SUBJECT:  Enhancements to Food Safety Program  BOH07006 (City Wide)

RECOMMENDATIONS:

(a) That the Board of Health direct Public Health Services (PHS ) staff to consult key stakeholders regarding the desirability/feasibility of implementing mandatory food handler certification and the disclosure of food premise inspection findings

(b) That the Board of Health direct PHS staff to provide recommendations to the Board of Health regarding mandatory food handler certification and the disclosure of food premise inspection findings at the Board of Health April 23, 2007 meeting

EXECUTIVE SUMMARY:

Public Health report PH06007 (Appendix A) noted that compliance with safe food practices in local food premises has, over the past three years, levelled out even though PHS is essentially meeting the inspection frequencies mandated by the Ontario Ministry of Health and Long Term Care. In response to this observation, that report advised that new strategies for improving compliance were needed.

Information from other public health jurisdictions suggests that the mandatory training of food handlers and increased public access to food premise inspection findings could have a positive impact on compliance (please refer to Background below).

PHS staff are proposing to review these strategies for possible implementation in Hamilton. This review would include:
• consultation with jurisdictions currently employing these strategies to assess
effectiveness, estimate costs and determine implementation schedules
• consultation with local stakeholders (e.g. the general public, food premise operators,
those involved with food safety education) to determine their perceptions of these
strategies
• consultation with internal partners (e.g. IT Services) to determine existing capabilities
and any additional resources needed to implement these strategies
• consideration of the findings of PHS’s study of the effect of inspection frequencies
above mandated levels on compliance (refer to Report PH06008, appended)

BACKGROUND:

Mandatory Food Handler Training

Food safety regulatory agencies have long acknowledged a correlation between trained
food service personnel and improved compliance with safe food practices. This
acknowledgement is reflected in the Ontario Mandatory Health Programs and Services
Guidelines which require boards of health to ensure that food handler training courses are
provided locally. In 2004, the Honorable Roland Haines\(^1\) took this further by
recommending that the Health Protection and Promotion Act be amended to require that
trained operators and personnel be present in food premises at all times of operation.

Many jurisdictions in North America have already implemented mandatory food handler
training. In Canada, these include British Columbia, Saskatchewan, Nova Scotia, Alberta,
Brantford/Brant County (Ontario) and Winnipeg. In 2007, the City of Toronto will begin
the phase-in of mandatory food handler training over a five year period.

The Ontario Ministry of Health and Long Term Care has voiced support for the Haines
recommendation and claimed that mandatory food handler training will be legislated
provincially. However, the Ministry has yet to propose specific strategies and timelines for
implementation. PHS staff are concerned that waiting for the Ministry to act may continue
to delay implementation of this effective food safety strategy.

Public Disclosure of Food Premise Inspection Findings

In Ontario, the findings of food premises inspections are public information that can be
accessed through the Freedom of Information process. However, a number of
jurisdictions in Ontario are now actively providing this information through a variety of
strategies known collectively as “disclosure”.

As well as improving the ease with which the public can access inspection findings, there
is evidence suggesting that disclosure may improve food safety compliance. The

\(^1\) In July, 2004, the Honorable Roland Haines released a report on the state of meat
inspection in Ontario. From Farm to Fork: a Strategy for Meat Safety in Ontario,
introduced over 100 recommendations for changes to inspection strategies. Many of
these recommendations have implications for health unit food safety program delivery and apply to food premises not exclusively
involved in meat handling.
thinking is that food premise operators, knowing that their performance can be scrutinized by the public, will more readily comply with safe food practices. This hypothesis is supported to some extent by assessment studies undertaken by municipalities with disclosure strategies. In addition, anecdotal reports by public health inspectors working in these municipalities suggest a higher degree of willingness among food premise operators to comply.

Disclosure strategies can consist of a number of components that include

- posting of inspection signs/certificates at the entrance to food premises (these may or may not feature an inspection score)
- mandatory provision of inspection reports at food premises for patron viewing
- publication of the names of food premises that have been convicted of food safety violations
- posting of inspection reports for all food premises on the web (often referred to as “web-based disclosure”)

Hamilton currently requires the posting of inspection certificates at food premises and publishes the names of food premises that have been subject to enforcement action. PHS is interested in enhancing this strategy with a web-based disclosure system. Such systems are already in place in Halton, Peel, Toronto and Waterloo. A system will also be implemented by Niagara in early 2007.

**ANALYSIS/RATIONALE:**

n/a

**ALTERNATIVES FOR CONSIDERATION:**

The Board of Health may elect not to explore the food safety strategies described above. This may result in a lost opportunity to enhance programs that benefit public health.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

New food safety strategies, if recommended and adopted, may require additional resources.

