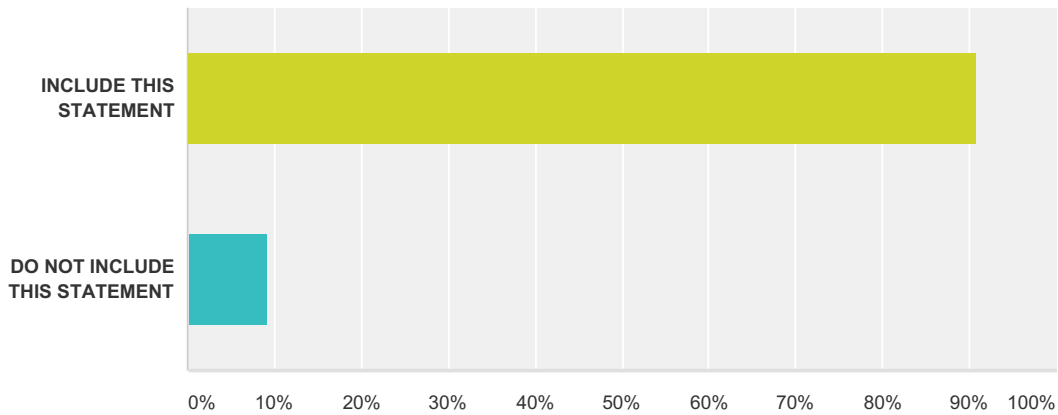


Answer Choices	Responses
INCLUDE THIS STATEMENT	45.45% 5
DO NOT INCLUDE THIS STATEMENT	54.55% 6
Total	11

Q21 Con 1.1: Inspector’s questions could be easily misunderstood by a PIC, especially if the inspector is not properly trained on asking appropriate questions relevant to the establishment’s operation.

This could also result in a degree of inconsistency based on the types and numbers of questions asked of the PIC by the inspector. For instance, there is no standard for how many questions a PIC must answer correctly to demonstrate knowledge.

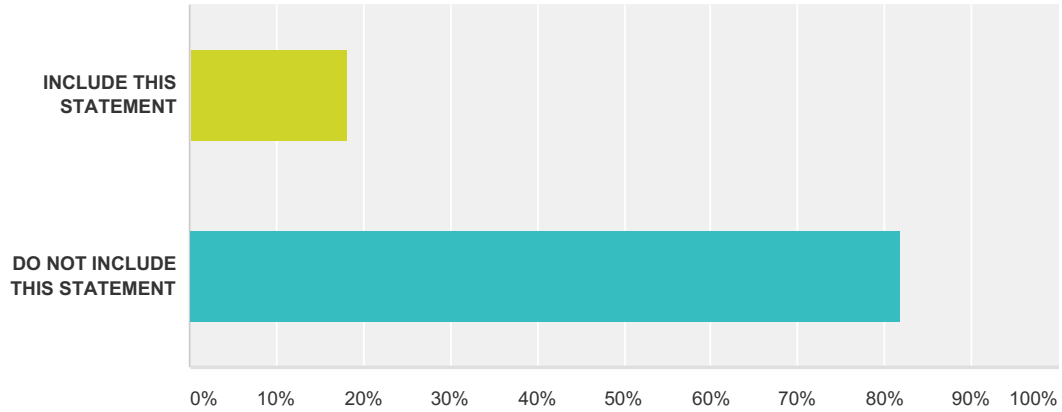
Answered: 11 Skipped: 1



Answer Choices	Responses
INCLUDE THIS STATEMENT	90.91% 10
DO NOT INCLUDE THIS STATEMENT	9.09% 1
Total	11

Q22 Con 2: Questions not asked during the course of the inspection take extra time or maybe forgotten entirely.

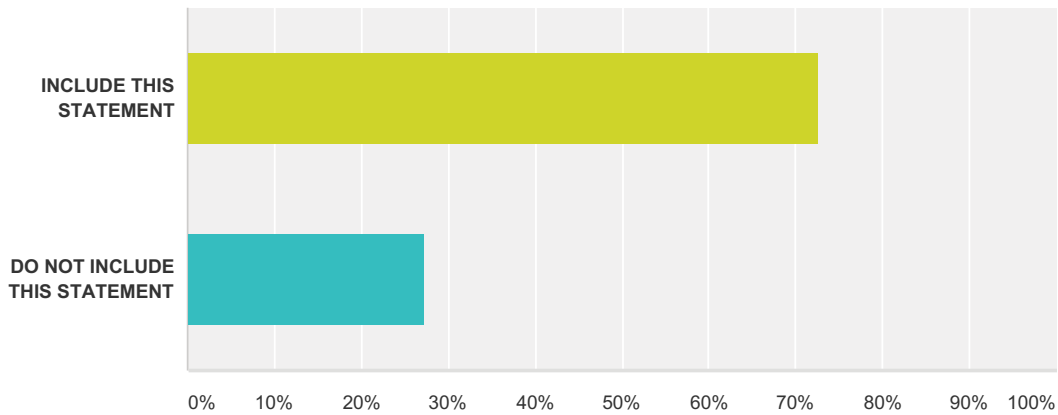
Answered: 11 Skipped: 1



Answer Choices	Responses
INCLUDE THIS STATEMENT	18.18% 2
DO NOT INCLUDE THIS STATEMENT	81.82% 9
Total	11

