

**Report to
Rapport au:**

**Ottawa Board of Health
Conseil de santé d'Ottawa**

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**Submitted by
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Ward: CITY WIDE / À L'ÉCHELLE DE LA VILLE File Number: ACS2014-OPH-EHP-0005

SUBJECT: UPDATE ON OTTAWA PUBLIC HEALTH'S FOOD SAFETY PROGRAM

OBJET: LE POINT CONCERNANT LE PROGRAMME SUR LA SALUBRITÉ DES ALIMENTS DE SANTÉ PUBLIQUE OTTAWA

REPORT RECOMMENDATIONS

That the Board of Health for the City of Ottawa Health Unit approve that staff bring forward a report regarding enhanced public disclosure of food premise inspections, as outlined in this report, by the third quarter of 2014.

RECOMMANDATIONS DU RAPPORT

Que le Conseil de santé de la circonscription sanitaire de la Ville d'Ottawa approuve que le personnel soumette un rapport concernant une meilleure information du public concernant les inspections des services d'alimentation, tel qu'énoncé dans le présent rapport, d'ici le troisième trimestre de 2014.

EXECUTIVE SUMMARY

Ottawa Public Health (OPH) routinely inspects about 5,300 food premises in Ottawa to reduce the risk of foodborne illness and improve food safety standards in local food establishments. Since 2008, OPH has worked to enhance its Food Safety program with a focus on building staff capacity, improving inspection consistency and efficiency, improving public access to food inspection reports and information exchange with the food premise operators.

In 2011, the Ottawa Board of Health approved an update on the Food Safety Strategy encompassing four categories: 1) prevention and education; 2) inspection and surveillance; 3) enforcement; and 4) management of food recalls, foodborne illnesses and outbreaks.

OPH has worked to meet or exceed all inspection targets set by the Ontario Public Health Standards, 2008 (OPHS), as well as those related to the Ministry of Health and Long-Term Care's Public Health Funding and Accountability Agreement indicators.

In 2013, OPH inspected 98.5% of high-risk establishments. During that same year, approximately 80% of the required food premises inspections were in compliance with all food safety regulations at time of routine inspection. Of the remaining 20% of inspections where infractions were identified, most inspections had non-critical infractions. Five per cent of inspections had critical infractions requiring urgent remediation and subsequent re-inspection to ensure compliance. For high-risk facilities, compliance was 77% in 2013. OPH achieved a high conviction rate for Provincial Offence Notices (PONs) relating to food safety infractions, with 94% (30 out of 32) of PONs resulting in payment, a guilty plea, or a conviction.

OPH has provided targeted food handler training to approximately 40 individuals in the last 2 years in an effort to educate, inform and change behaviours that may have contributed to food-borne outbreaks. OPH has noted increased compliance at establishments that have completed the targeted food handler training.

In 2014, to ensure that Ottawa residents and tourists have maximally accessible information to make informed decisions for their dining options, OPH will work to make restaurant inspection reports more readily available at the food premise. Building on the popularity of OPH's restaurant inspection website, which received 1.6 million page views by more than 630,000 visitors in 2013, OPH will conduct a best practices review and an environmental scan of the public disclosure systems of other jurisdictions. In addition, OPH will consult the City's By-law and Regulatory Services to explore licensing bylaw options to make OPH's food inspection reports more accessible to all

residents and tourists. OPH will bring forward a report in the third quarter of 2014 regarding enhanced public disclosure of food premise inspections.

Next steps for the Food Safety Strategy will necessitate exploring efficiencies or enhancing internal capacity to ensure that the new provincial inspection targets are met. In order to better leverage resources and respond more effectively to seasonal pressures, OPH is exploring alternative funding through Ministry of Health and Long-Term Care (MOHLTC) one-time funding.

Finally, OPH will review the current targeted food handler-training threshold of four repeat critical deficiencies in a twelve month period.

RÉSUMÉ

Santé publique Ottawa (SPO) inspecte régulièrement quelques 5 300 services d'alimentation de la Ville d'Ottawa en vue de réduire les risques de maladies d'origine alimentaire et d'améliorer les normes de salubrité dans les établissements alimentaires locaux. Depuis 2008, SPO s'emploie à renforcer son programme de salubrité des aliments au moyen d'une augmentation des effectifs, de pratiques d'inspection plus efficaces et plus uniformes, d'un plus grand accès du public aux rapports d'inspection alimentaire et de l'échange d'information avec les exploitants d'établissements alimentaires.

