

Minutes From Food Safety Conference Call January 20, 2012

1. Cost analysis forms/ODH Sharepoint site – Jean Hayden

Your food safety cost analysis must be completed on forms prescribed by the Director of Health and Director of Agriculture, as required in Section 3717.071 of the Revised Code. The most current forms are available on the ODH Sharepoint site. The Sharepoint site can also be used by local health districts to submit documents to ODH such as cost analysis, board resolutions, fee schedules, etc.

A question was asked as to why ODH is using the Sharepoint site instead of OPHCS to post documents: ODH Bureau of Environmental Health is using Sharepoint because it can be used for multiple EH programs, it is accessible to more people, and allows for more interaction with local health districts, industry, other state agencies, etc.

The instructions for registering for the Sharepoint site are as follows:

If you have not registered with the ODH web portal to access the BEH SharePoint website, please follow these instructions:

1. Click the following link to register: <http://portal.odh.ohio.gov>.
2. Click *Register* on the last line.
3. Complete all fields and select 'Bureau of Environmental Health' as the requested application.
4. Click *Submit*
5. Once you have registered on the portal, you will receive an email with your user name and password. **Do not lose this information.** It will be needed to access the site.
6. There may be a problem with the password reset module. **Do not change your password until further notice.**
7. Upon registration you will have access to ODH Gateway, but you will NOT see BEH as an available site until access has been granted (other sites such as School Nurse Bulletin Board will be visible). You will be notified that access has been granted within a few days (you will receive an automatically generated email).

If you have any questions or problems accessing the SharePoint site, or questions regarding the cost analysis forms, please contact Jean Hayden @ 614-644-8653 or @ jean.hayden@odh.ohio.gov.

2. 2012 Midwest Workshop – Larry Holbert

The 2012 Midwest Workshop sponsored by ODH will be held March 19-22, 2012 at Fort Rapids Water Park in Columbus. The Food Safety day is Tuesday, March 20. Representatives from FDA, USDA, ODH ORBIT Unit, and industry will be presenting. The agenda is currently available on the ODH website on the Environmental Health page.

3. Risk Level 4 activities in mobile FSO's – Larry Holbert

Recently, questions have been asked regarding risk class IV activities being conducted in mobile food service operations.

Mobile cooking, cooling and reheating

Cooking, cooling and reheating of time temperature control for safety foods in bulk is permitted in a mobile food service operation if the operation has the equipment capacity to do such. This should be evaluated on a case by case basis.

Time as a public health control

Time as a public health control is not permitted for use in mobile food service operations.

The intent of using time as a public health control was not to eliminate the need for equipment that will maintain proper holding temperatures. Rule 3717-1-04.2 (A) of the OAC states in part "equipment for cooling, heating, or holding cold or hot time/temperature controlled for safety food (TCS), shall be sufficient in number and capacity to provide food at the food temperatures specified under rules 3717-1-03.3 and 3717-1-03.4 of the OAC."

Using time as a public health control is approved for use on the premise of a risk level IV operation, per rule 3701-21-02.3 (D) of the OAC.

The Ohio Department of Health, Food Safety Program's interpretation of this rule is that mobile, vending, and temporary operations shall not utilize time as a public health control.

Variance/ HACCP procedures

The operator of a food service operation conducting a food handling process that is not addressed, deviates, or otherwise requires a variance requires a risk class IV license. A variance/HACCP plan may be approved for use in a risk level IV operation on the premise, based on the interpretation of rule 3701-21-02.3 (D) of the OAC.

It is the Ohio Department of Health Food Safety Program's interpretation of rule that mobile, vending, and temporary food service operations shall not utilize variances including HACCP procedures. A licensed risk class IV food service operation that is properly equipped would be needed to conduct food handling procedures which require a variance, including HACCP. This also includes the acidification of rice.

Serving of raw or undercooked foods

Serving of raw or undercooked foods for immediate consumption from a mobile would be permitted. This also should be evaluated on a case by case basis. A consumer advisory must be provided, and the food product being served raw or undercooked must be from an approved source. Raw fish products being served must be frozen for parasite destruction and documentation available stating it was frozen properly from the approved source. Sushi could be served if provided from an approved source.

A question was asked to local health departments on the call that if they were aware of any mobile food service operations offering raw or undercooked animal foods for immediate consumption. Lake County Health Department staff stated that they had a mobile food service operation that offers seafood (i.e., oysters) for immediate consumption.

Catering

Ohio Revised Code 3717.01 Retail food establishments - food safety operations definitions (G) states " Catering food service operation means a food service operation where food is prepared for serving at a function or event held at an off premises site, for a charge determined on a per function or per event basis. A mobile food service operation cannot be licensed as a risk class IV catering operation. The food is being prepared at the risk class IV operation and taken off site for serving. There is nothing to prevent the use of the mobile as a piece of equipment as part of the licensed catering operation.

