**Section 615.310 Food Protection**

a) To protect the citizens within its jurisdiction from contracting foodborne diseases and to prevent disease transmission, the local health department shall conduct a comprehensive food protection program.

b) To reduce the incidence of foodborne illnesses, the local health department shall undertake the following activities to identify, reduce and, whenever possible, eliminate factors that may cause foodborne illnesses.

1) Programs shall be conducted in accordance with a local ordinance that incorporates by reference or includes provisions at least as stringent as the Food Service Sanitation Code and includes enforcement authority, or in accordance with a written agreement with the Department that designates the local health department as an agent of the Department.

2) The local health department shall maintain current listings of all food service establishments (facilities) as defined in the Food Service Sanitation Code.

3) For each facility, the local health department shall assess the relative risks of causing foodborne illness; shall classify each facility in accordance with the Food Service Sanitation Code; shall annually verify the classification of each Category I and Category II facility; and shall biennially verify the classification of each Category III facility. A local health department may reclassify a facility, based upon inspection history; number, frequency and severity of violations; and corrective action if a health hazard will not result from reclassification or if reclassification will provide better protection for the public. The basis for this decision shall be documented and be available for Department inspection.

4) The local health department shall inspect facilities at least as often as prescribed by the following schedule.

A) Category I facilities shall receive three inspections per year, or two inspections per year if one of the following conditions is met:

i) A certified food service manager is present at all times that the facility is in operation; or

ii) Employees involved in food operations receive a Hazard Analysis Critical Control Point (HACCP) training exercise or in-service training in another food service sanitation area, or attend an educational conference on food safety or sanitation.

B) Category II facilities shall receive one inspection per year.

C) Category III facilities shall receive one inspection every two years.

5) Inspections of all Category I and Category II facilities shall include HACCP concepts as defined in 77 Ill. Adm. Code 750.10 (Food Service Sanitation Code − Definitions). Discussion of at least one HACCP concept during the inspection shall be documented on the inspection report.

6) The local health department shall conduct plan reviews and pre-operational inspections for new and extensively remodeled facilities, in accordance with local ordinances.

7) The local health department shall conduct follow-up inspections, consultation and enforcement actions to ensure correction of deficiencies and violations of applicable ordinances, agreements or rules.

8) The local health department shall establish a surveillance and control system to monitor, identify and record instances of foodborne disease; to detect sources of contamination; to establish factors that contribute to outbreaks; and to recommend preventive and control measures and take appropriate action to prevent further spread of disease. Hazardous food shall be identified and its distribution shall be restricted in accordance with procedures that include the following:

A) Identification of and prohibition against foods that are unsafe and pose a potential threat to health and safety;

B) Hold or embargo authority, criteria for destruction of adulterated or contaminated foods, and notification of recalls;

C) Investigation of facilities upon receipt of complaints following events such as fire, natural disaster, and other occurrences that may compromise food safety; and

D) Establishment of a system to encourage community reporting of foodborne illness to the local health department, which will notify the Department within 24 hours after occurrence.

9) Information shall be provided to the general public concerning prevention of foodborne illness and describing proper ways for storing, preparing, and serving food. Information shall be made available to primary and secondary schools to instruct children regarding food sanitation and personal hygiene as it relates to food safety.

10) A program shall be provided that is designed especially for food establishment managers and personnel and that describes the proper ways of storing and preparing food and the necessity for reporting illness.

11) Self-evaluation/quality assurance reviews shall be conducted each State fiscal year to determine compliance with this Section and to evaluate the effectiveness of food protection activities within the jurisdiction of the local health department. The self-evaluation/quality assurance review shall be prepared and reported on forms provided by the Department and shall be submitted to the Department within 30 days after the end of each State fiscal year. The Department will provide the forms for the self-evaluation/quality assurance review to local health departments at least 60 days before the beginning of the State fiscal year for which the report is required.

c) Qualified personnel shall be available for the local health department to conduct activities required in this Section.

1) At least one supervisor or training officer shall be standardized and certified every three years in food safety practices and food sanitation by the United States Food and Drug Administration (FDA) certified State Evaluation Officers. Each local standardized training officer shall standardize the remaining program staff every three years.

2) New program staff shall complete the three-year Department-approved training program within 36 months after employment. Phase I of the training program shall be completed during the first 12 months, Phase II shall be completed within 24 months, and Phase III shall be completed within 36 months.

3) All personnel shall attend at least five hours of Department-approved training each year. Attendance at either a Department-provided or Department-approved orientation and training program, as required in subsection (c)(2), shall fulfill this requirement for the year of attendance.

(Source: Amended at 39 Ill. Reg. 5860, effective April 10, 2015)