Q23 Con 2.1: If a PIC is not accompanying an inspector at the time the inspector has a question, the inspector may need to take extra time at the end of the inspection to return to an area with the PIC to question the food establishment's procedure, thereby adding additional time for completion of the inspection. In some cases, if the PIC is not with the inspector, the inspector may have entirely forgotten the question he had regarding that process by the time the PIC rejoins the inspection.

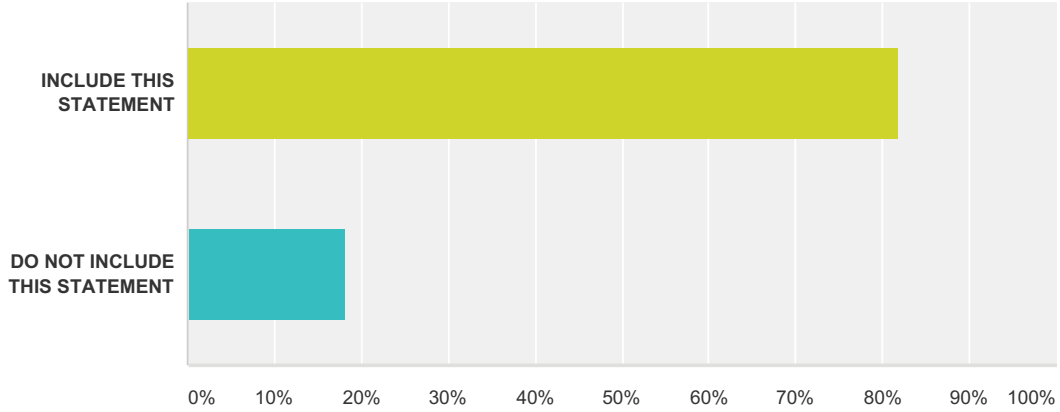
Answered: 11 Skipped: 1



Answer Choices	Responses
INCLUDE THIS STATEMENT	72.73% 8
DO NOT INCLUDE THIS STATEMENT	27.27% 3
Total	11

Q24 Con 3: Inspector may focus on the questions and may not make observations of behaviors a higher priority.

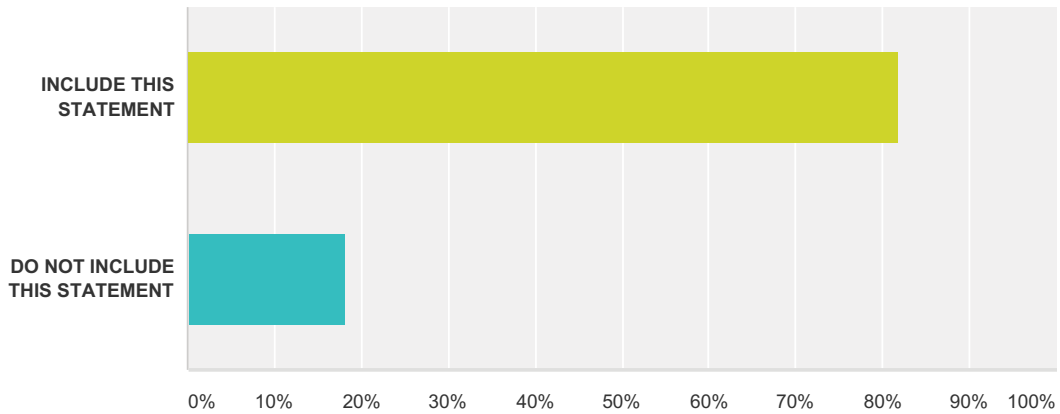
Answered: 11 Skipped: 1



Answer Choices	Responses
INCLUDE THIS STATEMENT	81.82% 9
DO NOT INCLUDE THIS STATEMENT	18.18% 2
Total	11

Q25 Con 4: Regulators need to ensure only questions relevant to the operation are asked and that answers given for a food establishment's procedures that exceed the minimum requirement (such as temperatures) are not debited if in compliance with food establishment's standards.

