

ENVIRONMENTAL HEALTH DIVISION FOOD SERVICE INSPECTION PROCEDURES

INTRODUCTION

Recent media attention regarding restaurant inspections in neighboring Los Angeles County spurred the Audit, Finance and County Administration Committee to study the food inspection and enforcement services of the Resource Management Agency's Environmental Health Division (EHD).

INQUIRY

We reviewed applicable segments of the California Health and Safety Code. We interviewed officials of EHD and participated in unannounced visits with EHD inspectors at various restaurant locations.

FINDINGS

The California State Legislature found that the public health interest requires that there be uniform statewide health and sanitation standards for retail food facilities to assure the people of the State of California that food will be pure, safe and unadulterated. The intent of the Legislature is to oversee the whole field of health and sanitation standards for food facilities.

Effective January 1, 1997, as part of the State Health and Safety Code, the Legislature enacted into law, Division 104, Environmental Health, Part 7, Retail Food, Chapter 4, Retail Food Practices, governing statewide health and sanitation standards for food facilities. This is known as the California Uniform Retail Food Facilities Law (CURFFL).

Local governing bodies are free to adopt an evaluation or grading system for food facilities, employee health certification or employee training programs. Primary responsibility for enforcement of the CURFFL will be with local health agencies. Nothing in the law prevents a local health agency from taking any necessary program or enforcement actions for the protection of the public health and safety.

Because of the growth and evolution occurring within the food industry and the identification of emerging pathogens associated with food, in December 1997 the Board of Supervisors amended the Ventura Ordinance Code and Fee Regulation pertaining to the EHD food protection program.

The amended code and fee resolution allows EHD to increase annual inspections for food establishments from two to three. Fees for food facility inspections were raised to help offset the costs of one additional inspector and the increased inspections.

The code amendments enable EHD to more accurately categorize food businesses and provide more comprehensive and equitable fees based on public health risk. Currently all food facilities are inspected at the same frequency. With these amendments, facilities that present a low risk of causing food-borne illnesses, such as businesses selling wrapped candy and canned soft drinks, will be inspected less frequently and will therefore be charged a lower fee.

The Food Protection Program for EHD performs the following functions:

- Inspecting food facilities
- Responding to citizen complaints
- Investigating reports of food-borne illness
- Performing plan checks on new and remodeled food facilities
- Training for food service workers
- Providing information to the public
- Consulting with business owners
- Enforcement activities

In Fiscal Year (FY) 1996-1997, EHD permitted 3,434 food facilities to operate. There were 8,070 inspections conducted, 449 food-related citizen complaints and 196 reports of illness investigated.

There are 619 mobile food trucks in the county which also must be licensed and registered by EHD. Each year these vehicles are brought to the government center for inspection and permit renewal. They can, however, be inspected at any time in the field.

The United States Food and Drug Administration's 1993 and 1995 Model Food Codes strongly recommend the use of a Hazard Analysis and Critical Control Point (HACCP) Program by each state. This is a comprehensive approach to food safety that treats the receiving, storage and service of food as a continuous system which can be properly managed to reduce or eliminate the potential for food-borne illnesses.

HACCP has been used extensively by certain food processors for many years and the federal government has now mandated that all meat, poultry and seafood processors institute an HACCP program. The U. S. Center for Disease Control estimates there are 6.5 - 33 million illnesses annually and that 9,000 die each year from food-borne illnesses.

With amendments to the County Codes, EHD has now begun implementing the HACCP program with local food establishments.

During inspections of food establishments, we noted EHD inspectors utilized Food Program and HACCP inspection reports. The EHD inspectors closely followed a prescribed checklist. They reviewed the inspection report with food establishment managers and left a copy with them for their use in correcting violations.

EHD inspectors arrived unannounced and were met with varying degrees of acceptance. The inspectors were very cordial yet firm and non-confrontational.

A Notice of Violation (warning letter) is sent to food establishment owners after the owner has failed at least once to correct a sanitation, food handling or structural problem previously pointed out by the inspector.

Food establishments are given a reasonable period of time to correct any violations noted by the inspectors. Failure to correct the violations or repeated instances of noncompliance can lead to the closure of the establishment. Some reasons for closure include: unsanitary conditions, poor food handling practices, vermin infestation and lack of hot water.

A local newspaper is now regularly publishing a notice in its newspaper specifying the health violations at food establishments noted by EHD.

EHD currently has 14 inspectors. This includes the additional inspector brought on board to assist in the increased inspections.

The State Health and Safety Code requires inspections of food facilities be conducted by a Registered Environmental Health Specialist (REHS). To qualify as an REHS, inspectors must have Bachelors' degrees in environmental health science or a related field. Eight of EHD's inspectors have attained Masters' degrees. They also must regularly maintain their level of competency through appropriate educational courses.

Food business permits are nontransferable. If an establishment is sold or a change of ownership occurs, the new owners must undergo the same licensing requirements as that of a new facility.

Permits issued by EHD for food facilities only address the physical aspects. This insures the establishment provides adequate fixtures and equipment to conduct its retail food business.

There is no state law that mandates a food handling process. EHD has proposed the state establish uniform standards for use throughout the state. Although EHD does not maintain a regular schedule of food handler training, such training is provided upon request of the food establishment. Following a March 1997 food industry workshop, EHD provided, on request, 19 training sessions with 858 food facility operators and employees attending.

The county code amendments will allow EHD to provide improved training for its staff and to better identify and resolve problems that affect retail food facilities.

The EHD's food inspection and enforcement services department is self-sufficient since the revenues earned from fees exceeded expenses for FY 1996-1997.

Approximately one-third of all the food establishments regulated by EHD are of the corporate umbrella type. The balance are independent small business establishments.

EHD does not employ a rating system for food establishments similar to that used in San Diego County. San Diego County uses a rating system of A, B and C which is posted in restaurant windows. Restaurant owners feel this type of rating is misleading as the violations could be corrected immediately and the restaurant would still carry a bad rating. The opposite could also be true.

Language problems make communications difficult. Often a younger relative of the owner translates. The inspectors provide multilingual signs and stickers, usually in two or three different languages, which is becoming unsatisfactory as there are now approximately 50 languages to deal with.

CONCLUSIONS

EHD officials are knowledgeable, courteous and conscientious in performing their responsibilities.

The continued growth of retail food facilities in the county will necessitate increased inspections by EHD.

In the event a person or persons become ill from dining out and/or unsanitary conditions are noted in a food establishment, most persons generally are unaware of whom to call to lodge a complaint.

The public health protection of citizens should be a high priority item of the Board of Supervisors.

RECOMMENDATIONS

- That EHD study and develop a program for rating/grading retail food establishments.
- That EHD, because of some language and cultural differences, issue appropriate printed departmental procedures to each retail food establishment owner.
- That EHD institute a high profile education program to make citizens aware of the complaint process.

RESPONSE REQUIRED

Board of Supervisors

Resource Management Agency