En 2011, le Conseil de santé d'Ottawa a donné son aval à une refonte de sa stratégie de salubrité des aliments, qui comprend quatre catégories : 1) prévention et information, 2) inspection et surveillance, 3) application des règlements et 4) gestion des rappels d'aliments, des maladies d'origine alimentaire et des flambées épidémiques.

SPO s'efforce d'atteindre ou de dépasser les objectifs d'inspection établis dans les *Normes de santé publique de l'Ontario* de 2008 et dans les indicateurs qui régissent l'Entente de responsabilisation en santé publique pour le financement conclue avec le ministère de la Santé et des Soins de longue durée.

En 2013, SPO a inspecté 96,5 % des établissements à haut risque. Dans quelque 80 % des cas, les inspections indiquaient que les établissements alimentaires se conformaient aux règlements sur la salubrité des aliments au moment de l'inspection de routine. Dans les 20 % de cas restants, les infractions observées étaient généralement non cruciales. Seuls 5 % des inspections révélaient des infractions cruciales nécessitant une intervention immédiate et une deuxième inspection destinée à assurer la conformité aux règlements. Dans les établissements alimentaires à haut risque, le taux de conformité s'est élevé à 77 % en 2013. SPO a émis un grand nombre d'avis d'infraction provinciale aux règlements sur la salubrité des aliments : 94 % (30 sur 32)

de ces avis ont donné lieu au paiement d'une amende, à une accusation ou à une condamnation.

Au cours des deux dernières années, SPO a fourni une formation en manipulation des aliments à quelque 40 personnes en vue d'informer et de sensibiliser les préposés, et également de modifier les comportements qui ont pu entrer en jeu dans les flambées épidémiques de maladies d'origine alimentaire. SPO a observé une plus grande conformité dans les établissements où le personnel avait suivi la formation en manipulation des aliments.

En 2014, SPO a commencé à faciliter l'accès aux rapports d'inspection des restaurants dans les établissements alimentaires mêmes afin de permettre aux résidents et aux touristes d'Ottawa d'obtenir toute l'information qui les aidera à prendre des décisions avisées en matière d'alimentation. Dans le sillage du succès qu'a connu son site Web sur l'inspection des restaurants, qui a enregistré 1,6 million de pages vues et reçu plus de 630 000 visiteurs en 2013, SPO entreprendra un examen des meilleures pratiques et se penchera sur les systèmes de divulgation publique dans d'autres territoires de compétence. SPO s'appuiera aussi sur les Services des règlements municipaux pour vérifier quels règlements sur les permis sont les plus aptes à rendre ses rapports d'inspection plus accessibles aux résidents et aux touristes. SPO publiera un rapport sur la divulgation publique accrue de l'information sur les inspections des établissements alimentaires au troisième trimestre de 2014.

Dans une prochaine étape, la stratégie de salubrité des aliments devra examiner les gains en efficacité ou compter sur une plus grande capacité interne pour satisfaire les nouvelles normes d'inspection provinciales. Pour tirer le meilleur parti de ses ressources et répondre de manière plus efficace aux contraintes saisonnières, SPO explore d'autres avenues de financement et s'intéresse notamment au financement ponctuel fourni par le ministère de la Santé et des Soins de longue durée.

En dernier lieu, SPO modifiera le seuil à partir duquel les établissements sont tenus d'inscrire leurs employés au cours de formation des préposés à la manipulation des aliments, soit quatre infractions cruciales répétées sur une période de douze mois.

BACKGROUND

This report serves to summarize the continued progress of OPH's [Food Safety Strategy](#) (ACS2011-OPH-EHPOM-0001), and to provide information on planned future food safety initiatives.

Since 2008, OPH has been working to renew its Food Safety program, following the audit of the Food Safety program, which was conducted by the Office of the Auditor

General at the City of Ottawa. The audit included a number of recommendations for improving the Food Safety program. In response, a Food Safety Strategy was developed that focused on improving inspection consistency and efficiency, improving public access to food inspection reports and enhancing information exchange with the food premise operators. A [report](#) outlining the strategy was presented to Community and Protective Services Committee and City Council in April 2009 (ACS2009-COS-OPH-0002). Following the establishment of the Board of Health in 2011, the Board approved an update on the Food Safety Strategy with an aim to further strengthen the program. OPH's Food Safety Strategy encompasses four broad categories: 1) prevention and education; 2) inspection and surveillance; 3) enforcement; and 4) management of food recalls, foodborne illnesses and outbreaks.

