

**FOND DU LAC BAND OF LAKE SUPERIOR CHIPPEWA
FOOD SERVICE CODE ORDINANCE #10/93, AS AMENDED**

Adopted by Resolution #1208/93 of the Fond du Lac Reservation Business Committee on July 20, 1993.
Amended by Ordinance #03/95, adopted by Resolution #1240/95 of the Fond du Lac Reservation Business Committee on July 13, 1995.
Amended by Ordinance #01/14, adopted by Resolution #1077/14 of the Fond du Lac Reservation Business Committee on February 26, 2014.
Amended by Resolution #1206/15 of the Fond du Lac Reservation Business Committee on July 8, 2015.
Amended by Resolution #1264/15 of the Fond du Lac Reservation Business Committee on September 2, 2015.

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ORDINANCE #10/93, AS AMENDED

FOND DU LAC RESERVATION FOOD SERVICE CODE

Section 101 **AUTHORITY**

This Ordinance is enacted pursuant to the inherent sovereign authority of the Fond du Lac Reservation Business Committee, as the governing body of the Fond du Lac Band of Lake Superior Chippewa, as granted by Article VI of the Constitution of the Minnesota Chippewa Band, and as recognized by the United States under the Treaty of September 30, 1854, 10 Stat. 1109, and under Section 16 of the Indian Reorganization Act of 1934, 25 U.S.C. § 476.

Section 102 **FINDINGS**

The Reservation Business Committee finds that the retail sale of prepared foods for individual consumption within the boundaries of the Fond du Lac Reservation is directly related to the health, safety and welfare of the Fond du Lac Band and of all individuals residing within or visiting the Fond du Lac Reservation, and that the Reservation Business Committee has a commensurate responsibility to regulate such sales through the standards herein prescribed.

Section 103 **DEFINITIONS**

For the purposes of this Ordinance, the following terms shall have the meanings herein assigned:

- (a) "Approved" shall mean acceptable to the regulatory authority determined by the Fond du Lac Band of Lake Superior Chippewa.
- (b) "Band" shall mean the Fond du Lac Band of Lake Superior Chippewa.
- (c) "Environmental Health Advisor" shall mean the United States Public Health Service Sanitarian or other designee of the Reservation Business Committee.
- (d) "Fond du Lac Human Services Director (FDLHSD)" shall mean the Director of Fond du Lac Human Services or other individual who is duly designated by the Reservation Business Committee to administer the provisions of this Ordinance.
- (e) "Food-grade container" shall mean a container that is FDA-approved. Food-grade containers are marked as such before going on the market.
- (f) "Food Service Establishment" shall mean a unit or location where food is processed and intended for individual consumption usually for retail sale. The term includes any such place whether consumption is on or off the premises. This term includes home kitchens that prepare food for sale.

- (g) "Indian" shall mean a member of a federally-recognized Indian tribe who is eligible for direct health services provided by the Fond du Lac Human Services Division.
- (h) "Person in Charge" shall mean the point person for the event where food is being served.
- (i) "Prepared food" shall include, but not be limited to: refrigerated and ready-to-eat salads; closed-face sandwiches; appetizers; pasta side dishes; and rice side dishes. It shall NOT include open-faced sandwiches; frozen foods; produce, including fresh-cut salads; or acidified/LACF products.
- (j) "Reservation" shall mean the Fond du Lac Reservation and all other lands subject to the regulatory control of the Fond du Lac Band.
- (k) "Reservation Business Committee" shall mean the duly-elected governing body of the Fond du Lac Band.
- (l) "Retail Food Establishment" shall mean a unit or location in which food is manufactured, cut, mixed, ground, packaged, and processed for sale or distribution to consumers.
- (m) "Retail Food Outlet" shall mean a unit or location at which food is offered for sale or distribution with no cutting, mixing, grinding, packaging, or processing.
- (n) "Temporary Food Service Establishment" shall mean a food service establishment that operates at a fixed location for a period of not more than 14 consecutive days in conjunction with a single event or celebration. Farmer's markets are included in this definition.

Section 104 **FOOD SERVICE PERMITS**

- (a) Permanent Facilities. No person shall operate a food service establishment without a valid Food Service Permit issued to him by the FDLHSD. Only a person who complies with the requirements of this Code shall be entitled to receive or retain a Food Service Permit. Permits are not transferable. A valid permit shall be posted in every food service establishment. Permanent, non-temporary commercial food service establishments operating within the Fond du Lac Reservation must possess an unsuspended, unrevoked Food Service Permit from the FDLHSD. Food Service Permits will be issued as follows:
 - (1) All permanent facilities must meet the general requirements of the U.S. Food and Drug Administration Food Code 2013 as well as the general requirements of Section 105 of this Ordinance.
 - (2) The Environmental Health Advisor shall submit a completed Food Service Establishment Inspection Report to the FDLHSD.

- (3) The FDLHSD shall issue a Food Service Permit if the following conditions are met:
 - (A) A passing score of 70% or above is recorded on the Indian Health Services Temporary Food Handlers' test, or 70% or better on the Nation ServSave Food Protection Manager Certification Examination; and
 - (B) There were no "critical item" deficiencies noted on the Department of Health and Human Services, Public Health Services – Bemidji Area Indian Health Services, Form 12/2005, Temporary & Mobile Food Service Operation.
 - (4) Food Service Permits shall be issued for a 12-month period following approval by the FDLHSD. Renewal of the permit is to be accomplished by notifying the FDLHSD, who will then request the Environmental Health Advisor to inspect the premises.
 - (5) Food Service Permits shall be displayed in a conspicuous location within food service establishments.
- (b) **Temporary Facilities.** No person shall operate a temporary food service establishment who does not have a valid Temporary Food Service Permit issued by the FDLHSD. Only a person who complies with the requirements of this Ordinance shall be entitled to receive or retain such a permit. Permits are not transferable. Temporary food service establishments, operating on the Fond du Lac Reservation, must possess an unsuspended, unrevoked Temporary Food Service Permit from the FDLHSD. Temporary Food Service Permits will be issued upon completion of a Temporary Food Service Application according the following procedures:
- (1) All temporary facilities must meet the general requirements of Section 105 of this Ordinance.
 - (2) The FDLHSD shall issue a Temporary Food Service Permit to the operator of a temporary food service facility if the operator of said establishment has reviewed the "Temporary Food Service Requirements" and signed an agreement to comply with these guidelines.
 - (3) Temporary Food Service Permits shall be issued for such period of time as designated by the FDLHSD , but in no event shall exceed 14 days.
 - (4) Temporary Food Service Permits shall be prominently displayed within the food service establishment.
 - (5) Three (3) copies each of the "Food Service Sanitation Manual," the "Retail Food Store Sanitation Code", and the "Temporary Food Service

Requirements" shall be on file in the offices of the FDLHSD and the Reservation Business Committee.

- (6) All food service employees will be required to obtain and possess a current Food Handler Certificate and accompanying card. The Food Handler Certificate will be issued by the FDLHSD or the FDLHSD's certified designee and will be valid for one year after issuance. To obtain a Food Handler Certificate, the food service employees must attend a Food Service Training Session, sponsored by Fond du Lac Human Services.
- (c) Food Service Training Sessions will be presented on a bi-annual basis and prior to any event where prepared food is served; participants must pass the accompanying test with a score of 70% or higher.
- (d) Copies of all Food Service Permits, Temporary Food Service Permits and Food Handler Certificates will be maintained by the FDLHSD or the FDLHSD's designee.