**POLICIES AFFECTING PROPOSAL:**

New food safety strategies, if recommended and adopted, may require amendments to local by-laws.

**RELEVANT CONSULTATION:**

If the recommendations of the report are endorsed by the Board, consultation will be undertaken with the parties identified above in the *Summary.*
CITY STRATEGIC COMMITMENT:

Community Well-Being is enhanced. ☑ Yes ☐ No
If adopted, the recommendations in this report could lead to a reduction in the risk of food borne illness as a result of improved food safety program delivery. In addition, the community could have improved access to public information.

Environmental Well-Being is enhanced. ☑ Yes ☐ No

Economic Well-Being is enhanced. ☑ Yes ☐ No

Does the option you are recommending create value across all three bottom lines? ☑ Yes ☐ No

Do the options you are recommending make Hamilton a City of choice for high performance public servants? ☑ Yes ☐ No

An enhanced, leading edge food safety program may attract high performance inspection staff.
To: Mayor and Members
Board of Health

From: Elizabeth Richardson
Medical Officer of Health
Public Health Services

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Date: March 1, 2006

Re: 2005 Food Premise Inspection Summary PH06007 (City Wide)

Information:

This report provides an overview of the Health Protection Division’s activities related to food premise inspections in 2005. Highlights of this overview are as follows:

- An average of 95% of the total number of routine inspections mandated by the Ministry of Health and Long Term Care (MOHLTC) was completed.

- A high level of compliance with safe food practices continues to be observed in Hamilton Food Premises. However, compliance rates appear to have levelled off over the past three years suggesting that a new approach to inspections may be needed.

Details of these highlights are described below.

Mandated Inspection Completion Rates
The provincial Mandatory Health Programs and Services Guidelines prescribe standards for the number of annual routine food premise inspections that health units should complete. These standards are as follows:

- High Risk Premises are to be inspected every four months for a total of three annual inspections.

- Medium Risk Premises are to be inspected every six months for a total of two annual inspections.

Low Risk Premises are to be inspected annually.
As indicated in the Executive Summary, inspectors completed an average of 95% of the total number of scheduled inspections required by the MOHLTC. These results are tabled below:

<table>
<thead>
<tr>
<th>Risk Designation</th>
<th>High</th>
<th>Medium</th>
<th>Low</th>
<th>Total/Mean %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Required number of inspections*</td>
<td>2,028</td>
<td>2,138</td>
<td>1,039</td>
<td>5,205</td>
</tr>
<tr>
<td>Actual number of inspections completed</td>
<td>1,981</td>
<td>2,031</td>
<td>997</td>
<td>5,009</td>
</tr>
<tr>
<td>% compliance</td>
<td>97</td>
<td>94</td>
<td>95</td>
<td>95</td>
</tr>
</tbody>
</table>

In addition to routine inspections, 1,200 re-inspections to ensure correction of violations, and 600 inspections related to complaints and/or food recalls were conducted. Many of these inspections were in response to the recall of mung bean sprouts from a Toronto supplier that were implicated in a province-wide outbreak of Salmonellosis. During a two week period in November, inspectors visited over 350 food stores, restaurants and takeouts to ensure that this product was removed from sale.

PHS is pleased with the overall results of the food premise inspection program. It is anticipated that Hamilton will remain among the top five health units for compliance with mandated inspection rates. (Data for all Ontario health units had not been released at the time of preparation of this report.)

Hamilton’s success in raising and maintaining its inspection completion rates was also highlighted in the article *Quality in Public Health* published last year in the *Environmental Health Review*.

**Compliance with Safe Food Handling Practices**

While inspection data for the year indicate that compliance with safe food practices is high, it does not appear to be increasing in Hamilton food premises. The Division measures compliance by monitoring the ratio of re-inspections to routine inspections conducted and by tracking the number of convictions registered against premises.

* The actual number of food premises in Hamilton fluctuates constantly through the year in response to seasonal operations, new business start-ups and failed businesses. The number of premises cited in this table is therefore an approximation based on routine database audits conducted by Division staff throughout the year.
The re-inspection/inspection ratio decreased dramatically between 2001 and 2003 when the Division brought its routine inspection completion rate up over 85%. However, since 2003, there has been no significant change in the number of re-inspections required. On average among high and medium risk food premises, one re-inspection for every four routine inspections is required to ensure compliance. A similar static pattern has been observed in the number of food premises convicted of food safety violations (14 in 2002; 12 in 2003; 9 in 2004; 9 in 2005).

This observation suggests that new strategies for improving compliance need to be considered. PH06008, also submitted to the Board today, describes a study of inspection frequencies vs. compliance rates that PHS is conducting this year.

Elizabeth Richardson
Medical Officer of Health
Public Health Services