Over the past three years, the program has focused on achieving provincial inspection requirements, following the introduction of the Public Health Funding and Accountability Agreements, while also increasing staff capacity to enforce provincial food safety requirements, and enhancing the program's quality assurance and food handler training.

The following sections highlight recent developments relating to the implementation of the Food Safety Strategy:

1) Prevention and Education

OPH's prevention and education component of the strategy includes one-on-one education to food premise operators during inspection and broader food handler certification education. Public Health Inspectors (PHIs) educate food handlers about proper food handling practices, and ensure compliance with all applicable legislation to mitigate the risk of foodborne illness during each inspection. In 2013, OPH certified more than 1,800 individuals in safe food handling, with more than 5,300 food handlers certified since 2011. In an effort to improve access to training for all food handlers in Ottawa, OPH produced a modernized food handler manual and distributes course materials in English, French, Cantonese, Vietnamese, Punjabi, and Arabic.

In response to three foodborne illness outbreaks which were linked to local catering businesses, OPH developed an education course for caterers. In 2013, OPH hosted its first Catering Forum that offered caterer-specific outbreak management and food safety information to approximately 40 attendees. Post-event evaluations indicated that 94 per cent of participants received "what they needed out of the session."

Public Disclosure of Food Premise Inspections

PHIs provide “Certificates of Inspection” to all premises they inspect and encourage owners and operators to post these signs to inform the public that the site has been inspected. These certificates also provide OPH contact information should patrons wish to follow-up with additional questions. At the conclusion of each inspection, PHIs provide food premises owners and operators with a copy of their inspection report. This hard copy public document can be made available to restaurant customers by the owner or operator, upon request.

Implemented in 2009 and based on a multi-jurisdictional review of systems across North America, OPH’s online restaurant inspection disclosure system makes comprehensive information available to the public, including past and current inspections, whether they are conducted on a routine or complaint-related basis. During food premises inspections, inspectors note any and all deficiencies and prepare a report, which outlines these deficiencies. The full report is posted online at Ottawa.ca/restaurantinspections in an accessible and searchable format.

OPH promotes its food premises disclosure through a number of avenues: in-house restaurant wall certificates, social media, OPH’s *Food Matters* newsletter (available at <http://ottawa.ca/en/residents/public-health/food-premises-personal-service-settings-and-inspections/food-matters>), YouTube videos (available at: <http://youtu.be/wEiUvyiscbQ> and <http://youtu.be/ySFhuCnXUmY>) and resident-initiated inquiries. OPH has also developed an online mechanism to increase residents’ ability to provide feedback, which has resulted in approximately 200 complaints and queries received and addressed since implementation in February 2012.

The OPH restaurant inspection website is a popular source of information for Ottawa restaurant patrons, with the website receiving 1.6 million page views by more than 630,000 visitors in 2013. As technology continues to offer patrons greater access to information, web-based and smartphone applications have delivered knowledge of food premises inspections directly to a mass audience.

An inspection is a snapshot of a premises’ compliance at the time of that particular inspection. Enforcement practices, described later, ensure that a restaurant with any critical deficiencies in food safety practices address the deficiencies immediately for reassessment with an imminent follow-up inspection. By viewing the actual inspection reports online, Ottawa restaurant patrons can make informed decisions based on a premises’ inspection history. This system provides comprehensive information for customers to assess the significance of restaurants’ compliance or concerns over time.

Finally, there are numerous versions and iterations of disclosure systems across Ontario and Canada. OPH is committed to reviewing and researching best practices and alternate disclosure systems to ensure that Ottawa residents are afforded the most transparent and meaningful systems to enable them to make informed choices for their dining experiences.