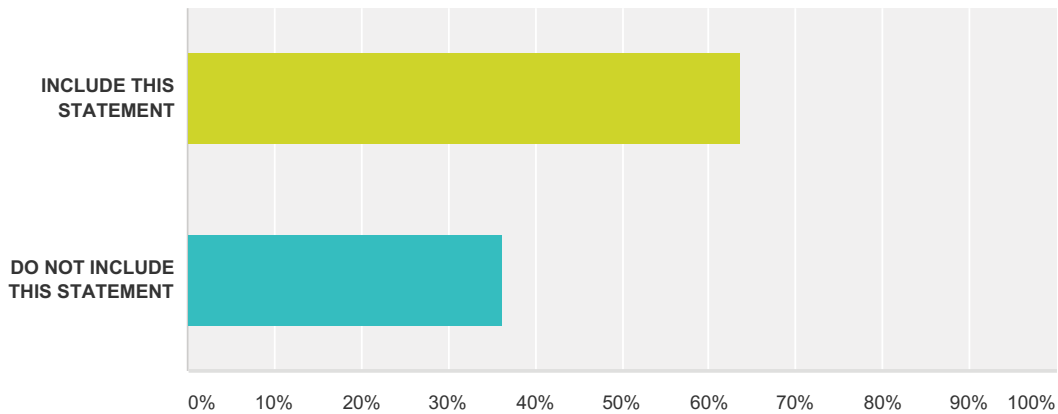
Answered: 11 Skipped: 1



Answer Choices	Responses
INCLUDE THIS STATEMENT	81.82% 9
DO NOT INCLUDE THIS STATEMENT	18.18% 2
Total	11

Q26 Con 5: The quality of an interview is as much a function of the interviewer’s ability as it is the interviewee’s competence. If the inspector does not ask questions properly/clearly, then the PIC’s ability to successfully answer them will be limited. This “oral exam” also assumes that the inspector is a subject matter expert, has no competency issues, and knows the correct answers to the questions posed. On a more practical level, in many establishments English is not the primary language of the PIC or kitchen staff. Clearly, communication barriers are difficult to overcome in these situations. CFPM classes/exams overcome this by way of bilingual instructors and translated studymaterials/exams; however, it is far more challenging to overcome this in an on-site interview with an inspector.

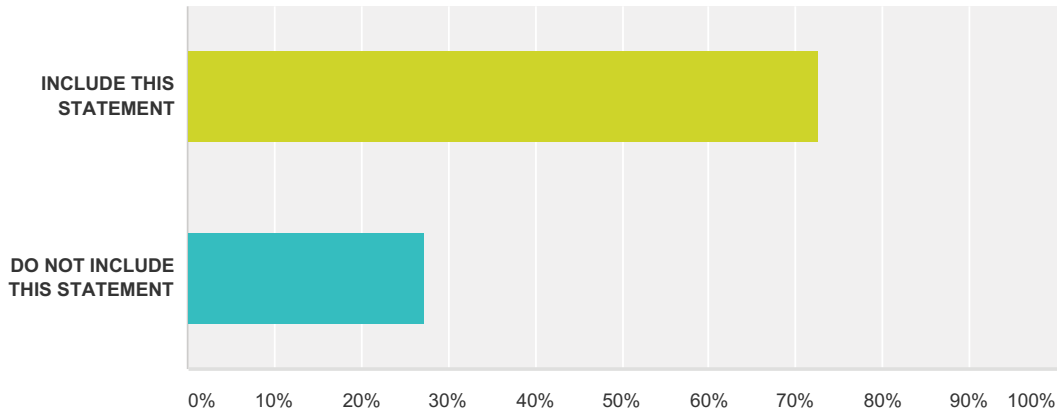
Answered: 11 Skipped: 1



Answer Choices	Responses
INCLUDE THIS STATEMENT	63.64% 7
DO NOT INCLUDE THIS STATEMENT	36.36% 4
Total	11

Q27 Con 6: The number of questions asked and the percent that must be answered correctly in order to "pass" these criteria for demonstration of knowledge is not standardized resulting in inconsistent application from one inspector to another.

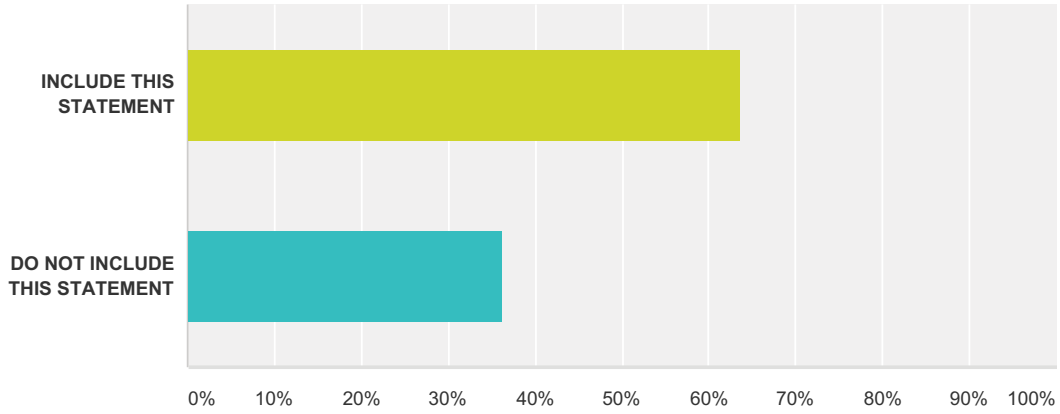
Answered: 11 Skipped: 1



Answer Choices	Responses
INCLUDE THIS STATEMENT	72.73% 8
DO NOT INCLUDE THIS STATEMENT	27.27% 3
Total	11

Q28 Con 7: Nervousness, intimidation, and anxiety are all factors that may affect the employee's ability to relay accurate answers to the regulator's questions.