Section 105 **FOOD SERVICE REQUIREMENTS**

The following standards shall apply to all food service activities within the Fond du Lac Reservation:

- (a) Location of temporary facilities. Temporary food stands must not be less than 100 feet from a building housing animals or other sources of odors, flies or insect infestations. Animal waste should not run off or drain towards food areas. Live animals must be excluded from the operational area of the food service stand. Toilet facilities must be located within 400 feet.
- (b) Construction. Each facility must have a roof made of wood, canvas, or other material that protects the interior of the establishment from splash, dust, and inclement weather. Floors shall be maintained in a sanitary condition. Each facility should have a floor constructed of concrete, asphalt, vinyl, or sealed wood. Dirt or gravel is acceptable only if covered by suitable materials that are effective in controlling dust and mud. Tent structures are to be enclosed on three sides to control flying insects.

Mobile units must have floors, walls, and ceilings that are covered with nonabsorbent, smooth, and easily cleanable materials. Mobile units must be completely enclosed. Protective screens or moveable windows must be provided for customer service windows and openings.

- (c) Lighting. Adequate lighting must be provided. Light bulbs must be shielded, coated, or otherwise shatter-resistant in areas where there is exposed food, clean equipment and utensils, or unwrapped single-service and single-use items.

- (d) Garbage. Garbage containers shall be non-absorbent and easily cleanable. Garbage containers shall be provided both inside and outside of each vendor site. An adequate number of garbage containers shall be provided to avoid over-accumulation of refuse. Garbage containers must have covers.
- (e) Fire extinguishers. Fire extinguishers must be made available to food stands (2A 10 B C rating). If using a commercial grade deep fat-fryer, a K extinguisher is recommended.
- (f) Cooking Devices. Cooking on stoves should be performed towards the rear of the food booth. Deep fat-fryers, grills, and griddles must be kept at least three (3) feet from any combustible material and separated from the public for safety. Barrels and other containers which have been used for the storage of toxic products shall not be used as a cooking device.
- (g) Enclosure and Separation of Cooking Areas. All means of cooking must be in an enclosed area effectively separated, so as not to be accessible to the public, by using fence, rope or similar means.
- (h) Water Supply.
 - (1) A potable water supply from an approved source must be provided on the premises for use in food preparation, utensil-washing and employee handwashing.
 - (2) Temporary restaurants which do not have water under pressure are required to provide food-grade water containers which are smooth, easily cleanable, and have a tight fitting cover. These containers must provide at least twenty (20) gallons of potable water to the stand each day the temporary restaurant is in use. Containers must be cleaned and sanitized prior to each day's operation:
 - (A) wash in a good detergent;
 - (B) rinse in clean water;
 - (C) immerse in a 100 ppm bleach solution or other sanitizer for two minutes; and
 - (D) air dry (100 ppm bleach solution -- one-quarter (1/4) ounce bleach per gallon of water).
 - (3) An electric or gas heating device is required to heat water for handwashing and utensil washing.
 - (4) Water hoses must be of food-grade material, i.e., clear plastic or of nontoxic materials approved by the USDA, FDA, and NSF. Water supplies that are connected to hoses shall be protected by an approved backflow prevention device.

(i) Utensil Cleaning.

- (1) Only single-service cups, dishes, and implements shall be used for serving food and drink. These utensils shall be fully protected from contamination, and shall be used only once.
- (2) All single-service utensils shall be stored in the original closed container or effectively protected from dust, insects and other contamination and be stored a minimum of six (6) inches off the floor. Single-service straws, knives, forks, spoons and toothpicks stored in a container which is self-service to the customer, shall be individually wrapped unless served through an approved dispenser or dispensed individually by a food service employee to the customer.
- (3) Dishes and utensils must be washed and sanitized after each use in the following manner: (a) pre-wash (scrape and soak); (b) wash in a good detergent; (c) rinse in clean water; (d) immerse in a 100 ppm bleach solution or other approved sanitizer for two minutes; and (e) air dry (100 ppm bleach solution -- one-quarter (1/4) ounce bleach per gallon of water). All equipment and utensils shall be NSF food-grade approved, smooth, durable, and easy to clean.

(j) Wastewater Disposal. Liquid waste must be emptied into an approved sewage collection system when such system is available. When not available, liquid waste must be stored in a sealed container. This waste shall be disposed of at a location that will not create a fly, odor, or nuisance problem.

(k) Grease. Grease must be disposed of in a grease disposal unit if one is available. If none is available, then the grease should be collected in an appropriate can (coffee or other aluminum) and allowed to cool and solidify and then disposed of in the normal solid waste dumpster or bin.

(l) Handwashing.

- (1) Hot water or tempered water must be provided for handwashing. If potable water is under pressure at the facility, a single compartment stainless steel or porcelain handwash sink with proper liquid waste disposal must be used.
- (2) Where potable water is not under pressure, a minimum of two pans or basins for handwashing and rinsing is required (a single basin with two compartments is acceptable). Handwashing basins shall be kept in a clean and sanitary condition. Disposable towels, soap and a waste receptacle shall be provided in the area of the handwashing basins.
- (3) An alternative method for handwashing when potable water is not under pressure is as follows: hot or tempered water in a suitable clean container with a spigot is encouraged for washing and rinsing hands. Water from

the spigot will run over the hands while they are being washed and rinsed and the wastewater collected for proper disposal such as in a bucket or pan.

- (4) All food service workers shall wash their hands frequently while preparing and serving food. Employees must wash their hands immediately after using the toilet, using tobacco, handling raw meat, coughing, sneezing, or using a tissue.
- (5) Food employees may not contact ready-to-eat food with their bare hands. Food employees shall use utensils, deli tissues, spatulas, tongs, and/or single-use gloves when handling ready-to-eat food.
- (6) Hand sanitizers may only be applied to hands that have been thoroughly washed. Hand sanitizers are not an acceptable substitute for handwashing.

(m) Personal Hygiene.

- (1) All persons working in concessions must wear clean clothing and caps or hair nets.
- (2) Tobacco products, in any form, shall not be used in the food preparation or serving areas. Employees of the facility shall wash their hands immediately after using any tobacco products.
- (3) Eating by employees must not be done in the food preparation or serving area. A separate area must be designated for employees to take their meal breaks.

(n) Illness and disease.

- (1) Reporting symptoms. Food employees are required to report to management any incident of diarrhea, vomiting, or jaundice (yellowing of skin or whites of eyes). Employees are also required to report to management any lesions containing pus or open wound so precautions can be taken to prevent food contamination. Employees are required to report to management the date of onset of symptoms.
- (2) Reporting diagnosis. Food employees are required to report to management when they have been diagnosed with any of the following illnesses, whether they have symptoms or not:
 - (A) Norovirus;
 - (B) Hepatitis A;
 - (C) Shigella spp;
 - (D) Enterheorrhagic or Shiga Toxin-producing Escherichia coli; or
 - (E) Salmonella Typhi.