2) Inspection and Surveillance

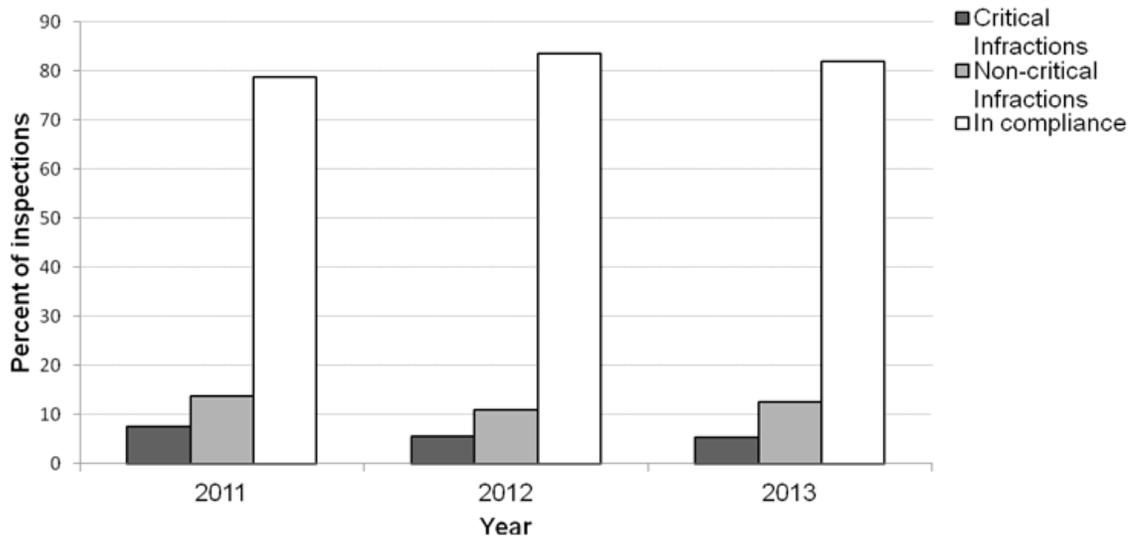
OPH is the local, visible and transparent wing of a multi-agency food safety network in Canada. OPH's food safety team is comprised primarily of PHIs who inspect approximately 5,300 food premises in Ottawa to ensure compliance with *Ontario Regulation 562 (Food Premises)* under the *Health Protection and Promotion Act*. In addition to other environmental inspection responsibilities, PHIs perform a number of food safety functions including responding to queries via OPH's information phone line (613-580-6744), conducting complaint and demand inspections, undertaking special projects, inspecting temporary food establishments at festivals and special events, and developing and administering food handler training courses.

OPH aims to achieve all inspection targets set by the Ontario Public Health Standards, 2008, as well as those related to the Ministry of Health and Long-Term Care's Public Health Funding and Accountability Agreement indicators: High-risk food premises once every four months; medium-risk food premises once every six months; and low-risk once every twelve months.¹

In addition to routine inspections, re-inspections are conducted to follow-up on reported deficiencies, or are performed at the request of the premises' owner. As well, inspections are performed prior to any opening of a new food establishment. In 2013, approximately 80% of the approximately 9,000 required inspections per year found food premises overall to be "in compliance" with food safety regulatory standards.² Of the remaining 20% of inspections where deficiencies are identified, most inspections are found to have non-critical deficiencies with only five to six per cent of inspections having critical deficiencies.³

The proportion of deficiencies varies by the risk category of the premises. No statistically significant change in compliance rates was seen between 2011 and 2013 for low-risk facilities. For medium-risk premises, compliance rates at the time of inspection improved from 85% in 2011 to 89% in 2012 and 90% in 2013. For high-risk facilities, compliance increased from 72% in 2011 to 80% in 2012, dropping slightly to 77% in 2013 (Figure 1).

Figure 1: Inspection outcomes* for all inspected facilities in Ottawa. 2011 - 2013



* Only includes mandated inspections. Excludes re-inspections, pre-opening inspections, or inspections based on a complaint or on request of the premises.

As per the Public Health Funding and Accountability Agreement, OPH reports on the percentage of high-risk food premises that are inspected every four months. In 2013, OPH inspected 98.6% of high-risk establishments overall, an improvement from 2012 (98%). Seasonal challenges, such as enhanced responses to foodborne illness outbreaks, precautionary boil water advisories, pool openings, special event inspections and outbreaks, greatly contributed to the increase in seasonal workloads, especially in the second trimester of 2013. While OPH reached 96.5% completion in that trimester, all outstanding high-risk food premises inspections were completed within a week of trimester deadlines (Table1). Starting in 2014, OPH will also report on completion rates related to medium-risk food premises.

Table 1: Required High-Risk Inspections 2012-2013^{4*}

Year		Trimester 1	Trimester 2	Trimester 3	Year End
2012	# of completed inspections	1,624	1,660	1,583	4,867
	# of required inspections	1,624	1,660	1,683	4,967
	Completion %	100%	100%	94%	99%
2013	# of completed inspections	1,675	1,615	1,688	4,978
	# of required inspections	1,675	1,674	1,688	5,037
	Completion %	100%	96.5%	100%	98.5%

3) Enforcement

a) Legal sanctions and fines

PHIs aim to use educational approaches whenever reasonable to gain voluntary compliance from food premises operators and owners. Enforcement action is initiated when chronic and repeated deficiencies result in non-compliance with food safety regulations.