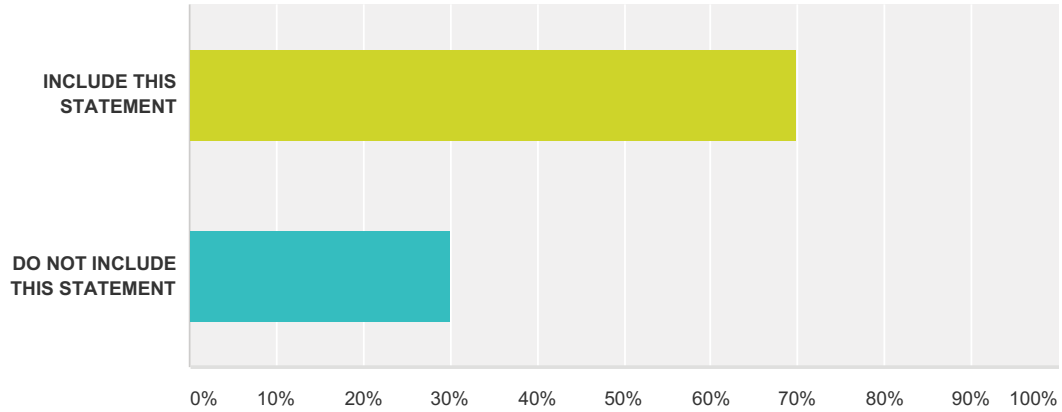
Answered: 11 Skipped: 1



Answer Choices	Responses
INCLUDE THIS STATEMENT	63.64% 7
DO NOT INCLUDE THIS STATEMENT	36.36% 4
Total	11

Q29 Method 1: Change the Demonstration of Knowledge criteria. Instead of meeting one of the three options to be in compliance, change it to having to meet two of the three options to be in compliance.

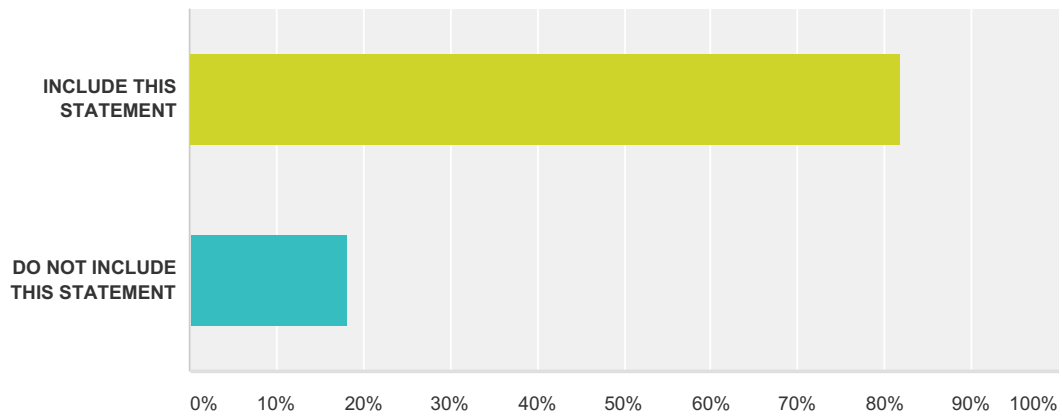
Answered: 10 Skipped: 2



Answer Choices	Responses
INCLUDE THIS STATEMENT	70.00% 7
DO NOT INCLUDE THIS STATEMENT	30.00% 3
Total	10

Q30 Method 2: Establishment is in compliance with 2-103.11.