- (3) Reporting exposure. Food employees are required to report to management when they have been exposed to an illness caused by:
 - (A) Norovirus, within the past forty-eight (48) hours;
 - (B) Enterohemorrhagic or Shiga Toxin-producing Escherichia coli, within the past three (3) days;
 - (C) Salmonella Typhi, within the past fourteen (14) days; or
 - (D) Hepatitis A, within the past thirty (30) days.
- (4) Exclusion and restrictions. Management must exclude or restrict food employees from working in a food service operation based on the guidelines and decision tree found in Appendix A.
- (5) Recording. Management must record illnesses or symptoms and any associated work exclusions/restrictions in an illness log; a prototype of the log is found in Appendix B.
- (o) Unauthorized Access. Unauthorized access to the food preparation area should be prohibited. Only food service workers should be present in the facility.
- (p) Children Under 14. No children under the age of fourteen (14) years shall work in a temporary food service facility.
- (q) Food Protection. No home canned products shall be used. Foods must be from approved sources. All meat and poultry shall come from USDA or other acceptable government-regulated approved sources. The RBC may, by resolution, authorize exemptions from this requirement, on a case-by-case basis, for traditional reasons.
 - (1) Potentially hazardous foods such as hamburger, salads, eggs, milk, etc., shall be kept refrigerated at a temperature of less than 41EF when not being served.
 - (2) Potentially hazardous food is an animal food that is raw or heat treated; a food of plant origin that is heat-treated or consists of raw seed sprouts; cut melons; or garlic-in-oil mixtures capable of supporting growth of infections or toxigenic micro-organisms.
 - (3) Hamburgers and poultry must be provided in ready-to-cook portions. Hamburgers must come in preformed patties separated by clean paper or other wrapping materials. Poultry must be pre-cut into individual portions.
 - (4) Potentially hazardous foods, such as cream-filled pastries and pies, custards, salads such as potato, chicken, ham, crab, and egg, shall not be served by temporary food stands unless reliable mechanical refrigeration is present and available.

- (5) Wild game animals should not be served to the general public. All meat and poultry should come from the USDA or other government-regulated sources. Vendors should provide proof that the game animals of foods were processed by a USDA approved butcher or processor. The RBC may choose to exempt these requirements for traditional reasons.
- (6) All parts of potentially hazardous foods must reach the required internal temperature found in the Food and Drug Administration Food Code:

165° for fifteen (15) seconds: poultry; stuffing containing fish, meat, or poultry; stuffed fish, meat, pasta, or poultry.

155° for fifteen (15) seconds: hamburgers; fish cakes and sticks; pork; pooled raw eggs.

145° for fifteen (15) seconds: raw shell eggs that are broken and prepared in response to a consumer's order and for immediate service; fish; meat; and pork.
- (7) Potentially hazardous food shall be kept at 135EF or above. Hot holding equipment for this food must be approved by public health and safety organization NSF or UL.
- (8) Foods should be rapidly reheated from 41° and 165°; foods must reach 160° in less than two (2) hours. Steam tables and crock pots are not to be used to reheat potentially hazardous foods.
- (9) Foods held at or above 135° should be discarded at the end of the day.
- (10) Frozen foods shall be thawed out at temperatures below 41° or during the cooking process. No thawing of frozen foods at outdoor temperatures will be allowed.
- (11) An accurate and visible thermometer must be located in each refrigeration unit. Refrigerators and ice chests must be able to hold potentially hazardous foods at or below 41°.
- (12) An accurate metal stem thermometer must be provided for checking internal temperatures of cold and hot potentially hazardous foods.
- (13) All foods and drinks are to be covered at all times to prevent contamination from flies, dust, sneezing, etc. If cloth coverings are used, they shall be used for no other purpose and shall be replaced by clean cloths daily.
- (14) Ice which will be consumed shall be obtained in chipped, crushed or cubed form. Such ice shall be obtained in single service closed containers, and shall be held therein or in sanitary covered containers

until used. Dippers or scoops shall be used for dispensing ice. Melted water shall be disposed in a location that does not create a nuisance or hazard.

- (15) All nonperishable food, equipment, utensils, and single service items must be stored in a clean, dry location and must be stored in their original containers a minimum of 6 inches above the floor of the temporary restaurant.
- (16) Nonperishable food which is not stored in its original container must be stored in a food-grade covered container, and if the food item is not readily recognizable, must be labeled for content.
- (17) Ready-to-eat potentially hazardous food stored for more than twenty-four (24) hours must be labeled with the date of preparation and used or discarded within seven (7) days.
- (18) Sugar, cream, mustard, ketchup and similar products shall be served from individual packages or approved dispensers unless they are served by food service employees.
- (19) Items such as pickles, onions and relish shall be served by food service employees unless individually packaged.
- (20) Plastic squeeze bottles, pumps and similar types of dispensers must be fabricated so as to be smooth, easily cleanable and capable of being completely disassembled for washing, rinsing and sanitizing.
- (21) Unpackaged food may not be stored in direct contact with ice. Packaged food may be stored in ice or water if food is enclosed to prevent saturation. Wet storage of canned or bottled non-hazardous beverages is acceptable when the water is clean. A small amount of bleach (about one quarter (1/4) of a capful) should be added to the ice melt water. At least 10ppm of available chlorine should be present in the ice melt water.

(r) Refuse.

- (1) Garbage and refuse shall be routinely removed from the immediate area around the facility to prevent the attraction of flies and the creation of odor and nuisance problems.
- (2) Durable waste containers of sufficient size and number, lined with plastic bags and tight-fitting lids, will be provided by the operator of the facility. These containers must be covered at all times. The containers must be emptied as often as necessary to avoid creating a nuisance. When dumpsters are used for daily storage, plastic bags shall be used and tightly closed prior to storage in dumpsters.

(s) **Washing and Cleaning Aids.**

- (1) Three (3) clean five-gallon containers shall be used for warewashing at all temporary food stands, unless NSF-grade three (3) compartment sinks are already installed. These containers should be large enough for complete immersion of all utensils and not used for food preparation. All utensils and surfaces must be sanitized a minimum of every four (4) hours or as needed to ensure they do not contaminate the food products being prepared or served. Adequate space for air drying of food equipment and utensils must be provided.
- (2) Utensils and equipment must be washed after each use in the following manner:
 - (A) prewash (scrape and soak);
 - (B) wash in dish washing detergent;
 - (C) rinse in clean water;
 - (D) sanitize with chlorine bleach or other approved sanitizer (100ppm chlorine solution, approximately one (1) tablespoon per gallon of water)for ten (10) seconds; and
 - (E) air dry.
- (3) Cloths used for wiping food spills should be used for no other purpose. Wet cloths must be sorted in a chemical sanitizer at concentrations specified by manufacturer. Dry cloths must be free of food debris and soil.
- (4) Chemical test papers, such as chlorine quaternary ammonium or iodine should be available to check concentrations of chosen solutions.
- (5) Floor cleaning aids such as mops, brooms and buckets should not be stored in food preparation areas.

(t) **Toxic Product Use.** Toxic products must not be used in a way that contaminates food, equipment, or utensils or in a way that constitutes a hazard to employees or other persons, or in a way other than in full compliance with the manufacturer's label. Toxic products shall not be stored above food, food equipment, utensils, or single-service articles.

(u) **Person in Charge.**

- (1) A person must be designated to be in charge at all times when the food stand is operating. The person in charge must demonstrate a knowledge of foodborne disease prevention as it relates to their specific food processes and general food code requirements.

- (2) Temporary food service workers shall attend a food handler's training provided by the Band, Indian Health Services, State, or local health department.
- (3) At least one person in each food stand must hold a current food handler's card.

