

bulk quantities of water by truck or other type of vehicle or conveyance, for sale for human consumption.

- 180 "Well water" means bottled water from a hole bored, drilled, or otherwise constructed in the ground, which taps the water of an aquifer. "Well water" shall meet the requirements of "natural water."
- 181 "Whole-muscle, intact beef" means whole muscle beef that is not injected, mechanically tenderized, reconstructed, or scored and marinated, from which beef steaks may be cut.
- 182 "Wholesome" means sound, healthful, clean and otherwise fit for human consumption.
- 183 "Wyoming condemned," or abbreviation thereof, means the animal so marked has been inspected and found to be in a dying condition, or to be affected with any other condition or disease that would require condemnation of its carcass.
- 184 "Wyoming inspected and condemned," or abbreviation thereof, means that the carcass, meat, meat food product or meat by-product, so marked or so identified, is unwholesome or adulterated and shall be disposed of in the manner prescribed by the director.
- 185 "Wyoming inspected and passed," or abbreviation thereof, means that the carcass, meat, meat food product, or meat by-product, so marked or so identified, was at the time it was so marked or so identified found to be wholesome.
- 186 "Wyoming retained" means that the carcass, meat, meat food product so identified is held for further examination by the director or contract veterinarian to determine its disposal.
- 187 "Wyoming suspect" means that an animal so marked and identified is suspected of being affected with a disease or condition which may require its condemnation, in whole or in part, when slaughtered, and is subject to further examination by the director or a contract veterinarian to determine its disposal.

**Section 9. Person in Charge Requirement.**

- (a) The license holder shall be the person in charge or shall designate a person in charge and shall ensure that a person in charge is present at the establishment or processing plant during all hours of operation.

**Section 10. Demonstration of Food Safety Knowledge.**

- (a) Based on the risks of foodborne illness inherent to the establishment or processing plant, during inspections and upon request, the person in charge

shall demonstrate to the regulatory authority knowledge of foodborne disease prevention, application of the HACCP principles, if applicable, and the requirements of this Rule. The person in charge shall demonstrate this knowledge by Complying with this Code by having no violations of Critical Items during the current inspection, by responding correctly to the inspectors' questions as they relate to the specific establishment or processing plant, or by being a certified food protection manager or participated in a food handler class approved by the regulatory authority and shown proficiency of required information through passing a test that is part of an accredited program. The areas of knowledge may include:

- 1 Describing the relationship between the prevention of food borne disease and the personal hygiene of a food employee;
- 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;
- 3 Describing the symptoms associated with the diseases that are transmissible through food;
- 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;
- 5 Explaining the hazards involved in the consumption of raw or undercooked meat, poultry, eggs, and fish;
- 6 Stating the required food temperatures and times for safe cooking of Time/Temperature Control for Safety Food including meat, poultry, eggs, and fish;
- 7 Stating the required temperatures and times for the safe refrigerated storage, hot holding, cooling, and reheating of Time/ Temperature Control for Safety Food;
- 8 Describing the relationship between the prevention of foodborne illness and the management and control of the following:
  - (A) Cross contamination;
  - (B) Hand contact with ready-to-eat foods;
  - (C) Handwashing; and
  - (D) Maintaining the establishment or processing plant in a clean condition and in good repair;
- 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.

- 10 Explaining the relationship between food safety and providing equipment that is:
  - (A) Sufficient in number and capacity; and
  - (B) Properly designed, constructed, located, installed, operated, maintained, and cleaned;
- 11 Explaining correct procedures for cleaning and sanitizing utensils and food-contact surfaces of equipment;
- 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;
- 13 Identifying poisonous or toxic materials in the establishment or processing plant and the procedures necessary to ensure that they are safely stored, dispensed, used, and disposed of according to law;
- 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 Rule;
- 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 Rule, or an agreement between the regulatory authority and the establishment or processing plant; and
- 16 Explaining how the person in charge, food employees, and conditional employees comply with reporting responsibilities and exclusion or restriction of food employees.

#### **Section 11. Certified Food Protection Manager**

- (a) At least one employee that has supervisory and management responsibility and the authority to direct and control food preparation and service shall be a certified food protection manager who has shown proficiency of required information through passing a test that is part of an accredited program approved by the regulatory authority. This provision shall not become effective until January 1, 2015.
- (b) This section does not apply to certain types of food establishments deemed by the regulatory authority to pose minimal risk of causing, or contributing to, foodborne illness based on the nature of the operation and extent of food preparation.

**Section 12. Person in Charge, Duties.**

(a) The person in charge shall ensure that:

- 1 Establishment or processing plant operations are not conducted in a private home or in a room used as living or sleeping quarters as specified under Chapter 9, Section 42;
- 2 Persons unnecessary to the establishment or processing plant operation are not allowed in the food preparation, food storage, or warewashing areas, except that brief visits and tours may be authorized by the person in charge if steps are taken to ensure that exposed food; clean equipment, utensils, and linens; and unwrapped single-service and single-use articles are protected from contamination;
- 3 Employees and other persons such as delivery and maintenance persons and pesticide applicators entering the food preparation, food storage, and warewashing areas comply with this Rule;
- 4 Employees are effectively cleaning their hands, by routinely monitoring the employees' handwashing;
- 5 Employees are visibly observing foods as they are received to determine that they are from approved sources, delivered at the required temperatures, protected from contamination, unadulterated, and accurately presented, by routinely monitoring the employees' observations and periodically evaluating foods upon their receipt;
- 6 Employees are properly cooking Time/Temperature Control for Safety Food, being particularly careful in cooking those foods known to cause severe foodborne illness and death, such as eggs and comminuted meats, through daily oversight of the employees' routine monitoring of the cooking temperatures using appropriate temperature measuring devices properly scaled and calibrated as specified under Chapter 6, Section 38(b), and Section 48;
- 7 Employees are using proper methods to rapidly cool Time/Temperature Control for Safety Food that are not held hot or are not for consumption within four (4) hours, through daily oversight of the employees' routine monitoring of food temperatures during cooling;
- 8 Employees are cooking food sufficiently to ensure its safety;
- 9 Employees are properly sanitizing cleaned multi-use equipment and utensils before they are reused, through routine monitoring of solution temperature and exposure time for hot water sanitizing, and chemical concentration, pH, temperature, and exposure time for chemical sanitizing;