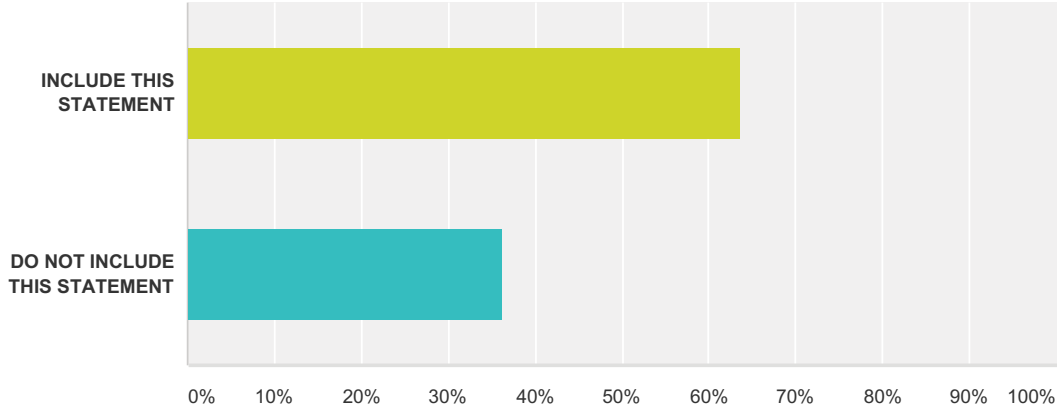
Answered: 11 Skipped: 1



Answer Choices	Responses
INCLUDE THIS STATEMENT	81.82% 9
DO NOT INCLUDE THIS STATEMENT	18.18% 2
Total	11

Q31 Method 4: The PIC can show evidence of demonstration of knowledge through the use of job aides or other means.

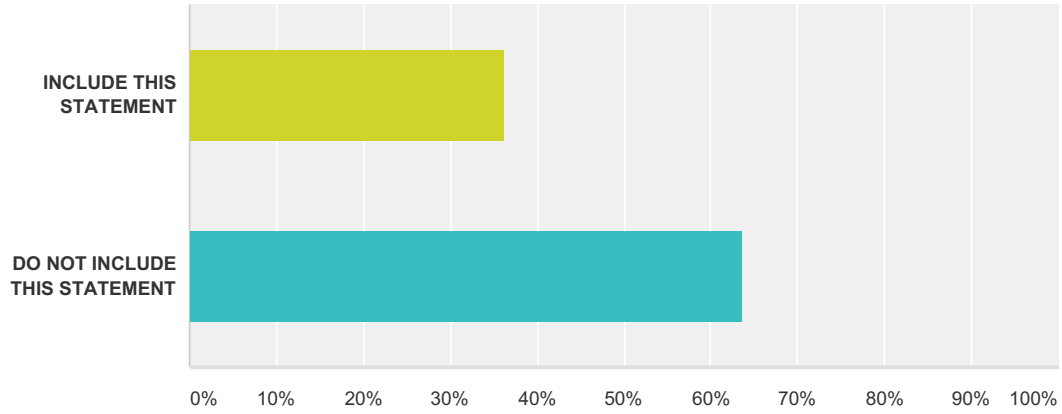
Answered: 11 Skipped: 1



Answer Choices	Responses
INCLUDE THIS STATEMENT	63.64% 7
DO NOT INCLUDE THIS STATEMENT	36.36% 4
Total	11

Q32 Method 5: PIC/designee can demonstrate through practical means knowledge.

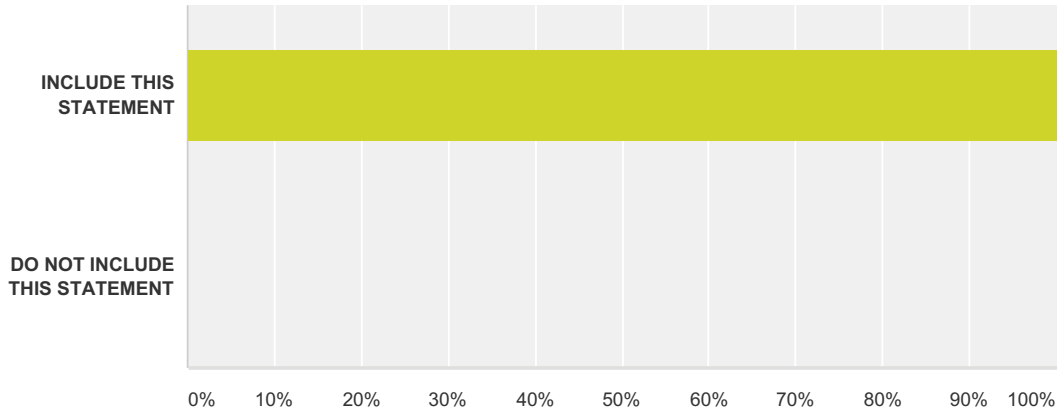
Answered: 11 Skipped: 1



Answer Choices	Responses
INCLUDE THIS STATEMENT	36.36% 4
DO NOT INCLUDE THIS STATEMENT	63.64% 7
Total	11

Q33 Method 5.1: The person in charge can demonstrate Food Code knowledge through practical means such as showing how they take temperatures, calibrate a thermometer, mix or test sanitizer, showing a posted employee health policy or list of major food allergens, etc.