Section 106 **INSPECTIONS**

- (a) Delegation of Authority. The Fond du Lac Reservation Business Committee delegates inspection authority of all food service establishments on the Fond du Lac Reservation to the FDLHSD. The FDLHSD may use the services of the Environmental Health Advisor as necessary to satisfy the requirements of this Ordinance.
- (b) Inspections of Permanent Facilities. Inspections shall be conducted at least annually of all permanent, nontemporary food service establishments by the Environmental Health Advisor or the Environmental Health Advisor's designee. Findings shall be reported using the FDA 2009 Food Survey form. Commercial establishment reports will be sent to the owner/operator of the facility, the Chair of the Fond du Lac Reservation Business Committee, and the FDLHSD. If a facility does not pass inspection, the report must be flagged and a cover letter attached briefly outlining the finding(s). In addition, a facility failing to pass must be inspected within at least six months after the failed inspection, and every six months (or less) thereafter, until at least one (1) year has passed with no findings.
- (c) Inspections of Temporary Food Service Establishments. Spot check inspections will be conducted periodically of temporary food service establishments by the FDLHSD or the FDLHSD's designee. Each facility will be inspected at least once during its operation.
- (d) Implied Consent. The issuance of a Food Service Permit or Temporary Food Service Permit carries with it the implied consent that the FDLHSD, the Environmental Health Advisor, or other designee shall have, at all times, with or without advance scheduling, the right of proper entry upon any and all parts of the premises of any place in which such entry is necessary to carry out the provisions of this ordinance.

Section 107 **ENFORCEMENT**

The FDL RBC aims to ensure that all food produced, handled, distributed, stored, and consumed within the Reservation is safe. The FDLHSD or the FDLHSD's designee, Conservation Wardens, and Fond du Lac Police Officers are empowered to enforce this ordinance through any legal means available.

- (a) Civil Action. The provisions of this Ordinance shall be enforced through a civil action before the Fond du Lac Tribal Court, and shall be commenced by citation issued by the FDLHSD or the FDLHSD's designee, Conservation Wardens, or Fond du Lac Police Officers.
- (b) Penalties. Violation of any provision may be punished or remedied by a civil penalty not to exceed \$500. Each day of a continuing violation may be charged as a separate violation, and a separate penalty may be imposed. In addition to a civil penalty, any personal property which has been used in connection with a violation of this Ordinance, including vehicles and other equipment, may be seized and forfeited in satisfaction of any judgment entered pursuant to this Ordinance and the Civil Code of the Fond du Lac Band.
- (c) Temporary Emergency Closure. If the FDLHSD or the FDLHSD's designee identifies a violation which, if not corrected, is likely to directly contribute to food contamination, illness, or environmental degradation, the FDLHSD or the FDLHSD's designee may order the Food Service Establishment to immediately correct the violation. If the Food Service Establishment fails to immediately correct the violation, the FDLHSD or the FDLHSD's designee, Conservation Wardens, or Fond du Lac Police Officers shall have the authority to issue a temporary emergency closure and to ensure that the establishment ceases food service. The temporary emergency closure shall remain in effect until the establishment obtains a new certification or a court rules otherwise.
- (d) Money Damages and Injunctive Relief. Nothing herein shall prevent the Fond du Lac Band from bringing an action against any violator of this Ordinance for money damages for harm to any Band resource caused by the violation, or for injunctive relief. Injunctive relief may include the suspension of the violator's Food Service Permit or Temporary Food Permit for a specified period of time, or pending specific performance.
- (e) Termination of Permits. If any individual who operates a food service establishment required to possess a Food Service Permit or Temporary Food Service Permit, violates the provisions of this Ordinance, such violation shall constitute grounds for termination of that person's permit to trade on the Fond du Lac Reservation by the FDLHSD.

Section 108 **EFFECTIVE DATE OF ORDINANCE; SEVERABILITY**

This Ordinance shall be in full force and effect immediately after its adoption and, at that time, all ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of said Ordinance shall not be affected thereby. The Reservation Business Committee declares that there shall be no liability on the part of the Fond du Lac Band or its agencies or employees for damages which may occur as the result of reliance upon or conformance with this Ordinance. The Reservation Business

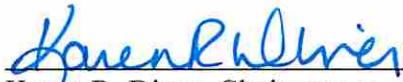
Committee, by adoption of this Ordinance, does not waive the sovereign immunity of the Fond du Lac Band in any respect.

Section 109 **AMENDMENT OR RESCISSION**

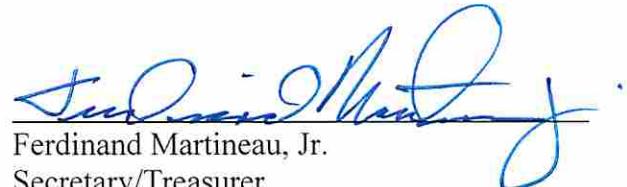
The Reservation Business Committee may amend or rescind this Ordinance as it deems necessary to protect the health, safety and welfare of the Fond du Lac Reservation. The provisions of this Ordinance may be amended by resolution of the Reservation Business Committee.

CERTIFICATION

We do hereby certify that the foregoing Ordinance #10/93, was duly adopted by Resolution #1208/93 by a vote of 3 for, 0 against, 0 silent, with a quorum of 4 being present at a Special Meeting of the Fond du Lac Reservation Business Committee held on July 20, 1993; and subsequently amended by Ordinance #03/95, adopted by Resolution #1240/95 on July 13, 1995; and by Ordinance #01/14, adopted by Resolution #1077/14 on February 26, 2014; by Resolution #1206/15 on July 8, 2015; and by Resolution #1264/15 on September 2, 2015.



Karen R. Diver, Chairwoman
Chairwoman



Ferdinand Martineau, Jr.
Secretary/Treasurer

laws:10-93(072093;071395;022614; 070815;090215)

TEMPORARY FOOD SERVICE PERMIT APPLICATION

FOND DU LAC RESERVATION

Applicant Name: _____
Address: _____
Email address _____
Phone Number: _____

**Names of people authorized to work in the
Temporary Food Service Facility:**

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

Period of Food Service Operation: _____

As the owner/operator of this Temporary Food Service Facility, I hereby apply for a permit from the Fond du Lac Band to operate my business on the Fond du Lac Reservation. I have reviewed the requirements of the TEMPORARY FOOD SERVICE requirements of the Fond du Lac Band and agree to comply with said guidelines.

I understand that failure to comply with any of the requirements of these Requirements will result in the revocation of my Temporary Food Service Permit.

Owner/Operator: _____

Date: _____

Exclusion and Restriction Policy for Food Handlers

A. Reporting Symptoms. In accordance with the 2009 FDA Food Code, as amended, food employees are required to report to management any incident of diarrhea, vomiting, or jaundice (yellowing of skin or whites of eyes). Employees are also required to report to management any lesions containing pus or open wound so precautions can be taken to prevent food contamination.

Food employees are also required to report to management the date of onset of symptoms, an illness or of a diagnosis without symptoms.

B. Reporting Diagnosis. Food employees are required to report to management when they have been diagnosed by a health practitioner with any of the following illnesses:

1. Norovirus; or
2. Hepatitis A; or
3. Shigella spp.; or
4. Enterohemorrhagic or Shiga Toxin-producing Escherichia coli; or
5. Salmonella Typhi.

