

FoodBytes

Food Protection Program

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Indiana State Department of Health

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Plan now for summer temporary events

Do your health department inspectors dread the summer season of temporary events? The secret of success is to control the situation rather than let the situation control you. This means having a plan.

Most of the temporary vendors visit during specific events rather than popping up at random. The first step is to contact the “event organizer” of the fair, festival, farmers market, etc. and explain the health department needs to assure compliance with food safety rules and permit requirements that it is legally obligated to enforce.

Explain that by law, all food vendors must be *registered* with the health department before any food sales. They must show they are properly

equipped and able to protect all food items before they operate.

Ask the event organizer for a list of vendors they expect might be selling food.

Set a deadline and stick to it.

No vendor or event organizer has the authority to change your ordinance or dictate health department policy. It is reasonable to set a deadline for permit applications and fee collections. Don't try to do this in the field during the event when you should be concentrating on conducting inspections. Be prepared to

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Do some of the work ahead of time

Successful inspectors will do as much work prior to the event as possible in the office.

With the list of expected vendors, some information on the inspection forms can be filled out prior to the event. Proper planning also allows inspectors

to prioritize the vendors by “menu risk.” Start with vendors who are cooking raw meats, for example, and vendors who are new. Lower risk foods like pastries and beverages can be done later.

There should be few surprises when the event starts.

COOL requirements expanding to include meats, nuts

Country of Origin Labeling (COOL) is the retail labeling law intended to provide consumers with additional information at the time they purchase certain foods. The requirements became mandatory last September.

The law is intended to cover commodities like wild and farm-raised fish and shellfish, muscle cuts of beef, pork, lamb, goat, and chicken. Also included are ground up forms of these meats.

Perishable agricultural commodities (fresh and frozen fruits and vegetables) peanuts, pecans, and macadamia nuts and ginseng are also covered by the law.

The labeling requirements will apply to establishments that are



Where does meat come from? Country of origin labeling now applies to imported foods like muscle cuts and ground meats of various species.

covered by the Perishable Agricultural Commodities Act (PACA). It does not apply to restaurants.

Pre-packed products received by stores should already include the proper COOL labeling. Covered foods packaged in a retail store will need to properly declare this information so customers can find it. Records specified by law will also need to be kept on hand.

At this time, local health departments will not be charged with enforcing COOL regulations as this will be handled by federal and state inspectors. The final rule was effective March 16, 2009.

Wild mushroom sales must be tamed

Dozens of species of mushrooms can be toxic or even fatal if consumed. Yet, some retail food store operators do purchase wild mushrooms harvested and delivered to them by citizens and then offer them for sale to their customers.

The issue of unsafe food and improper food source is addressed in the food code, 410 IAC 7-24.

Sec. 164 clearly spells out that wild mushrooms that are not cultivated under inspection, "shall be obtained from sources where each mushroom is individually inspected and found to be safe by a mushroom identification expert." That expert should be a mycologist,

but could be someone with a similar area of expertise willing to take responsibility. The retail establishment should have documentation

that any wild mushrooms offered for sale have been properly inspected. Inspectors

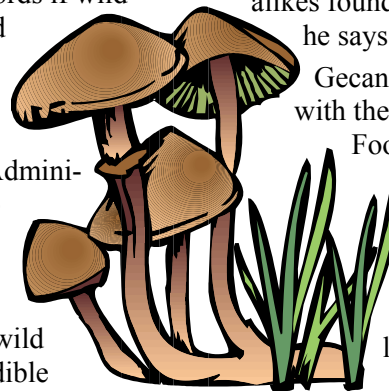
should ask to see records if wild mushrooms are found for sale. A violation of Sec. 164 is marked as *critical*.

Food and Drug Administration (FDA) biologist John Gecan worries about ignorance when it comes to harvesting wild mushrooms. Many edible

mushrooms have toxic "look-alike" species, Gecan says, and untrained pickers often are woefully incompetent to distinguish the bad from the good.

"People go out and harvest wild mushrooms without the foggiest notion of what they're picking. They may know what mushrooms they're looking for, but they may also mistakenly pick up toxic look-alikes found in the same place," he says.

Gecan, a mushroom expert with the FDA's Center for Food Safety and Applied Nutrition, says, "As a novice, you'd better not go out and pick mushrooms, eat them, and expect to live very long."



New environmentalists learn scope of job

Intended to help newly hired Environmental Health Specialists (EHS) at local health departments, the ISDH-sponsored EHS Orientation last December featured a variety of speakers who discussed specific areas of environmental health.

The common reaction of attendees was that they found it quite helpful to learn about assistance that is available to them from ISDH and other agencies.

The following persons, and their respective health departments, attended the entire three-day event:

Sue Birge, Boone Co.; Charles “Tim” Botkin, Delaware Co.; Melynda Bryant, Fountain-Warren Co.; Melissa Dexter, ISDH-OPA; David Fehlinger, Franklin Co.; Stephanie Frank, Cass Co.; Nakisha Gaddie, Marion Co.; Jason Geisler, Cass Co.; Lee Green, ISDH; Mark Helt, Switzerland Co.; Eugene Hopkins, Shelby Co.; George Horning, Shelby Co.; Whitney Kovener, Jackson Co.; Paul Krizman, Lake Co.; Greg Martin, Posey Co.; Shawn Moore, Marion Co.; and Adrienne Northcott, Montgomery Co.



