



INFORMATION REPORT

TO: Mayor and Members Board of Health	WARD(S) AFFECTED: CITY WIDE
COMMITTEE DATE: September 17, 2012	
SUBJECT/REPORT NO: Food Safety Inspection Standards - BOH12019 (City Wide)	
SUBMITTED BY: Elizabeth Richardson, MD, MHSc, FRCPC Medical Officer of Health Public Health Services Department	PREPARED BY: Richard MacDonald (905) 546-2424 Ext. 5818
SIGNATURE:	

Council Direction:

On February 17, 2012 a laboratory-confirmed case of *Salmonella* infection was reported to Public Health Services (PHS). By February 23, 2012 an outbreak became apparent when two additional people with laboratory-confirmed *Salmonella* infections were reported to PHS. Through further investigation, it was determined that the food borne illness outbreak was related to a specific food premises in Hamilton.

Concerns were raised at the Board of Health on March 28, 2012 regarding critical infractions being identified during prior routine inspections with no subsequent closure of a food premises.

This report and the related presentation will explain the food safety inspection process in the City of Hamilton that is carried out in accordance with the Ontario Public Health Standards (OPHS).

Information:

Mandates and Standards

Health Protection and Promotion Act (HPPA)

The *HPPA* requires that the Board of Health deliver programs and services to prevent the spread of disease, and protect and promote the health of people in Ontario. The *HPPA* grants Public Health Inspectors (PHIs) with the power to inspect food premises and issue orders with respect to health hazards.

Food Premises Regulation 562 and Ontario Public Health Standards

PHIs routinely visit approximately 3000 food premises throughout Hamilton. Food premises are inspected in accordance with the OPHS to ensure compliance with the Food Premises Regulation 562 under the *HPPA*. As a component of the first annual routine inspection, the risk designation of the premises is assessed. A high risk food premises in which a wide range of food is prepared and there are multiple preparation steps requires three inspections per year. A medium risk food premises which have a less extensive menu involving fewer preparation steps require two inspections per year. Low risk food premises that generally sell only pre-packaged foods with little or no food handling on site require one inspection per year. Food safety inspections are conducted to reduce the possibility of food borne illness and to educate food services staff about safe food handling practices and basic sanitation requirements. Observations made at the time of inspection are recorded as “Critical” or “Non-Critical” violations of the Food Premises Regulation 562.

Violations

The presence of critical or non-critical violations does not necessarily represent a “failed” inspection (one in which a premise would be closed).

Non-critical violations do not normally pose a direct risk of food borne illness. They include items such as inadequate cleaning and sanitation, and equipment and surfaces in poor repair. PHI’s frequently find non-critical food safety violations during the course of inspections and re-inspections are required to ensure permanent corrective action is taken. However, in these situations temporary corrective measures can immediately at the time of inspection be put in place to remove these risks pending re-inspection.

Critical violations represent food handling errors that pose a risk of food borne illness. They fall into three broad categories:

- inadequate cooking and hot/cold holding;
- opportunity for cross contamination; and
- inadequate hand washing or unnecessary hand contact with food.

Where critical violations are identified, the operator of the premises is given up to 48 hours to correct the deficiency. Short-term corrective measures are put in place during this period. While operators are normally given up to 48 hours to permanently correct a deficiency some exceptions apply and PHIs can use professional discretion in consultation with management to resolve the issue. In some instances, critical violations are fully and adequately corrected immediately during the inspection and no re-inspection is required. (See Figure 1)

Critical violations which pose a high risk and that can not be immediately resolved can result in closure of the premises under Section 13 of the *HPPA*. Examples of conditions that would result in the closure of a food premises include:

- inadequate hot/cold holding units that make it impossible to hold hazardous foods safely;
- lack of a running potable water supply or hot water supply; and
- housekeeping, sanitation, and/or pest issues so extreme as to pose a critical risk to safe food handling.

At the completion of the inspection process, a food premises is permitted to operate or ordered closed until corrective action is taken. Green Cards are removed from a premises where a re-inspection is required for outstanding critical items or a *HPPA* Order is issued. The Green Card is restored when re-inspection indicates that the critical items have been permanently corrected.

Figure 1: Types of infractions and corrective action

Type of Infraction	Definition	Example	Corrective Action
Non-Critical	Do not normally pose a direct risk of food borne illness.	Floors are not clean and in good repair	Infraction recorded and compliance schedule set by next routine inspection.
Critical	Food handling error that poses significant risk of food borne illness.	Hazardous food is not held at 4°C (40°F) or less	Up to 48 hours to correct deficiency. Short-term corrective measures in place.
Critical resulting in Closure	Food handling error that poses significant risk of food borne illness.	Lack of a running potable water supply	Premises closed until deficiency corrected and re-inspected by PHI.

Data Management

Food premises inspection data is gathered using the Hedgehog© Environmental system. The inspection data stored in Hedgehog is used to generate reports that track productivity and satisfy provincial reporting requirements. It also is the source of inspection data on the City of Hamilton's *Food Safety Zone (FSZ)* website www.foodsafetyzone.ca.

Food Safety Disclosure Strategy

The Food Safety Disclosure strategy provides the public with information about the food safety status of premises across Hamilton. The strategy features three components:

- Posting of a Certificate of Inspection ("Green Card") at the entrance to food premises
- Posting of summary inspection findings on the FSZ website (<http://www.foodsafetyzone.ca>)
- Additional web-posting of the names of premises issued Section 13 Orders under the *HPPA* and/or convicted of food safety violations under the Food Premises Regulation 562

Quality Assurance and Inspection Disclosure Audits

Prior to disclosing inspection results through the FSZ website, regularly scheduled quality audits are performed to screen for errors and omissions in order to be as accurate as possible. Some examples of the audits performed include:

- ensuring accuracy of actions taken by PHIs in accordance with program policy standards;
- monitoring productivity of PHIs; and
- identifying food premises with habitual non-compliance issues requiring enhanced enforcement action.

Continuous Improvement

The Food Safety program continues to conduct original and literature based evaluations in order to assess the efficacy of program delivery. In 2011, the Food and Safety program collaborated with McMaster Institute of Environmental Health (MIEH) to evaluate the performance of the current "Green Card" Food Disclosure program. This evaluation investigated the "Green Card" as a source of public information and as a risk assessment tool. The results will be used by PHS to evaluate and review the program and make any future policy recommendations. Further details are available in the report "Evidence based decision-making through an Equity Lens".

Quality Assurance enhancements will continue as a component of the Food Safety program and will support an inspection process of food premises that is effective and consistent throughout the City of Hamilton.