C. Reporting Exposure. Food employees are required to report to management when they have been exposed by attending or working in a setting when there is a confirmed disease outbreak or living in the same household as, and has knowledge about, an individual who works, attends or had been diagnosed with an illness caused by:

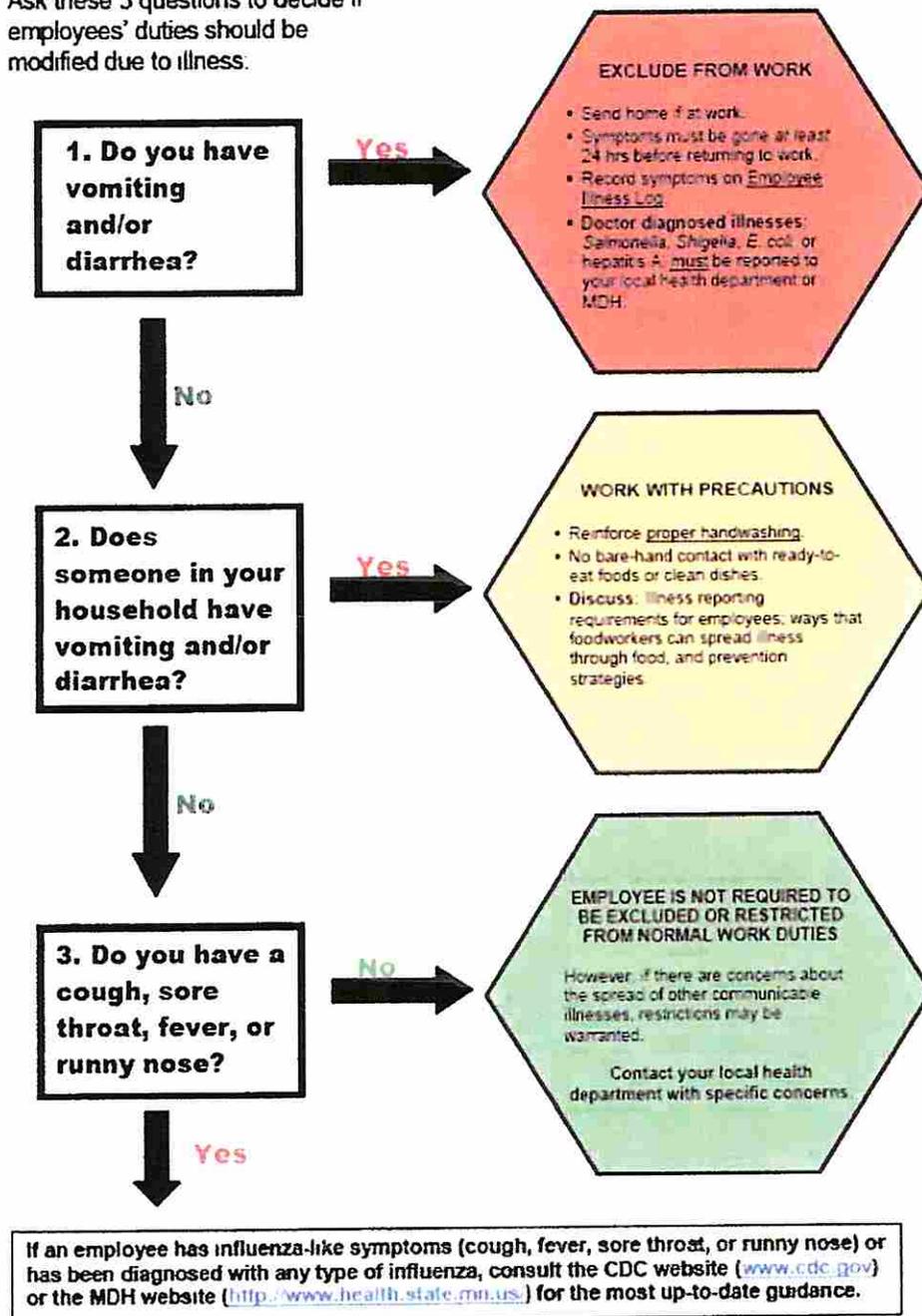
1. Norovirus, with the past 48 hours;
2. Enterohemorrhagic or Shiga Toxin-producing Escherichia coli, within the past 3 days;
3. Salmonella Typhi, within the past 14 days;
4. Hepatitis A, within the past 30 days.

D. Exclusion and Restrictions. Management will exclude or restrict food employees from working in a food service operation. The period of time that a food employee will be prohibited from engaging in food service work will be determined using the guidelines and decision tree that follow.

Management will record illnesses or symptoms and any associated work exclusion and restriction in an illness log (sample attached).

EMPLOYEE ILLNESS DECISION GUIDE

Ask these 3 questions to decide if employees' duties should be modified due to illness.



Food Employee Illness Guidelines

Illness Symptoms Action Guidance

Conditions	Action / Return-to-Work Criteria for Foodworkers	Other Information
Acne	Reinforce good handwashing and no bare-hand contact with ready-to-eat foods.	Acne itself is not transmitted through food, however some of the bacteria commonly found in areas of acne can cause foodborne illnesses. Remind foodworkers that they must not touch acne (or other parts of their bare skin) while working with food. If they do so, they must wash their hands immediately.
Bed bugs	No exclusions or restrictions are required	Bed bugs are not transmitted from person-to-person. They are not like lice and will not usually travel directly on a person's body. Bed bugs are spread between residences and when they hide and are transported in luggage, furniture, or other items.
Bronchitis	Food employees experiencing persistent sneezing, coughing, or a runny nose that causes discharge from the eyes, nose, or mouth <u>may not</u> work with exposed food; clean equipment, utensils, or linens, or unwrapped single-service or single-use articles.	When employee returns to work, reinforce good handwashing, emphasize no bare-hand contact with ready-to-eat foods, and discuss employee illness reporting procedure, and the ways ill foodworkers can spread illness through food.
<i>Campylobacter</i> spp. (Campylobacteriosis or Campylobacter enteritis)	Exclude food employee from food establishment. Notify local health department or call 1-877-FOOD-ILL. Record illness on employee illness log. Health department <u>clearance is required</u> before the foodworker may return to work.	Campylobacteriosis is an infectious disease caused by bacteria of the genus <i>Campylobacter</i> , and may be transmitted through food. Most people who become ill with campylobacteriosis get diarrhea, cramping, abdominal pain, and fever within two to five days after exposure to the organism. The diarrhea may be bloody and can be accompanied by nausea and vomiting. The illness typically lasts one week. Foodworkers diagnosed with campylobacteriosis <u>must report</u> their illness to the person-in-charge.

** ITEMS SHOULD BE RECORDED ON ILLNESS LOG AND/OR REPORTED TO YOUR LOCAL HEALTH DEPARTMENT

Food Employee Illness Guidelines

Illness Symptoms Action Guidance

Conditions	Action / Return-to-Work Criteria for Foodworkers	Other Information
Cut, wound, or burn	Open wounds on hands or arms must be covered with an impermeable bandage and a single-use glove (for hand wounds) before returning to work. Reinforce good handwashing and emphasize no bare-hand contact with ready-to-eat foods.	Reinforce good handwashing. Emphasize no bare-hand contact with ready-to-eat foods. Discuss employee illness reporting procedure. Discuss the ways ill foodworkers can spread illness through food.
** <i>Cryptosporidium parvum</i> (Cryptosporidiosis)	Exclude food employee from food establishment. Notify local health department or call 1-877-FOOD-ILL. Record illness on employee illness log. Health department clearance is required before the foodworker may return to work.	<i>Cryptosporidium</i> can be transmitted from an infected foodworker to customers through food. Foodworkers diagnosed with cryptosporidiosis <u>must report</u> their illness to the person-in-charge.
Diarrhea	Exclude food employee from food establishment. Employee must be symptom free for at least 24 hours before returning to work. Record on employee illness log.	Foodworkers with diarrhea are a SEVERE FOOD SAFETY RISK . Diarrheal illnesses are often highly contagious and can be easily transmitted from an infected foodworker to customers. Foodworkers with diarrhea <u>must report</u> their symptoms to the person-in-charge.