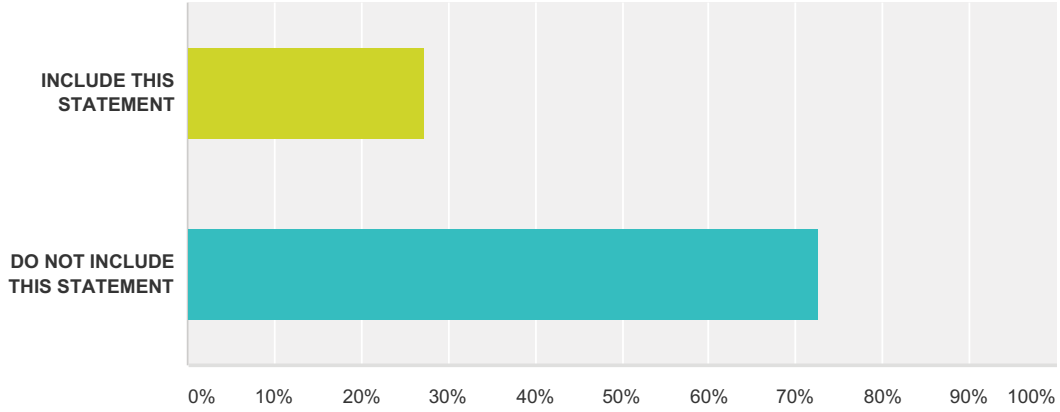
Answered: 11 Skipped: 1



Answer Choices	Responses	Count
INCLUDE THIS STATEMENT	100.00%	11
DO NOT INCLUDE THIS STATEMENT	0.00%	0
Total		11

Q34 Method 6: Develop standardized questions covering all areas of knowledge enumerated in sub-section (C).

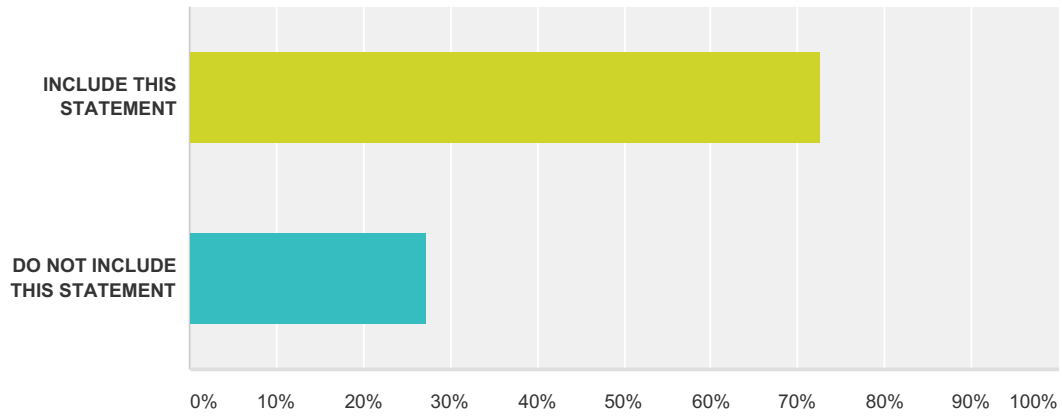
Answered: 11 Skipped: 1



Answer Choices	Responses
INCLUDE THIS STATEMENT	27.27% 3
DO NOT INCLUDE THIS STATEMENT	72.73% 8
Total	11

Q35 Method 8: Employees are completing tasks correctly.

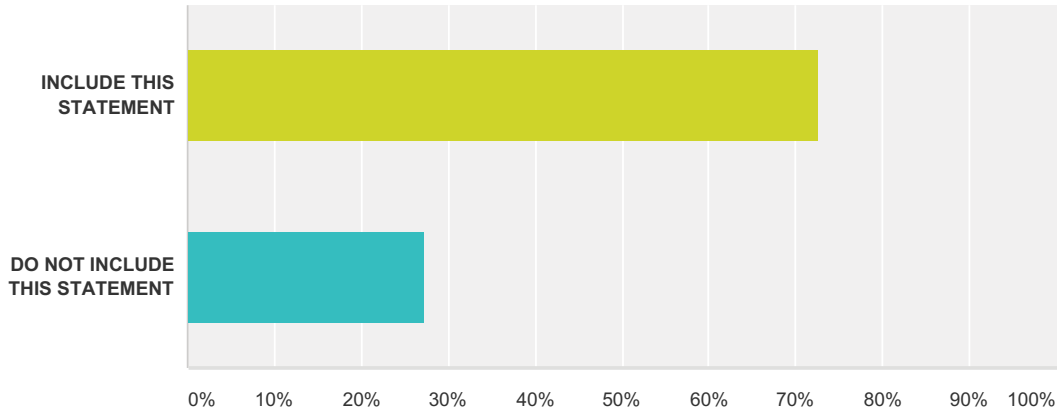
Answered: 11 Skipped: 1



Answer Choices	Responses
INCLUDE THIS STATEMENT	72.73% 8
DO NOT INCLUDE THIS STATEMENT	27.27% 3
Total	11

Q36 Method 9: Having one or more food handlers who are certificated through an ANSI-ASTM accredited program or equivalent and who comply with section 2-103.11 of this Code, thus applying practical means knowledge to the successful completion of tasks.

