PURPOSE:

To supply guidance to local health departments (LHD) regarding the food service establishment inspection program.

POLICY:

LHDs should categorize all permitted food service establishments (including Temporary and Mobile Food Service Establishments and pushcarts) based upon foods and population served (risk assessment), and prioritize inspections focusing on items that could potentially contribute to foodborne illness. Food services operating at Temporary Residences and Children’s Camps should be categorized and prioritized using the same criteria as a permitted food service.

1. RISK ASSESSMENT OF FOOD SERVICE ESTABLISHMENTS:

All food service establishments do not present the same risk of causing foodborne disease illness; therefore, facilities can be grouped according to their relative risk of causing a foodborne outbreak. Such listing should group establishments into three (3) categories: high-, medium-, and low-risk. These listings do not mean that any given establishment is less safe than others, but rather that the nature of their menu and population served creates a greater potential for a foodborne illness to occur. Establishments with a poor sanitary history may require placement at the top of the list in any one of the groups for more frequent inspections. Such establishments should not be moved between groups unless menu items change resulting in a significant change in public risk. Criteria to classify establishments by risk category are as follows.

High-Risk Establishments

Establishments which serve potentially hazardous foods that require a great deal of processing on the premises, including: manual handling, cooling, re-heating, holding for service – hot or cold, transportation of hot or cold ready-to-eat meals and preparation of foods several hours or days before service. Epidemiologic experience has demonstrated that menu items served by these facilities are common vehicles of foodborne illnesses. This category includes establishments that often serve large numbers of meals to the aged, children, or the infirm.
Examples of establishments in the high-risk category include: those which prepare roasted meats, sauces, gravies, casseroles, potentially hazardous baked goods and foods which contain meat, fish, poultry, dairy products, eggs or shellfish.

Medium-Risk Establishments

These establishments often serve potentially hazardous foods; however, there is a rapid turnover between preparation and service. This group also includes low-risk foods that may or may not be potentially hazardous, but require extensive handling, such as baked goods and pizzas. Many of these establishments serve a large volume of food and, therefore, require close attention, although their foodborne illness risk is low. Examples of establishments in this group include: fast food restaurants, submarine shops, pizza parlors, some retail bakeries, some mobile food establishments, and short-order breakfast and lunch establishments.

Low-Risk Establishments

Most of these establishments serve no potentially hazardous foods with the possible exception of prepackaged sandwiches and specialty items, such as pickled meats or eggs, cream-filled donuts and other snack foods. The regulatory concern in these establishments relates more to sanitation and maintenance. Examples of establishments in this category include: bars, taverns, retail doughnut shops, some temporary food operations, and coffee shops.

2. INSPECTION REPORT FORMS:

Food service establishment inspection report forms issued or approved by the State Health Department should be used. All forms must be compatible with the Environmental Health Inspection and Permitting System (eHIPS) data management system to facilitate proper data entry. An inspection report form should be completed for every inspection. A copy must be left with the person in charge of the food service establishment and a copy retained for the LHD file. Inspection data must be entered into eHIPS software system.
3. **INSPECTION FREQUENCY:**

The frequency of inspection of food service establishments should be based on the potential public risk of the establishment. It is recommended that high-risk establishments be inspected an average of twice per year; medium-risk establishments inspected once each year; and low-risk establishments inspected once each two years. High risk facilities operated seasonally may be inspected once each year.

All establishments, including temporary and mobile food services that utilize an on-site water supply should have the water supply inspected annually. Established guidelines for inspection and sampling on-site water supplies must be followed. See EHM Technical Reference CSFP 10, Water Systems at Facilities Regulated by Parts 6, 7, 14, 15, and 17 of the State Sanitary Code and EHM Technical Reference CSFP 861 Acceptable Water Supplies at Facilities Regulated by Subparts 14-2 & 14-4 of the State Sanitary Code.

A Hazard Analysis/Critical Control Point (HACCP) evaluation of a high-risk menu item conducted according to the guidelines in EHM Technical Reference CSFP 853 may be substituted for a second annual inspection at high-risk establishments.

4. **STANDARDIZATION OF FOOD SERVICE PROGRAM PERSONNEL:**

All persons in a LHD who inspect high-risk facilities should be trained in uniform techniques for the inspection of food service establishments and obtain a Food Service Inspection Officer-Level I (FSIO–I) certificate. Each LHD should maintain 1 FSIO Level 2 for every ten full-time equivalent staff assigned to food protection activities. FSIO Level 2 certificate holders train and monitor inspection staff within the LHD to assure uniformity of inspection techniques. Please refer to EHM Procedure CSFP 808.
5. **ENFORCEMENT:**

Inspectors should record all violations noted at the time of inspection on the inspection report form. Violations should be cited by recording the condition that was observed, i.e., “tuna salad found on display 65 degrees Fahrenheit,” rather than as a corrective action required, i.e., “keep tuna salad refrigerated.” Environmental Health Manual Technical Reference ADM-2, further describes the general policy on enforcement and the specific actions required for various code sections that constitute public health hazards. Enforcement action data must be entered into eHIPS or in a compatible data management application.

6. **PERMITS:**

All food service establishments not specifically exempted from the permit requirement shall either have a current permit, be in litigation for revocation of their permit or be closed.

7. **DATA:**

All food protection data must be maintained on eHIPS or an eHIPS compatible computer system. A complaint log, including foodborne illness complaints, must be maintained on eHIPS or an eHIPS compatible computer system.
REFERENCES

10 NYCCR 14, Service Food Establishments

Environmental Health Manual Technical Reference ADM-2-Public Health Hazards


Environmental Health Manual Procedure CSFP TR 11–Form Instruction– DOH 1316, Facility Basic Data

Environmental Health Manual Procedure CSFP 808-Food Protection-Standardization of Food Service Program Personnel

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