Food Employee Illness Guidelines

Illness Symptoms Action Guidance

Conditions	Action / Return-to-Work Criteria for Foodworkers	Other Information
Chickenpox (varicella-zoster)	Open wounds on hands or arms must be covered with an impermeable bandage and a single-use glove (for hand wounds) before returning to work. Reinforce good handwashing and emphasize no bare-hand contact with ready-to-eat foods.	Chickenpox (also known as varicella-zoster) is a viral illness that can be prevented by vaccination. It is highly contagious, but not transmitted through food.
Ciguatera Fish Poisoning	Exclude food employee from food establishment. Must be symptom free for at least 24 hours before returning to work. Record on employee illness log. Notify local health department or call 1-877-FOOD-ILL.	Ciguatera fish poisoning (or ciguatera) is caused by eating fish that contain toxins. While ciguatera is a foodborne illness, it cannot be transmitted from person-to-person. People who have ciguatera may experience nausea, vomiting, and neurologic symptoms such as tingling fingers or toes. Symptoms usually go away in days or weeks but can last longer. Barracuda, black grouper, blackfin snapper, cubera snapper, dog snapper, greater amberjack, hogfish, horse-eye jack, king mackerel, and yellowfin grouper have been known to carry ciguateroxins. Foodworkers <u>must report</u> their illness to the person-in-charge.
Cold Cough/sneeze/runny nose	Exclude employees experiencing persistent coughing, or a runny nose that causes discharge from the eyes, nose, or mouth <u>may not work</u> with exposed food; clean equipment, utensils, or linens; or unwrapped single-service or single-use articles.	When employee returns to work: reinforce good handwashing; emphasize no bare-hand contact with ready-to-eat foods; and discuss employee illness reporting procedure, and the ways ill foodworkers can spread illness through food.

** ITEMS SHOULD BE RECORDED ON ILLNESS LOG AND/OR REPORTED TO YOUR LOCAL HEALTH DEPARTMENT.
TO BE USED AS A RESOURCE ONLY – IF YOU HAVE SPECIFIC QUESTIONS, CONTACT MDH OR YOUR LOCAL HEALTH DEPARTMENT

Food Employee Illness Guidelines

Illness Symptoms Action Guidance

Conditions	Action / Return-to-Work Criteria for Foodworkers	Other Information
<p>**E. coli O157:H7</p> <p>(EHEC - Enterohemorrhagic colitis; STEC - Shiga toxin producing E. coli)</p>	<p>Exclude food employee from food establishment. Notify local health department or call 1-877-FOOD-ILL. Record illness on employee illness log. Health department <u>clearance is required</u> before the foodworker may return to work.</p>	<p><i>E. coli</i> is a SEVERE FOOD SAFETY RISK. <i>E. coli</i> is a highly contagious foodborne illness and can be easily transmitted from an infected foodworker to customers.</p> <p>Foodworkers diagnosed with <i>E. coli</i> <u>must report</u> their illness to the person-in-charge.</p>
<p>Fever</p>	<p>If symptoms include diarrhea or vomiting, exclude food employee from food establishment. Must be symptom free for at least 24 hours before returning to work. Record on employee illness log.</p> <p>If fever is not accompanied by diarrhea or vomiting, employee may be allowed to work. Reinforce good handwashing; emphasize no bare-hand contact with ready-to-eat foods, and discuss employee illness reporting procedure and the way ill foodworkers can spread illness through food.</p> <p>If fever is accompanied by sore throat or cough, see "Influenza".</p>	<p>Fever may be caused by a number of conditions. A foodworker experiencing a fever may not be a food safety risk, but should be closely monitored for vomiting, diarrhea, or influenza.</p> <p>If foodworker experiences these symptoms, they <u>must report</u> their symptoms to the person-in-charge and be immediately excluded from work.</p>

Food Employee Illness Guidelines

Illness Symptoms Action Guidance

Conditions	Action / Return-to-Work Criteria for Foodworkers	Other Information
<p><i>Giardia spp.</i> (Giardiasis)</p>	<p>Exclude food employee from food establishment. Notify local health department or call 1-877-FOOD-ILL. Record illness on employee illness log. Health department clearance is required before the foodworker may return to work.</p>	<p><i>Giardia</i> can be transmitted from an infected foodworker to customers through food.</p> <p>Foodworkers diagnosed with giardiasis <u>must report</u> their illness to the person-in-charge.</p>
<p>Hangover</p>	<p>If symptoms include diarrhea or vomiting, exclude food employee from food establishment. Must be symptom free for at least 24 hours before returning to work. Record on employee illness log.</p>	
<p>Headache</p>	<p>If symptoms include vomiting or diarrhea, exclude food employee from food establishment. Must be symptom free for at least 24 hours before returning to work. Record on employee illness log.</p> <p>If headache is not accompanied by vomiting or diarrhea, employee may be allowed to work. Reinforce good handwashing, emphasize no bare-hand contact with ready-to-eat foods, and discuss employee illness reporting procedure, and the ways ill foodworkers can spread illness through food.</p>	<p>Headaches may be caused by a number of conditions. A foodworker experiencing a headache may not be a food safety risk, but should be closely monitored for vomiting or diarrhea.</p> <p>If foodworker experiences these symptoms, they <u>must report</u> their symptoms to the person-in-charge and be immediately excluded from work.</p>

Food Employee Illness Guidelines

Illness Symptoms Action Guidance

Conditions	Action / Return-to-Work Criteria for Foodworkers	Other Information
HIV/AIDS	No exclusions or restrictions are required.	HIV/AIDS attacks the immune system. The HIV/AIDS virus is transmitted through contact with the blood and body fluids of someone who is infected. HIV/AIDS is not considered to be a foodborne pathogen. Practice routine blood-borne pathogen precautions.
H1N1 Novel Influenza (Swine flu)	See "Influenza."	
**Hepatitis A	Exclude food employee from food establishment. Notify local health department or call 1-877-FOOD-ILL. Record illness on employee illness log. Health department <u>clearance is required</u> before the foodworker may return to work.	Hepatitis A is a SEVERE FOOD SAFETY RISK . Hepatitis A is a highly contagious foodborne illness and can be easily transmitted from an infected foodworker to customers. Yellowing of skin and eyes are common symptoms of hepatitis A. Foodworkers diagnosed with hepatitis A <u>must report</u> the illness to the person-in-charge.
Hepatitis B	No exclusions or restrictions are required.	Hepatitis B is a serious liver infection. The hepatitis B virus is transmitted through contact with blood and body fluids of someone who is infected. Hepatitis B is not considered to be a foodborne pathogen. Practice routine blood-borne pathogen precautions.