PHIs are offered professional development training to gain increased familiarity with court room procedures, evidence collection, note taking, and etiquette and prosecution technicalities, related to prosecution-led enforcement, the *Municipal Freedom of Information and Protection of Privacy Act*, and internal enforcement policies. OPH has achieved high conviction rates for Provincial Offence Notices ⁵ (PONs) relating to food safety deficiencies. In 2013, approximately 94% (30 out of 32) of PONs resulting in payment, a guilty plea, or a conviction, an approximate 17% increase in success rate compared to 2011.

b) Quality Assurance

The quality assurance component of the program aims to ensure a standardized approach to the enforcement of food safety regulations. Over the past three years, OPH has provided enhanced enforcement training for PHIs and implemented measures to address food premises that receive repeat critical infractions.

In 2012, as a supplement to possible legal actions, OPH proposed targeted food handler training – a system that would seek to compel owners, operators, and food handlers to obtain certification if and when their premises exceed four repeat critical deficiencies in a calendar year, and/or as a standard inclusion on any Section 13 *Health Protection and Promotion Act* order, which is a legal order that requires an individual to correct health hazards that could impact food safety.⁶ A quality assurance review of targeted food handler training resulted in its expanded use at those premises experiencing a suspected or confirmed food-borne outbreak. Since being approved by the Board in 2012, OPH has provided targeted food handler training to approximately 40 individuals in an effort to educate, inform and change behaviours that may result or contribute to food-borne outbreaks. OPH has noted increased compliance at establishments that have completed the targeted food handler training.

4) Management of food recalls, foodborne illnesses and outbreaks

OPH collaborates with the Canadian Food Inspection Agency (CFIA) to monitor food recalls associated with Ottawa food premises. Social media is used to inform the public when CFIA releases a food recall associated with illness that may affect the region.

Notwithstanding OPH's use of education, inspection, enforcement and surveillance to mitigate risk, food-borne illness and outbreaks do occur in the community. When OPH receives reports of food-borne illness, food safety and outbreak management staff work with food premises operators to monitor infection, prevention and control measures, as well as safe food handling practices.

In 2013, OPH conducted 166 investigations as a result of public health complaints or suspected enteric illness associated with food premises. The complaint button on the web site provides members of the public the opportunity to report concerns and illness online.

DISCUSSION

OPH has worked for a number of years to increase food safety at food premises in Ottawa through prevention and education; inspection and surveillance; enforcement; and management of food recalls, foodborne illnesses and outbreaks. The next stage of OPH's food safety program will focus on enhancing public disclosure of food premise inspection, meeting inspection targets, supporting the development of staff to increase service excellence while also building professional competencies and expanding quality assurance.

The recommendation of this report requires that staff bring forward a report regarding enhanced public disclosure of food premise inspections by the third quarter of 2014. In order to ensure that Ottawa residents have a transparent and meaningful disclosure system, OPH will bring back a report in third quarter outlining a best practices review and an environmental scan of other jurisdictions. OPH will consult the City's By-law and Regulatory Services in respect to the posting of inspection results at food premise locations as such posting requirements would need to be stipulated in the City's licensing bylaw.

In addition, opportunities to enhance the visibility and access to the restaurant inspection information by better publicizing the online disclosure system will be explored as will creating more user friendly website addresses, enhancing the format of information presented online and improving access to additional web based applications. OPH will seek input from residents on the use of the certificates and disclosure website to ensure OPH's food inspection reports are easily accessible to all residents and tourists.

The next phase of the Food Safety Strategy will also focus on building internal capacity to ensure that the provincial inspection targets can be met. In order to better leverage resources and respond more effectively to seasonal pressures, OPH has explored alternative funding through MOHLTC one-time funding. OPH is also increasing capacity to conduct special event inspections between April and October 2014. The re-allocation of resources will assist in developing a sustainable solution to ongoing pressures, while more effectively addressing unexpected events.

OPH will also review its quality assurance program by examining the targeted food handler-training threshold (i.e. four repeat critical deficiencies in a twelve month period). In addition, a review of educational measures to maximize compliance with food safety regulations will be undertaken.

