

NOTICE OF PUBLIC RULES HEARING

DATE: Wednesday, September 30, 2015
TIME: 2:00 p.m.
35 E. Chestnut Street
Columbus, Ohio 43215
ROOM: Basement Training Room A

In accordance with Chapter 119 of the Revised Code (R.C.) and by authority of R.C. 3717.05, the Directors of the Departments of Health and Agriculture jointly propose amendments to thirteen Ohio Administrative Code (O.A.C.) rules from the **Ohio Uniform Food Safety Code** Chapter. The rules proposed for amendment are:

3717-1-01 State of Ohio Uniform Food Safety Code and definitions
3717-1-02.2 Management and personnel: personal cleanliness
3717-1-02.4 Management and personnel: supervision
3717-1-03.2 Food: protection from contamination after receiving
3717-1-03.3 Food: destruction of organisms of public health concern
3717-1-03.4 Food: limitation of growth of organisms of public health concern
3717-1-03.5 Food: food identity, presentation, and on premises labeling
3717-1-04.2 Equipment, utensils, and linens: numbers and capacities
3717-1-04.4 Equipment, utensils, and linens: maintenance
3717-1-04.5 Equipment, utensils, and linens: cleaning of equipment and utensils
3717-1-04.7 Equipment, utensils, and linens: laundering
3717-1-07.1 Poisonous or toxic materials: operational supplies and applications
3717-1-09 Criteria for reviewing facility layout and equipment specifications

These rules, along with the other rules in O.A.C. Chapter 3717-1, establish the Uniform Food Safety Code for food service operations and retail food establishments in Ohio. Proposed amendments are a result of the Food and Drug Administration's publishing of the 2011 Supplement to the Model Food Code and the 2013 edition of the Model Food Code. Many of the proposed changes are minor; however, some substantive changes are proposed, including the requirement that food service operations and retail food establishments appoint at least one employee with supervisory responsibility to be a certified food protection manager.

Previously Announced Rules on Agenda:

Besides the Ohio Food Safety Code rules, other rules that will be considered on the September 30th agenda are from the following Administrative Code Chapters: 3701:1-37 (Physical Protection of Category One and Category Two Quantities of Radioactive Material); 3701:1-46 (General Licenses and Licenses for Manufacturing and Distribution; and 3701-69 (Radon Testing and Mitigation Activities).

Hearing and Comment Procedure:

At the hearing, people affected by the proposed actions may appear and be heard in person, by an attorney or both; may present their positions, arguments, or contentions orally or in writing; may offer witnesses; and may present evidence tending to show that the proposed rules, if adopted or effectuated, will be unreasonable or unlawful. To aid in getting visitors through building security, both persons intending to testify at the hearing and those simply intending to observe are encouraged to pre-register by writing to the Office of the General Counsel, Ohio Department of Health, 246 North High Street, Columbus, Ohio 43215, by phoning (614) 466-4882, or by sending an e-mail to odhrules@odh.ohio.gov. Copies of the proposed rules are available on the Register of Ohio website: <http://www.registerofohio.state.oh.us/jsps/publicdisplayrules/searchRuleNumber.jsp>, or from the Office of the General Counsel, Ohio Department of Health (address listed above). Please FAX [(614) 564-2509], mail, or e-mail any written comments by 10:00 a.m. on September 30, 2015.

August 27, 2015