Mobile, vending and temporary food service operations only require that one inspection be conducted per licensing period, as per OAC 3701-21-02.4 Food Service Operation Inspection Frequency. Risk class IV operations require two standards and two critical control point inspections, and if applicable 2 variance reviews per licensing period. The critical control point inspection is utilized for verifying HACCP procedures in licensed food service operations. Thus, there are no mechanisms in place for additional inspection requirements for mobile, vending and temporaries.

There are also issues in regards to inspections credited to the local health department and calculating mobile food service operation inspection fees.

During the call there were two comments regarding time as a public health control:

Concern for temporary food service operation at local events not being equipped with facilities to maintain temperatures.

There was also one local health department statement supporting the use of time as a public health control for mobile food service operations.

4. FDA ORA online courses – Jamie Higley

The US FDA offers several food safety courses on their website, and many of them are free of charge to state and local health department employees. Some of the courses have been pre-approved by the RS Board for CEU's. To obtain CEU's for completing the courses, the proper forms must be submitted to the RS Board. The courses can be found at the following website: <http://www.fda.gov/Training/ForStateLocalTribalRegulators/default.htm>.

The following FDA courses were approved for RS credits in Ohio in 2010, and are still valid:

COURSE TITLE	OHIO RS BOARD COURSE #	CEUs APPROVED
Basic Food Law for State Regulators FDA 35	10-146-A	1
Basics of HACCP: Overview of HACCP FDA 16	10-146-B	1
Basics of HACCP: Prerequisite Programs and Preliminary Steps FDA 17	10-146-C	1
Basics of HACCP: The Principles FDA 18	10-146-D	1
Basics of Inspections: Beginning an Inspection FDA 38	10-146-E	2
Basics of Inspection: Issues and Observations FDA 39	10-146-F	2
Food Labeling FDA 45	10-146-G	1
Food Microbiological Control 1: Overview of Microbiology MIC 01	10-146-H	1
Food Microbiological Control 2A: Gram-Negative Rods MIC 02	10-146-I	1
Food Microbiological Control 2B: Gram Positive Rods and Cocci MIC 03	10-146-J	2
Food Microbiological Control 3: Foodborne Viruses MIC 04	10-146-K	1
Food Microbiological Control 4: Foodborne Parasites MIC 05	10-146-L	2
Food Microbiological Control 5: Controlling Growth Factors MIC 06	10-146-M	2
Food Microbiological Control 6: Control by Refrigeration and Freezing MIC 07	10-146-N	1
Food Microbiological Control 7A: Control by Thermal Processing MIC 08	10-146-O	2
Food Microbiological Control 7B: Control by Pasteurization MIC 09	10-146-P	2
Food Microbiological Control 7C: Control by Retorting MIC 10	10-146-Q	2
Food Microbiological Control 8: Technology-based Food Processes MIC 11	10-146-R	2
Food Microbiological Control 9: Natural Toxins MIC 12	10-146-S	2
Food Microbiological Control 10 Aseptic Sampling MIC 13	10-146-T	2
Food Microbiological Control 11: Good Manufacturing Practices MIC 14	10-146-U	2
Food Microbiological Control 12: Cleaning and Sanitizing MIC 15	10-146-V	2
Food Microbiological Control 13: HACCP Design MIC 16	10-146-W	2

5. Products that contain “meat glue” – Jamie Higley

ODH has become aware of a process being used by some meat processing plants in which “trim” pieces of meat are formed together into one piece using “meat glue” (enzymes), and then they are baked. The final product appears to resemble a normal cut of meat, and the customer may not tell the difference. ODA Meat Division has informed us that this process is approved in Ohio. If sold at retail, the product must be properly labeled: it must list the enzymes as an ingredient, and must state that the meat has been “formed” or “re-formed”, as required in 317.2(b)(39) of the CFR. According to the FDA, restaurants that serve these products are not required to disclose the ingredients or any other information on the menu. Click on the following link to view a video from Australia that describes the process:
<http://d.yimg.com/nl/australia/site/player.swf?vid=24472661&repeat=0&br>

6. Updates to food inspection forms – Jean Hayden

ODH Food Safety Program, in agreement with ODA, is in the process of updating the food Standard Inspection form, CCP form, and Continuation form. The changes include correcting typo’s, rearranging the header and signature block on the CCP form to match the standard form, and updating the information on the back of the CCP form to include risk factors identified by the FDA. The forms are currently being re-designed by ODH Graphics Dept., and then they will be sent to the printer. They should be available for distribution by spring. ODH will send a notice to all local health districts once they are completed.

7. **2012 CPI for Vending Fees – Larry Holbert**

The 2012 Consumer Price Index (CPI) was recently released by the US Dept. of Labor. The new CPI is 3.0%. Chapter 3717.07 of the Revised Code states: **“With regard to any fees charged for licensing vending machine locations, the rules shall prohibit a licensor from increasing fees by a percentage of increase over the previous year’s fee that exceeds the percentage of increase in the consumer price index for all urban consumers (United States city average, all items), prepared by the United States department of labor, bureau of labor statistics, for the immediately preceding calendar year.”**

The CPI notice was emailed to all local health districts on January 19, 2012, and is available on the ODH Food Safety website under “Memorandums”.