Also attending were Cleone Peterson, ISDH-Acute Care; Diana Peterson, Parke Co.; Wanda Proffitt, ISDH-Acute Care; Greg Robinson, Fountain-Warren Co.; Peter Saffen, Marion Co.; Janelli Salomon-Angeles, ISDH-Acute Care; Denny Schaffer, Posey Co.; Lynette Smith, ISDH-Acute Care; Jane Stark, Clay Co.; Tilara Treece, Tippecanoe Co.; Jessica Trimble, ISDH-OPC; and Ken Ziegler, ISDH-Acute Care.

Attending for one or two days were:

Steve Allen, ISDH; Audrey Barnes, Jefferson Co.; Dale Carr, Grant Co.; Jama Cox, Decatur Co.; Alan Crosby, Decatur Co.; Cynthia Hiott, Hancock Co.; Brayson Hoover, White Co.; Megan Pitcher, Tippecanoe Co.; Bryan Price, ISDH; Bernie Watts, Hancock Co.; and Chad Wharff, White Co.

Completing the inspection forms correctly a must

The inspection report form and the accompanying inspection narrative are considered legal documents. Therefore, all forms must be filled out as completely and correctly as possible. Failure to do so might lead to difficulty in gaining compliance.

Some blanks on the form are especially important legally. For

example, the “section” field must always be completed. A violation can not be cited if the inspector can not correctly determine what the violation is. The “critical / non critical” field must also be marked.

Another important blank to be completed is the “to be corrected by” field, because if left blank, the

operator may argue that he never has to comply. This field may either contain a date or time frame that relates to the date of the form.

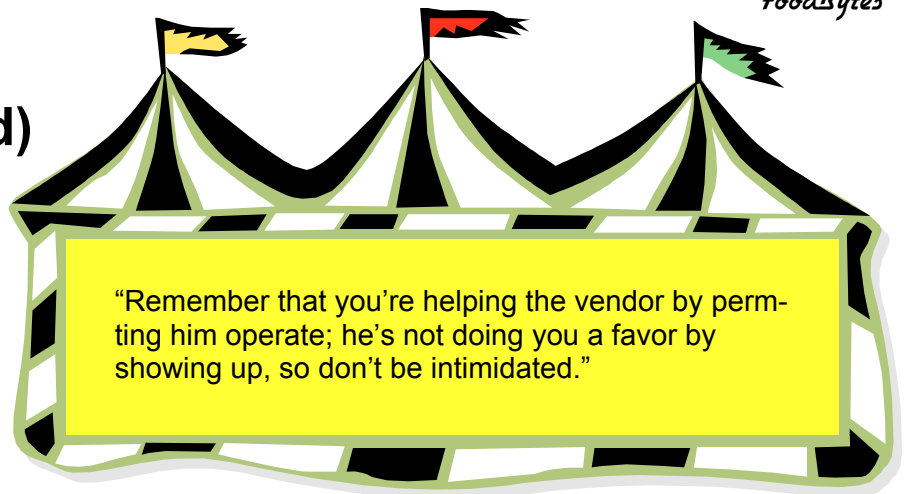
Check the form over to be sure it is completely and accurately filled out before asking the person in charge to sign it.

Plan now (continued)

(Continued from page 1)

stop vendors who appear unannounced and expect to be allowed to operate. Advise event organizers what to expect. Once vendors learn your department will apply the rules consistently, they will follow them. Remember you're helping the vendor by permitting him to operate; he's not doing you a favor by showing up, so don't be intimidated. Good vendors are willing to comply but expect fairness. They expect you to ask the same compliance of others.

Sometimes, event organizers will hold planning sessions that may include prospective vendors.



"Remember that you're helping the vendor by permitting him operate; he's not doing you a favor by showing up, so don't be intimidated."

Someone from your health department may want to attend. There is no reason why the health department couldn't also offer some pre-event food safety training.

Temporary vendors should be expected to meet the requirements of 410 IAC 7-24. Some judgment may be used based upon the menu

to be prepared and served, but insist upon no bare-hand contact with food, proper handwashing, and that sick employees do not work around food.

Inspectors should ask the same inspection-oriented questions to temporary vendors as they would permanent operators.

Farmers market vendors are temporary food vendors

Are vendors at farmers markets different than other temporary vendors? The simple answer is no, since the food rules don't spell out a specific classification for farmers markets.

The one exception is a vendor offering uncut vegetables and fruits. Vendors following this strict requirement are not subject to the food code.

But any other food preparation, food handling or offering food needing temperature control for safety do fall under the food rules and should be permitted and inspected by the local health department.

Farmers markets have evolved over the years from basic uncut produce to providing complete meals at some elaborate markets.