RURAL IMPLICATIONS

OPH's food safety program extends into the rural communities in that PHIs inspect food premises, special events, and farmer's markets in these areas. On the heels of the recently approved Board report pertaining to the changes to the residential well water testing program, OPH provides rural residents with the necessary tools and information to test their water for bacteria.

PHIs that specialize in small drinking water systems, inspect, survey and follow-up with owners and operators, some of which are at food premises. In addition, PHIs ensure

compliance with *Ontario Regulation 319* to ensure sampling frequency requirements are met.

CONSULTATION

The purpose of this report is administrative in nature and therefore no public consultation is required.

LEGAL IMPLICATIONS

There are no legal impediments to the implementation of the recommendation in this report.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this information report.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

ACCESSIBILITY IMPACTS

There are no accessibility implications to receiving this report. In addition, Ottawa.ca – where more information pertaining to OPH’s food safety program is located – meets all accessibility criteria.

TECHNOLOGY IMPLICATIONS

ITS will work with Ottawa Public Health to bring this initiative forward through the approved planning process for 2016.

BOARD OF HEALTH PRIORITIES

The recommendations in this report support the Board of Health Strategic Priority: B5 to reduce health risks related to preventable infectious and non-infectious diseases.

TERM OF COUNCIL PRIORITIES

The recommendations in this report support the Term of Council Priority: Healthy and Caring Communities Term of Council Priority.

DISPOSITION

OPH staff will continue to implement the four components of the Food Safety Strategy, as outlined in the report. If the recommendation of this report is approved, staff will also

present a report to the Board in third quarter of 2014 outlining best practises and an environmental scan of public disclosure of food premise inspections with recommendations for enhancing OPH's current public disclosure system.

1. High-risk food premises prepare and handle large quantity of hazardous foods (such as poultry, fish, and beef) that are more often implicated with foodborne illness (i.e. restaurants, banquet halls and cafeterias). They may also use multi-step preparation, beginning with various raw contaminated food products, for processing, defrosting, cooking, cooling, storing, reheating, preparing, hot holding, slicing, de-boning, mixing, and serving. Food premises that prepare and serve food for vulnerable populations such as nursing homes, day nurseries and hospitals are often considered high-risk. Establishments implicated in the past with foodborne illness may also be considered a high-risk food premises.

Medium-risk food premises prepare hazardous foods to a lesser degree than the criteria outlined in high- risk food establishments. A medium-risk establishment prepares non-hazardous foods with extensive handling and/or high volume of patrons (e.g. bakeries).

Low-risk food premises prepare and/or serve non-hazardous foods with a lesser degree of handling. Low-risk premises do not prepare hazardous foods, but may serve pre-packaged hazardous foods. The low-risk category applies to establishments such as variety stores – where the main public health concern is sanitation and maintenance.

2. Refers to a food premises being in-compliance with all food safety regulations, at the time of inspection

3. Critical infractions are those that could contribute to foodborne illness. Some examples are:

- Inadequate internal temperatures of cold and frozen hazardous foods
- Improper cooking/hot holding/reheating of hazardous foods
- Food not protected by contamination by food handlers
- Food not protected from adulteration and contamination

Non-critical infractions are those that impact on the overall sanitary condition of the food establishment. However, they do not directly contribute to foodborne illness:

- improper sanitary design, construction, equipment and utensils
- inadequate garbage storage and removal
- Pest infestations
- Improper cleaning, washing and sanitizing of equipment and utensils

4. Annual completion rates are acquired by: # of year-round food premises that were classified as high-risk for at least one full four month period in the 2013 calendar year received at least one routine inspection in each four month period where they were open for the full four month period/ # of premises classified as high-risk for at least one full four month period in the 2013 calendar year

5. As Provincial Offences Officers, PHIs have the authority to issue a number of escalating sanctions to address those premises who fail to adhere to provincial standards: PONs, Part I Summons, Part III Summons, or closure orders. The amount of the PON – commonly referred to as a ticket - fine, set by provincial legislation, reflects the relative severity of the infraction with those issues more likely to increase the likelihood of a foodborne illness being assessed at a higher fine value. Some examples of set fines include: \$245.00 for Failure to protect food from contamination or adulteration, \$370.00 for Failure to provide hand washing basin in food preparation area, \$370.00 for Maintain hazardous foods at internal temperature between 5°C and 60°C.

6. The requirements for certified staff are “...that a minimum of one operator and one food handler each be certified, and at least one certified food handler be present in the food premises at all times during operation.”