Food Employee Illness Guidelines

Illness Symptoms Action Guidance

Conditions	Action / Return-to-Work Criteria for Foodworkers	Other Information
Hepatitis C	No exclusions or restrictions are required.	Hepatitis C is a serious liver infection. The hepatitis C virus is transmitted through contact with blood and body fluids of someone who is infected. Hepatitis C is not considered to be a foodborne pathogen. Practice routine blood-borne pathogen precautions.
Impetigo	Open wounds on hands or arms must be covered with an impermeable bandage and a single-use glove (for hand wounds) before returning to work. Reinforce good handwashing and no bare-hand contact with ready-to-eat foods.	Impetigo is not a foodborne illness, but a contagious skin infection occurring on the nose, arms, and legs, or around the mouth. Impetigo is spread person-to-person by contact with fluid from around the sores.
Infected wound or pustular boil	Open wounds on hands or arms must be covered with an impermeable bandage and a single-use glove (for hand wounds) before returning to work. Reinforce good handwashing and emphasize no bare-hand contact with ready-to-eat foods.	
Influenza (Seasonal or H1N1 novel)	Exclude food employee from food establishment. If symptoms included diarrhea or vomiting, foodworker must be symptom free for at least 24 hours before returning to work. Record on employee illness log.	Influenza (seasonal and H1N1 novel) is a respiratory illness caused by a virus. Symptoms include fever (above 100° F), cough, sore throat, stuffy nose, and in some cases diarrhea and vomiting. Up-to-date information on all types of influenza is available at www.state.health.mn.us or www.cdc.gov

Food Employee Illness Guidelines

Illness Symptoms Action Guidance

Conditions	Action / Return-to-Work Criteria for Foodworkers	Other Information
Jaundice	Exclude food employee from food establishment. Notify local health department or call 1-877-FOOD-ILL. Record illness on employee illness log. Health department <u>clearance is required</u> before the foodworker may return to work.	Jaundice, yellowing of the eyes or skin, is a common symptom in people infected with hepatitis A. Jaundiced foodworkers may be a SEVERE FOOD SAFETY RISK and <u>must report</u> their symptoms to the person-in-charge.
Lice	No exclusions or restrictions are required.	Although head lice do not present a food safety risk, it is still important to take appropriate precautions to ensure that they do not spread among workers. Common headsets used for drive-through windows should not be used by foodworkers with head lice. Combs and other hair accessories should not be shared. Clothing should not be shared. Clothing should be stored in an organized fashion on separate hooks or in lockers to prevent spread of lice.
Listeria monocytogenes (Listeriosis)	Exclude food employee from food establishment. Must be symptom free for at least 24 hours before returning to work. Record on employee illness log. Notify local health department or call 1-877-FOOD-ILL.	Listeriosis is a serious infection caused by eating food contaminated with the bacterium <i>Listeria monocytogenes</i> . While listeriosis is a foodborne illness, it cannot be transmitted from person-to-person. The disease mostly affects older persons, pregnant women, newborns, and adults with weakened immune systems. A person with listeriosis may have fever, muscle aches, and sometimes nausea or diarrhea. Foodworkers diagnosed with listeriosis <u>must report</u> their illness to the person-in-charge.

Food Employee Illness Guidelines

Illness Symptoms Action Guidance

Conditions	Action / Return-to-Work Criteria for Foodworkers	Other Information
Methicillin-resistant <i>Staphylococcus aureus</i> (MRSA)	<p>Exclusion from work in food service is warranted in situations when it is likely that the person could contaminate the food or transmit the illness to other persons.</p> <p>Open wounds on hands or arms must be covered with an impermeable bandage and a single-use glove (for hand wounds) before returning to work. Reinforce good handwashing and no bare-hand contact with ready-to-eat foods.</p>	<p>MRSA is not considered a foodborne infection. However <i>Staph</i> and other microbial contamination of food can occur if a person with draining lesions on the hands or forearms handles foods or food contact surfaces.</p>
Meningitis (Bacterial)	<p>Exclude food employee from food establishment.</p> <p>If symptoms include diarrhea or vomiting, foodworker must be symptom free for at least 24 hours before returning to work. Record on employee illness log.</p>	<p>Some forms of bacterial meningitis are contagious. Symptoms include high fever, headache, stiff neck, nausea, vomiting, confusion, and sleepiness.</p> <p>Up-to-date information is available at www.cdc.gov.</p>
Mononucleosis (mono)	<p>No exclusions or restrictions are required.</p>	<p>Reinforce good handwashing. Emphasize no bare-hand contact with ready-to-eat foods. Discuss employee illness reporting procedure and the ways ill foodworkers can spread illness through food.</p>

Food Employee Illness Guidelines

Illness Symptoms Action Guidance

Conditions	Action / Return-to-Work Criteria for Foodworkers	Other Information
<p>**Nausea</p>	<p>Exclude food employee from food establishment if symptoms include diarrhea or vomiting. Must be symptom free for at least 24 hours before returning to work. Record on employee illness log.</p> <p>If nausea is not accompanied by diarrhea or vomiting, allow employee to work. Reinforce good handwashing; emphasize no bare-hand contact with ready-to-eat foods; and discuss employee illness reporting procedure and the ways if foodworkers can spread illness through food.</p>	<p>Nausea may be caused by a number of conditions. A foodworker experiencing nausea may not be a food safety risk, but should be closely monitored for vomiting or diarrhea.</p> <p>If foodworker experiences these symptoms, they <u>must report</u> the symptoms to the person-in-charge and be immediately excluded from work.</p>
<p>**Norovirus</p>	<p>Exclude food employee from food establishment. Notify local health department or call 1-877-FOOD-ILL. Record illness on employee illness log. Health department <u>clearance is required</u> before the foodworker may return to work.</p>	<p>Norovirus is a SEVERE FOOD SAFETY RISK. Norovirus is a highly contagious illness and can be easily transmitted from an infected foodworker to customers.</p> <p>Foodworkers diagnosed with norovirus <u>must report</u> their illness to the person-in-charge.</p>
<p>Pink eye</p>	<p>No exclusions or restrictions are required.</p>	<p>Pink eye is an infection or inflammation of the eye. It is highly contagious, but is not transmitted through food. Foodworkers with pink eye must take extra precautions not to touch their eyes or face, and to wash their hands thoroughly to prevent the spread of pink eye to others.</p>

Food Employee Illness Guidelines

Illness Symptoms Action Guidance

Conditions	Action / Return-to-Work Criteria for Foodworkers	Other Information
Pneumonia	Food employees experiencing persistent sneezing, coughing, or a runny nose that causes discharge from the eyes, nose, or mouth may not work with exposed food; clean equipment, utensils, or linens, or unwrapped single-service or single-use articles.	When employee returns to work: reinforce good handwashing; emphasize no bare-hand contact with ready-to-eat foods; discuss employee illness reporting procedure, and the ways ill foodworkers can spread illness through food.
Pregnancy	If vomiting, exclude from food establishment	<p>Vomiting and nausea are common symptoms of morning sickness, a side effect of pregnancy. While morning sickness itself is not a communicable illness, care must be taken to prevent the contamination of food. Pregnant foodworkers experiencing ongoing nausea may work in a food establishment, but must be closely monitored for symptoms that would indicate a communicable illness.</p> <p>If foodworker experiences these symptoms, they must report their illness to the person-in-charge and be immediately excluded from work.</p>
Ringworm	Open wounds on hands or arms must be covered with an impermeable bandage and a single-use glove (for hand wounds) before returning to work. Reinforce good handwashing and emphasize no bare-hand contact with ready-to-eat foods.	Ringworm is a fungal infection of the body, scalp or feet. Ringworm is transmitted by touching lesions of an infected person or animal.

