



INFORMATION REPORT

TO:	Mayor and Members Board of Health
COMMITTEE DATE:	May 21, 2015
SUBJECT/REPORT NO:	Food Premises Risk Categorization - BOH15015 (City Wide)
WARD(S) AFFECTED:	City Wide
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SIGNATURE:	

Council Direction:

Not Applicable

Information:**Background**

In Ontario, food premises (i.e., restaurants and other establishments that prepare, sell or serve food to the public) are categorized and inspected based on their potential risk of causing food-borne illness. Public Health Services (PHS) currently inspects approximately 3,074 food premises annually. In order to standardize the approach to risk categorization (high-, medium- and low-risk) across the province and more efficiently distribute board of health resources to those establishments posing the highest potential risk, the Ministry of Health and Long-Term Care (MOHLTC) has developed new guidelines for public health units.

The current *Food Safety Protocol, 2013* will be amended with a new risk categorization tool and is to be implemented by boards of health by June 30th, 2015. This report describes the changes to the risk categorization process and implications for food premises owners/operators and PHS.

Risk Categorization of Food Premises

Levels of risk are based on a number of factors including:

- **Profile factors** such as those that reflect the type of operation (i.e., prepare and sell foods that are less/more likely to harbour illness-causing bacteria or viruses), population served (e.g., young children, the elderly and people in hospital are at higher risk of developing complications from food-borne illness), and the extent of food handling (i.e., prepare a variety of foods from raw ingredients vs. sell only pre-packaged foods); and
- **Performance factors** such as those that are associated with the operators' performance and commitment to food safety practices (i.e., historic and current compliance with food safety regulations, training of food handlers, and implementation of food safety plans).

Risk Categories

A risk category of high, moderate or low will be assigned for each food premises based on the total calculated score using the Risk Categorization of Food Premises Template developed by the MOHLTC (Appendix A). Each factor is weighted to give priority to risks that are associated with food-borne illness. The risk categories will be applied to all year-round and seasonal food premises with fixed locations. This risk categorization approach will not be applied to individual transient (i.e. food trucks) and temporary food premises, including those operating at temporary special events. Temporary premises and special events will continue to be risk assessed and inspected by staff under current policies and procedures. The minimum frequency of inspection for each risk category is based on the requirements outlined in section 1(c) of the *Food Safety Protocol, 2013* (Table 1). On the first annual routine inspection, the risk designation of the premises will be assessed as:

- **High-risk premises (currently 852 in Hamilton):** A premises which represents a high likelihood of occurrence of a food-borne illness outbreak.
- **Moderate-risk premises (currently 1,105 in Hamilton):** A premises which represents a moderate likelihood of occurrence of a food-borne illness outbreak.
- **Low-risk premises (currently 1,117 in Hamilton):** A premises which represents a low likelihood of occurrence of a food-borne illness outbreak.

Table 1: Risk Categorization of Food Premises Template

Risk Category	Score	Frequency of Inspection
High	55-230	Not less than once every four months
Moderate	20-54	Not less than once every six months
Low	0-19	Not less than once every twelve months

The factors and associated weights were established to provide a consistent province wide approach to the risk categorization of food premises. There is no appeal process for food premises and the MOHLTC requires boards of health to implement this categorization model.

Financial

PHS will continue to collect current food premises fees for High-, Moderate- and Low-Risk premises. Staff have reviewed food premises compliance history, which included existing and repeated infractions of the Food Premises Regulation 562. It is estimated that approximately 120 moderate-risk premises may be risk categorized as a high-risk premises. The fee difference from a moderate-risk to a high-risk food premises is \$101.00 which may generate approximately \$12,120.00 in additional revenue (Table 2: Food Premises Fee Schedule).

Additionally, approximately 55 high-risk food premises may be risk categorized as a moderate-risk food premises. The fee difference from a high-risk to a moderate-risk food premises is \$101.00 which may decrease revenue by approximately \$5,555.00. The total increase in food premises fee revenue may be approximately \$6,565.00 in 2016 after all premises have been risk categorized. While there may be a net revenue associated with licensing fees, this is likely to be offset in other budget lines due to the need to develop communication tools to describe the changes to food premises owners/operators, as well as additional routine inspections (described further under "Staffing").

Table 2: Food Premises Fee Schedule 2015

	High Risk	Moderate Risk	Low Risk
Current Fee	\$188	\$87	\$43

Staffing

The risk categorization tool will be applied to food premises on the next routine inspection after implementation by June 30, 2015 with the expectation to have all high-, moderate- and low-risk food premises risk categorized using the new tool by June 30, 2016. Communication tools will be developed and provided to food premises owners/operators to become familiar with the change in the risk categorization process and the potential increase or decrease in fees, and routine inspections conducted by Public Health Inspectors (PHIs). PHIs will continue to be available during inspections and by phone to answer questions of food premises owners/operators with respect to the new risk categorization process. Staff estimates the implementation of the new tool may result in an additional 65 routine inspections annually.

In consultation with Municipal Law Enforcement (licensing), staff are investigating the option of a re-inspection fee for food premises that require more than one re-inspection and have a poor compliance history with PHS. Should this appear to be a feasible option, further information will be brought to Board of Health for consideration at a future date.