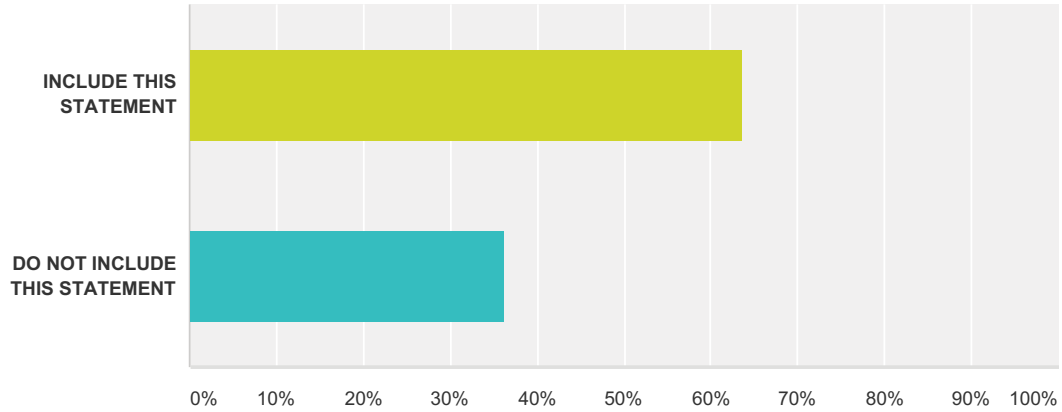
Answered: 11 Skipped: 1



Answer Choices	Responses	
INCLUDE THIS STATEMENT	72.73%	8
DO NOT INCLUDE THIS STATEMENT	27.27%	3
Total		11

Q37 Method 10: The establishment has a food handler certificated program through an ANSI ASTM program or equivalent and one or more employees is certificated through the program.

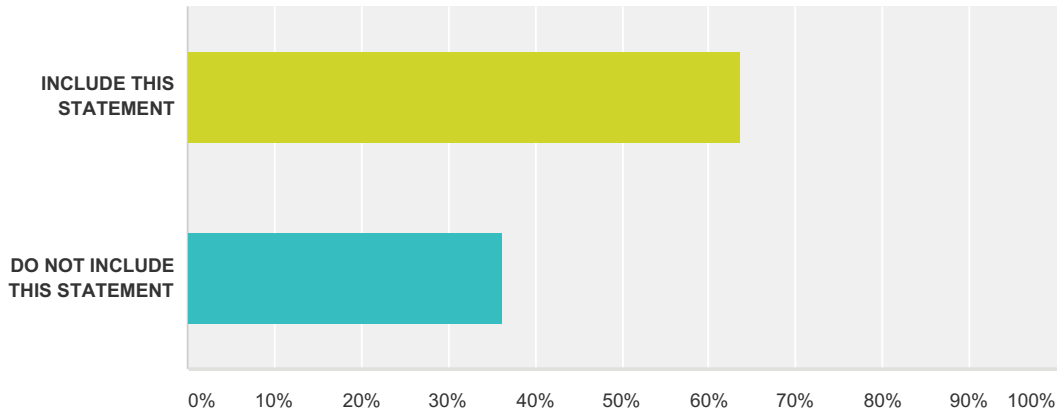
Answered: 11 Skipped: 1



Answer Choices	Responses
INCLUDE THIS STATEMENT	63.64% 7
DO NOT INCLUDE THIS STATEMENT	36.36% 4
Total	11

Q38 Method 11: Change the code language in 2-102.11 (C) to: “ Demonstrating food safetyprinciples based on the specific food operation. The areas of knowledge include:” .

Answered: 11 Skipped: 1



Answer Choices	Responses
INCLUDE THIS STATEMENT	63.64% 7
DO NOT INCLUDE THIS STATEMENT	36.36% 4
Total	11

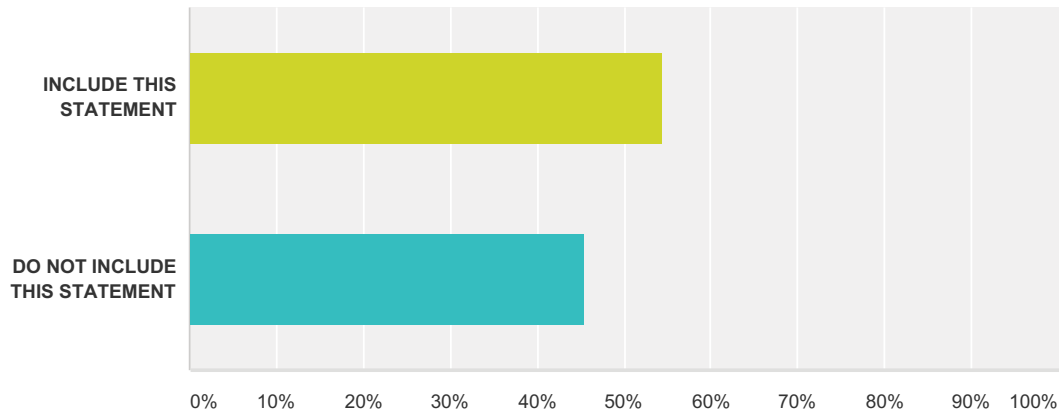
Q39 Method 12: Recommend eliminating Section 2-102.11 within the Food Code as follows: Allow the Duties Section of the Food Code (2-103.11) to substantiate demonstration of knowledge in lieu of the Demonstration Section (2-102.11). The distinction between knowledge and application is vague and difficult to articulate and this can lead to frustration between operators and regulators. Having one or more food handlers certified through an ANSI-ASTM accredited program or equivalent and who comply with (A) through (O) of Section 2-103.11 by applying practical knowledge to the successful completion of tasks should adequately demonstrate knowledge of the PIC.

