SUBJECT: Food Safety Program Improvements BOH07006 (a) (City Wide)

RECOMMENDATIONS:

(a) That staff be directed to draft a by-law requiring the food safety certification of food premise supervisors in accordance with the strategy described in Report BOH07006 for the consideration of the Board of Health;

(b) That the Board of Health endorse the posting of food premise inspection results on the web in accordance with the strategy described in this report;

(c) That the Board of Health write to the Minister of Health and Long-Term care to urge him to implement province-wide requirements for mandatory food safety certification for food handlers;

(d) That the item respecting mandatory food handler certification and the disclosure of food premises inspection findings, referred to on the Outstanding Business list as item A, be identified as complete and removed from the list.

Elizabeth Richardson
Medical Officer of Health
Public Health Services
EXECUTIVE SUMMARY:

At its January 22, 2007 meeting, the Board of Health directed staff to bring forward recommendations regarding mandatory food handler certification and the disclosure of food premise inspection findings.

These recommendations were developed with significant consultation from the local public and industry. The public demonstrated strong support for the web-based disclosure of inspection findings. Local industry was highly supportive of mandatory food handler certification.

BACKGROUND:

As discussed in the January 22, 2007 report, compliance with safe food practices in local food premises has plateaued over the past three years suggesting that new strategies to improve compliance are required. Mandatory food safety certification and the disclosure of food premise inspection findings are strategies that other jurisdictions have employed with apparent success.

ANALYSIS/RATIONALE:

Mandatory Food Safety Certification (Recommendations One and Two)
A review of the literature, discussions with other health jurisdictions and consultation with local food premise operators support the move to mandatory certification. Specifically:

- There is evidence that food premises with food safety trained managers/personnel have better compliance records than those without.

- In a survey of Hamilton food premise operators conducted in February of this year, 75% supported mandatory certification. Concerns were expressed however regarding cost, easy access to training and high staff turnover rates.

- There is no indication from the Ontario Ministry of Health and Long Term Care that provincial mandatory certification will be enacted in the foreseeable future.

As a result of these consultations, it is proposed that mandatory certification be developed along the following lines:

Certification would be required for only those food premise personnel in a supervisory capacity and would apply only to high and medium risk food premises.

The decision to require only supervisory personnel is consistent with requirements in force in Brantford/Brant County and Toronto, and addresses concerns about high
turnover among front line staff. As well, certified supervisory personnel are in a position to implement food safety procedures and ensure they are followed by staff.

While Toronto requires that supervisory personnel in all food premises be certified, it is proposed that low risk premises be exempt. Low risk premises, such as convenience stores selling only pre-packed food products, pose very little risk of food borne illness since direct food handling/preparation by personnel is negligible.

Certification would continue to be offered using a variety of training methods and fees would remain the same or, for some options, be lower.

In the survey of local food premise operators mentioned above, there was strong support for home study and on-line training options rather than classroom sessions. PHS currently provides all of these options for voluntary certification, but would focus on ensuring increased access to home study and on-line training applications. However, some increased demand for classroom sessions is also anticipated. PHS is therefore consulting with community partners such as Mohawk College and Liaison College regarding the provision of increased training through their facilities.

Certification awarded by all other Ontario health units would be recognized as equivalent. Corporate certification programs would require assessment for equivalency with the PHS training curriculum in order to obtain recognition.

Currently, on-line and classroom sessions cost $35.00 and the home study course (including a work book) costs $25.00. However, PHS intends to provide its course materials on-line for free access and download. This would reduce home study costs to a $10.00 examination fee. Certification is valid for a period of five years. Therefore, annual certification costs for an individual would be as low as $2.00.

Certification would be phased in over a three year period. High Risk premises would require certified personnel by the end of 2008. Medium risk premise certification would be required by 2010.

It is estimated that approximately 7,000 individuals would require certification. A three year phase-in would allow both the industry to adjust to the new requirement and PHS to meet the demand for increased access to training. In addition, it is anticipated that many individuals not currently employed in food premises would apply for certification in order to improve their chances in the job market. Over time, this would assist food premise operators in being able to recruit staff that are already certified.