Food Employee Illness Guidelines

Illness Symptoms Action Guidance

Conditions	Action / Return-to-Work Criteria for Foodworkers	Other Information
<p>**<i>Salmonella spp.</i> (Salmonellosis)</p>	<p>Exclude food employee from food establishment. Notify local health department or call 1-877-FOOD-ILL. Record illness on employee illness log. Health department <u>clearance is required</u> before the foodworker may return to work.</p>	<p><i>Salmonella</i> is a SEVERE FOOD SAFETY RISK. Salmonellosis is a highly contagious foodborne illness and can be easily transmitted from an infected foodworker to customers.</p> <p>Foodworkers diagnosed with salmonellosis <u>must report</u> their illness to the person-in-charge.</p>
<p>Scabies</p>	<p>Open wounds on hands or arms must be covered with an impermeable bandage and a single-use glove (for hand wounds) before returning to work. Reinforce good handwashing and emphasize no bare-hand contact with ready-to-eat foods.</p>	<p>Scabies is an infestation caused by tiny mites that burrow and lay eggs under the skin. Scabies is transmitted by prolonged, direct skin contact with an infected person.</p>
<p>Scombroid Fish Poisoning (Histamine Poisoning)</p>	<p>Exclude food employee from food establishment. Must be symptom free for at least 24 hours before returning to work. Record on employee illness log. Notify local health department or call 1-877-FOOD-ILL.</p>	<p>Scombroid fish poisoning, or histamine fish poisoning, is a syndrome resembling an allergic reaction that occurs after eating fish contaminated with high levels of histamine. While scombroid poisoning is a foodborne illness, it cannot be transmitted from person-to-person.</p> <p>Symptoms begin within 2 minutes to several hours after eating the fish. The most common symptoms are tingling and burning sensations around the mouth, facial flushing, sweating, nausea, vomiting, headache, palpitations, dizziness, and rash.</p> <p>Foodworkers <u>must report</u> their illness to the person-in-charge.</p>

Food Employee Illness Guidelines

Illness Symptoms Action Guidance

Conditions	Action / Return-to-Work Criteria for Foodworkers	Other Information
<p>**<i>Shigella spp.</i> (Shigellosis)</p>	<p>Exclude food employee from food establishment. Notify local health department or call 1-877-FOOD-ILL. Record illness on employee illness log. Health department <u>clearance is required</u> before the foodworker may return to work.</p>	<p>The foodworker must be excluded from working in the retail food establishment and the law requires the manager to notify the local health department immediately.</p> <p>Foodworkers diagnosed with shigellosis <u>must report</u> their illness to the person-in-charge</p>
<p>Shingles (varicella-zoster)</p>	<p>Open wounds on hands or arms must be covered with an impermeable bandage and a single-use glove (for hand wounds) before returning to work. Reinforce good handwashing and emphasize no bare-hand contact with ready-to-eat foods</p>	<p>Shingles is caused by the chickenpox virus and can cause extreme pain, itching and numbness. Shingles may cause clusters of blisters that can spread chickenpox to persons who have not yet had the virus</p>
<p>Sore Throat</p>	<p>Reinforce good handwashing. Emphasize no bare-hand contact with ready-to-eat foods. Discuss employee illness reporting procedure and the ways all foodworkers can spread illness through food.</p> <p>If sore throat is accompanied by a cough or fever, see 'Influenza'.</p>	
<p>Sore Throat w/ Fever</p>	<p>Exclude food employee from establishment if symptoms include diarrhea or vomiting. Must be symptom free for 24 hours before returning to work. Record illness on employee illness log.</p>	<p>Also see 'Influenza'</p>

Food Employee Illness Guidelines

Illness Symptoms Action Guidance

Conditions	Action / Return-to-Work Criteria for Foodworkers	Other Information
<p><i>Staphylococcus</i> skin infection (Staph)</p>	<p>Exclusion from work in food service is warranted in situations when it is likely that the person could contaminate the food or transmit the illness to other persons</p> <p>Open wounds on hands or arms must be covered with an impermeable bandage and a single-use glove (for hand wounds) before returning to work. Reinforce good handwashing and emphasize no bare-hand contact with ready-to-eat foods.</p>	<p><i>Staphylococcus</i> bacteria can cause serious skin infections which can be transmitted through food and cause serious foodborne illness. Contamination of food can occur if a person with draining lesions on the hands or forearms handles foods or food contact surfaces.</p>
<p>Streptococcal Infection (Strep throat/scarlet fever)</p>	<p>Reinforce good handwashing, emphasize no bare-hand contact with ready-to-eat foods; and discuss employee illness reporting procedure, and the ways ill foodworkers can spread illness through food</p>	<p><i>Streptococci</i> bacteria are spread through direct contact with mucus from the nose or throat of persons who are infected or through contact with infected wounds or sores on the skin. Ill persons, such as those who have strep throat or skin infections, are most likely to spread the infection.</p>
<p>Tuberculosis (TB)</p>	<p>Food employees experiencing persistent sneezing, coughing, or a runny nose that causes discharge from the eyes, nose, or mouth may not work with exposed food; clean equipment, utensils, or linens; or unwrapped single-service or single-use articles.</p>	<p>Tuberculosis is not transmitted to patrons through food; however, like any other work place, infectious food handlers may transmit their disease to fellow workers. A worker with active tuberculosis can spread the disease by sneezing or coughing, which are tuberculosis' most common symptoms.</p>

Food Employee Illness Guidelines

Illness Symptoms Action Guidance

Conditions	Action / Return-to-Work Criteria for Foodworkers	Other Information
Vomiting	Exclude food employee from food establishment. Must be symptom free for at least 24 hours before returning to work. Record on employee illness log.	Foodworkers with vomiting are a SEVERE FOOD SAFETY RISK . Illnesses that cause vomiting are often highly contagious and can be easily transmitted from an infected foodworker to customers. Foodworkers with vomiting <u>must report</u> their symptoms to the person-in-charge.
Warts	No exclusions or restrictions are required	Warts are passed person to person, not through food. Small numbers of warts are not concerning for foodworkers; however large numbers of warts on the hands or wrists make these areas difficult to clean adequately with routine handwashing. If a food employee has a severe infestation of warts on the hands or wrists, these areas should be covered with an impermeable cover, and a single-use disposable glove should be worn while working with food.

Employee Illness Log

Infected foodworkers present a severe food safety risk! The person-in-charge is required to notify the local health department or MDH if any food employees are known to be infected with Salmonella, Shigella, E. coli, the hepatitis A virus, or other pathogen that can be transmitted through food. The person-in-charge is also required to record all reports of diarrhea or vomiting in food employees and have these records available to the licensing health department upon request.

NOTE: MN Food Code requires foodworkers to report information about their health/health symptoms as they relate to illnesses that can be passed through food (MN Food Code 4626.0040).

Date	Employee name	Symptoms/Illness						DIAGNOSED	
		Vomiting**	Diarrhea**	Jaundice (yellowing of eyes or skin)	Fever	Respiratory (cough, sore throat, runny nose)	Comments or other symptoms (explain)	Date excluded/return to work	E. coli O157:H7, Salmonella, Shigella, or hepatitis A
01/01/01	John Doe Example		x				Sent home due to diarrhea	01/01/01 - 01/03/01	

****EMPLOYEES WITH DIARRHEA OR VOMITING MUST BE EXCLUDED FROM WORK FOR AT LEAST 24 HOURS AFTER SYMPTOMS ARE GONE.**