- **Eliminate Section 2-102.11 (A). The number of times that an establishment has no priority violations is statistically insignificant. There is also the suspicion among regulators that a lack of priority violations could be accidental and not a true reflection of demonstration of knowledge.**
- **Eliminate Section 2-102.11 (B). The Food Code already requires the presence of a CFPM in Section 2-102.12 (A). The FDA Risk Factor Study correlates the presence of a CFPM with better control of risk factors and provides justification for the requirement in the Food Code to have at least one CFPM per establishment.**
- **Eliminate Section 2-102.11 (C). The Food Code already articulates the duties of a PIC in Section 2-103.11. In addition, the entirety of the risk based inspection identifies whether an establishment is controlling risk and, by extension, whether knowledge is being demonstrated through application. The current list of 17 questions found in 2-102.11 (C) could be moved to Annex 5 as guidelines for inspectors who**

Demonstration of Knowledge Committee Final Survey

wish to have dialogue with PICs.

Answered: 11 Skipped: 1



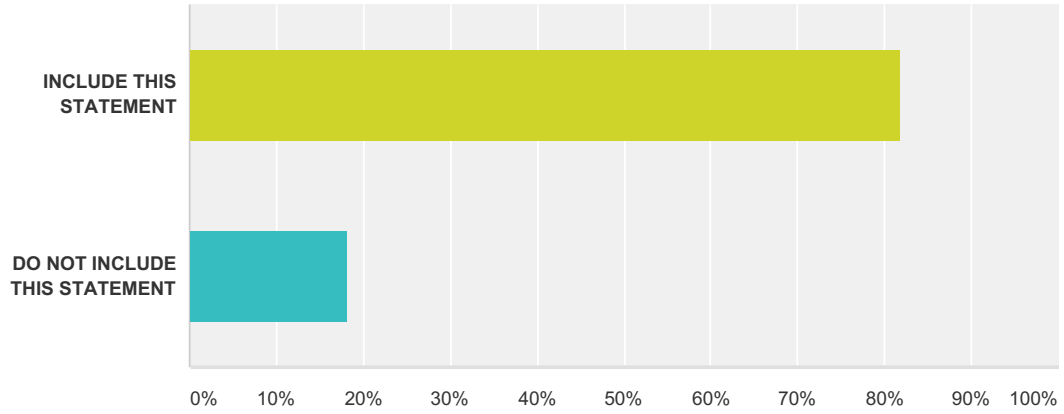
Answer Choices	Responses
INCLUDE THIS STATEMENT	54.55% 6
DO NOT INCLUDE THIS STATEMENT	45.45% 5
Total	11

Q40 Method 12.1: Recommend modifying Section 2-102.11 of the Food Code as follows: If the Certified Food Protection Manager is not present, and because the distinction between knowledge and application is vague and difficult to articulate which often leads to frustration between operators and regulators, the PIC shall be a food handler certificated through an ANSI-ASTM accredited program or its equivalent. The PIC shall substantiate knowledge through direct application of (A) through (O) of the Duties Section of the Food Code (2-103.11.) The successful completion of these tasks should adequately demonstrate the PIC's knowledge.

- o Eliminate Section 2-102.11 (A). The number of times that an establishment has no priority violations is statistically insignificant. There is also the suspicion among regulators that a lack of priority violations could be accidental and not a true reflection of demonstration of knowledge.
- o Eliminate Section 2-102.11 (C). The Food Code already articulates the duties of a PIC in Section 2-103.11. In addition, the entirety of the risk-based inspection identifies whether an establishment is controlling risk and, by extension, whether knowledge is being demonstrated through application. The current list of 17 questions found in 2-102.11 (C) could be removed to Annex 5 as guidelines for inspectors who wish to have dialogue with PICs.

Answered: 11 Skipped: 1

Demonstration of Knowledge Committee Final Survey



Answer Choices	Responses
INCLUDE THIS STATEMENT	81.82% 9
DO NOT INCLUDE THIS STATEMENT	18.18% 2
Total	11