Web-based Disclosure of Inspection Results (Recommendation Two)

Both industry and the public were consulted to inform the decision for the web-based disclosure of inspection reports. Key findings were as follows:
Some jurisdictions implementing web-based disclosure systems have noted increased compliance with safe food practices among food premises and/or decreased local food borne illness incidence.\(^1\)

In response to public desire for increased access to inspection information, web-based disclosure has become the norm among urban centres in southern Ontario, including Toronto, Peel, Halton and Niagara regions.

Hamilton residents surveyed were strongly in favour of a web-based disclosure system and report they would use it primarily to seek out premises with good compliance histories.

Local food premise operators acknowledged potential business benefits to web-based disclosure, but voiced concerns related to data security, data accuracy, and the consistent application of inspection standards and enforcement policies by PHS inspectors.

As a result of these consultations, it is proposed that a web-based disclosure system be implemented in the final quarter of this year. This system would allow users to

- run general searches for premises by name, address, etc.
- run specific searches for premises with a high level of compliance
- display a list of premises with recent enforcement actions
- access a geo-mapping component in order to locate a premise

Mechanisms would be incorporated into the system to ensure that new inspection information is posted to the web in a timely manner, that data for a premise is purged when legitimate ownership changes occur, and that errors/security risks are controlled to the greatest extent possible.

Search results would provide a summary of inspection findings and action taken that will eventually go back for a period of two years (this is the standard used by most neighbouring municipalities). The system will commence with the display of 2007 inspection data. This coincides with the introduction of enhanced inspection/enforcement standards by PHS developed to control for variation in practice among public health inspectors.

The web-based disclosure proposal described above could serve as a precursor to an expanded system that includes an award component for food premises achieving a consistently high record of food safety compliance. Award programs are in use in some U.S. and British jurisdictions and the concept was strongly endorsed through the public consultation as a positive incentive for compliance.

\(^1\) The jurisdictions reporting these findings also made significant changes in their inspection strategies during the period that web-based disclosure was introduced. Therefore, it can not be determined with certainty whether posting, altered inspection strategies or a combination of the two contributed to the findings.
An expanded system could also incorporate “red – yellow – green” inspection certificates such as those used by Peel Region and Toronto. However, a more complex, prescriptive inspection database system (like those in use by Peel and Toronto and with accompanying costs) would be required.

This report acknowledges the great deal of research and consultative assistance provided by staff of the PHS Planning and Continuous Improvement Division and the McMaster Institute of Environment and Health.

**ALTERNATIVES FOR CONSIDERATION:**

The Board of Health may elect not to endorse the recommendations in this report. This may result in a lost opportunity to enhance programs that benefit public health.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Mandatory food safety certification would require the enactment of a by-law. City of Hamilton Legal Services has been consulted and is exploring possible approaches.

Increases in food safety compliance resulting from these recommendations could result in increased efficiencies related to reduced inspection times, number of required inspections and enforcement actions.

Increases in food safety compliance could also lower the local incidence of food borne illness. This, in turn, could reduce lost productivity and health care costs associated with this illness across our community.

**POLICIES AFFECTING PROPOSAL:**

n/a

**RELEVANT CONSULTATION:**

The following groups/agencies were consulted in the preparation of this report: the local general public, local food premise operators, neighbouring health units, the Ministry of Health and Long Term Care, Mohawk College (Hamilton), Liaison College (Hamilton), the Canadian Restaurant and Food Service Association, the Canadian Council of Independent Grocers, City of Hamilton Legal Services Department

**CITY STRATEGIC COMMITMENT:**

Community Well-Being is enhanced.  X 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 will have improved access to public information.

Environmental Well-Being is enhanced.  X Yes  No
If adopted, the recommendations in this report could result in improved food safety compliance leading to healthier and safer food premises.

**Economic Well-Being is enhanced.**  
X Yes   No  
If adopted, the recommendations in this report could result in increased consumer confidence in local food premises leading to increased business for food premises.

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

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

An enhanced, leading edge food safety program may attract high performance inspection staff.