

BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR  
MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 124

An Ordinance requiring food handlers to have certificates; providing related requirements and restrictions; imposing fees; providing a penalty; and declaring an emergency.

Multnomah County ordains as follows:

Section 1. Definition.

As used in this ordinance "food handler" means any person who performs work as an owner, employee or agent in an establishment in Multnomah County which is subject to ORS Chapter 624.

Section 2. Prohibition.

No person shall perform work as a food handler without having first procured a food handler's certificate.

Section 3. Food Handler's Certificate.

A. A food handler's certificate shall be issued by the Division of Health Services of the Department of Human Services to any person who has attended and satisfactorily completed a course in food handling conducted under rules and regulations promulgated by the Director of the Division of Health Services.

B. The Director of the Division of Health Services may promulgate rules and regulations as may be reasonably necessary to establish the scope and content of the food handlers' course, the satisfactory completion of which shall be a condition precedent to the issuance of a food handler's certificate.

Section 4. Fee.

A \$2.00 fee shall be paid to Multnomah County for the issuance of an original of a food handler's certificate, and \$1.00 shall be paid for the issuance of a replacement certificate in case of loss.

Section 5. Possession Required.

A food handler shall have his food handler's certificate on his person or available on the premises where he performs work at all times while working.

Section 6. Compulsory Physical Examination.

A. The Director of the Division of Health Services, or any person duly designated by him, may require any person who is required to have a food handler's certificate, and who there is reasonable cause to believe is infected with any pathogen which is medically associated with food-borne human illness, to obtain a physical examination and to report the result to the Division.

B. If an examination is required under subsection A. of this section, a food handler's certificate shall not be issued to the applicant unless the examination shows no evidence of the presence of any pathogens which are medically associated with food-borne human illness.

C. In the event a physical examination is ordered under subparagraph A. of this section for any person to whom there has been issued a food handler's certificate, the certificate shall be deemed suspended until the person has furnished the report of such examination which shows no

evidence of the presence of any pathogens which are medically associated with food-borne human illness.

Section 7. False Statement.

An application for a food handler's certificate shall be subject to ORS 162.085.

Section 8. Other Violations.

A. It shall be unlawful for any person having a food handler's certificate to give or loan the certificate to any other person or to allow any other person to use or possess such certificate.

B. It shall be unlawful for any person, in obtaining or using a food handler's certificate, to use a fictitious or false name or impersonate any other person.

C. It shall be unlawful for any person to use, accept or possess any food handler's certificate which has been issued to another person or to state, represent or hold out that he has obtained such a certificate when such is not a fact.

D. It shall be unlawful for any person to refuse to surrender on demand by the Director of the Division of Health Services, or any person duly designated by him, a license suspended under Section 6.C..

Section 9. Form of Certificate.

A food handler's certificate shall be in such form as shall be prescribed by the Director of the Division of Health Services.

Section 10. Grace Period.

Any person working as a food handler on the effective date of this ordinance shall procure a food handler's certificate within 180 days after the effective date of this ordinance.

Section 11. Penalty.

Violation of any provision of this ordinance not otherwise provided for is punishable upon conviction by a fine of not more than \$500 or by imprisonment not exceeding six months, or both.

Section 12. Emergency Clause.

This ordinance being necessary for the immediate preservation of the public health by requiring persons engaged in handling food for human consumption to have food handling training and to procure a certificate, an emergency is declared to exist and this ordinance shall take effect upon its passage.

ADOPTED this 6th day of May, 1976, being the date of its first reading before the Board of County Commissioners of Multnomah County, Oregon

May 6, 1976

BOARD OF COUNTY COMMISSIONERS  
MULTNOMAH COUNTY, OREGON

By Wm. S. Clark  
Chairman

APPROVED AS TO FORM:

George M. Joseph  
GEORGE M. JOSEPH  
County Counsel for  
Multnomah County, Oregon