Well-run events, like county fairs, or festivals, should have an "event organizer" who will

know what vendors will be participating and what foods they plan to sell.

With a farmers market, the organizer is generally known as the "market master." This is the person to contact to learn

what vendors are coming and the foods they plan to offer.

Due to on-going training and support efforts by Purdue University and the Indiana State Department of Health, the knowledge of farmers market vendors has increased in recent years. Local inspectors should not expect to get much resistance from vendors to compliance with the rules.

Note that any vendor doing more than selling uncut produce (cut no more than necessary for harvesting) should be treated like any other food vendor and inspected.

How permits and fees are handled is a local decision, but 410 IAC 7-24 may apply. Vendors may also be subject to the certification requirements.

With a farmers market, the organizer is generally known as the "market master."



Meetings and conferences. . . Are they worth it?

This is the time of tight budgets. Administrators are looking for ways to cut back and decide what activities can still be supported. Is reducing staff attendance at public health-related meetings or training conferences intended to increase the knowledge of employees the place to cut?

It is easy to be short sighted and just tell health department staff to stay home, but what about the long-term costs from that decision?

Questions should be asked to help determine the real value versus costs of attendance. For example, who else in your profession will be

there with whom you can interact? Networking with others is considered a valuable motivator to improve performance.

Especially with regard to conferences, find out who the speakers will be and their credentials. Note: Never judge the value of a speaker simply by reading the title of his or her presentation. The title rarely is an indication of the true value of the information the speaker will share. Hearing a good speaker can also be a powerful motivator.

Another question to ask: Is the information offered not likely to be readily available anywhere else?

Of course, staff members will only get out of any training or meeting what they want to get from it. So to encourage them to be productive, have the attending persons give a summary of what they may have learned at the next staff meeting.

Attendance at professional association meetings, and trainings sponsored by the Indiana State Dept. of Health, for example, should be encouraged.

As “accreditation” of public health agencies progresses, it becomes even more important that staff be fully trained.

When is a handsink not a handsink in a facility?

So, when *is* a handsink not a handsink in a permanent facility? The answer is not quite as simple as one might like.

Handsinks are required in all cases where there is any food handling or open containers of food are being handled by food employees.

There are several sections of the food code, 410 IAC 7-24, that reference handsinks and their appropriate (or inappropriate use). An inspector must assess what he or she sees.

First, there must be a handsink available in the facility where food is handled and handsinks must be “convenient and accessible” under Sections 343 and 344.

The first part is easy to deter-

mine - there is one or there isn't. But what about “convenient?” Or “accessible?” “Convenient” is determined by whether food employees are using the handsink

A “convenient” handsink means food employees are using it when they should.

when they should. This is not determined by how far the sink is away from the prep area. But logic tells us that the further away the sink is, the less likely it is to be used. The determining factor is that the handsink is used when necessary.

“Accessible” means it's available for use and not used to store anything, which would prevent it from being used. The handsink is not

accessible if accessed through a closed door. One should note that the rule does require that sinks designated for another purpose not be used for handwashing, like warewash sinks, or utility sinks (Sec. 293, 345).

Dumping ice in a handsink may not make it inaccessible, but placing a trash container in front of it could. Occasional use for another purpose like dumping a pitcher of water into the sink is OK if it doesn't contaminate the sink.

It is possible to have a handsink as part of a four-compartment sink, such as in a bar. This is allowed as long as one compartment (ideally on the end where soiled utensils might be stored) is clearly designated as intended for handwashing.

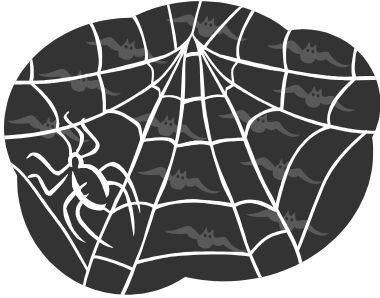


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Tidbits, Crumbs and Leftovers

- ◆ Potable water is required in all retail food establishments if there is any food handling. A "boil water advisory" issued by a utility is like saying no potable water. Inspectors need to check all establishments affected and be sure they are not operating unless they prove they have potable water.
- ◆ Determining if a dish machine is operating properly should be part of every inspection (of those establishments with a dish machine). Proper sanitizing is a critical area and must be checked. Remember that home-type dish machines do not meet the food code and are only allowed with a variance.

- ◆ Be sure your e-mail addresses for ISDH staff are up to date. A format change begun several years ago is completed. This form "username@state.in.us" will no longer work. Change any such e-mail addresses to "username@isdh.in.gov" and it should work. Note that the user name did not change, but only the extension.
- ◆ The peanut butter recall, still ongoing, is becoming one of the largest in history with

more than 3,500 products with ingredients from Peanut Corporation of America being recalled.

Send your questions and comments to the e-mail or postal address on this page.

Calendar

April 14, 2009

Public Health Café (web cast)
(IUSM Office of Public Health Practice)
(formerly MAPHTC)

April 16, 2009

IEHA Spring Conference
Indianapolis