**Section 750.4300 Food Product Sampling Handler Certificate for Farmers' Markets**

a) Food Product Sampling Handler Certificate (certificate) Application Requirements

1) Individuals possessing a valid Illinois Food Service Sanitation Manager Certification (FSSMC) (see Subpart J) shall submit the following:

A) An application on a form provided by the Department; and

B) Payment of the $10 application fee.

2) Individuals who do not possess a valid FSSMC shall submit the following:

A) Evidence of successful completion of a food handler training course as outlined in Subpart M;

B) Evidence of successful completion of Department farmers' market food sampling handler training;

C) An application on a form provided by the Department; and

D) Payment of the $40 application fee.

b) Certificate

1) Certificates issued to a Food Service Sanitation Manager (FSSM) will be valid 36 months from the issue date.

2) Certificates issued to a non-FSSM will be valid for 36 months from the date of the successful completion of the Department farmers' market food sampling handler training.

3) Food Product Sampling Handler Certificates are not transferable between individuals.

4) Food Product Sampling Handler Certificates are required for all persons who engage in performing tasks such as unpacking, cutting, slicing, preparing or distributing food product samples.

c) Replacement certificates issued under this Subpart will:

1) Be issued after the Department's receipt of a $10 replacement fee; and

2) Have the same expiration date as the original certificate.

d) All persons possessing a valid original certificate or a copy of the certificate shall display the certificate at the point of sale.

e) Suspension or Revocation of a Certificate

1) Any violation of this Subpart by the food product sampling handler that creates a potential health hazard shall result in suspension of the certificate by the Department or a certified local health department unless the violation is corrected during the inspection. The following procedures shall be followed for the suspension of a certificate:

A) The certified local health department shall notify the certificate holder in writing at the time of suspension, stating the reason for the suspension and corrective measures needed to reinstate the certificate.

B) The certificate holder shall apply, in writing, to the certified local health department responsible for suspending the certificate to request reinstatement of the certificate. If the certified local health department considers the violations to be corrected, the certificate shall be reinstated.

C) The certified local health department shall, within five days after the suspension and certificate reinstatement, notify the Department in writing of the suspension and certificate reinstatement. The certified local health department shall forward to the Department a copy of the inspection, including the reason for suspension and resolution of the suspension, if any.

D) If the issue is not resolved, the holder of the certificate may apply to the Department for reinstatement of the certificate, in writing, to request a conference to determine whether the holder is in compliance with this Subpart.

2) If the certificate holder receives two or more suspensions in a 12-month period, the Department will revoke the certificate. The Department will notify the certificate holder of the Department's intent to revoke the certificate and will provide an opportunity for a hearing in accordance with Practice and Procedure in Administrative Hearings. If the certificate holder does not file a request for a hearing with the Department within 10 days following service of the notice, the certificate will be revoked.

f) Exemption

A vendor who possesses a permit from the local health department to conduct food service is exempted from the training and permit requirements of this Subpart. A permit to conduct food service is valid only in the jurisdiction of the issuing local health department.

(Source: Added at 39 Ill. Reg. 10619, effective July 15, 2015)