

Inspection Process and Enforcement Actions

Food Inspections

The Food Protection Program staff provides routine, critical control point, and process review inspections at all food facilities to determine compliance with the Ohio Uniform Food Safety Code.

Food Operation Inspection Reports

Food inspections are normally conducted on a routine basis, depending upon:

- The complexity of the menu, which affects the risk levels;
- Whether the types of food sold require temperature/time control or if meat, poultry or seafood will be served raw.
- Serving high risk populations such as nursing homes.

The possibility of foodborne illness can increase with the number of times that a food product is handled during preparation. The increased risk requires an increase in the inspection frequency. For Example: an establishment just selling pre-packaged snacks will be inspected less frequently than an establishment preparing food.

The inspection reports for a business can be different depending on the type of inspection that is being performed.

Types of Inspections

Standard Inspections: This is a routine inspection, unannounced to the food operation. A sanitarian will conduct a complete inspection covering all items in the regulations for compliance.

Follow-up Inspection: This is an inspection for the specific purpose of re-inspecting critical violations that were not in compliance at the time of the routine inspection.

Critical Control Point Inspection: This type of inspection, which is conducted in restaurants, involves analyzing food preparation processes and tracking potentially hazardous foods from the loading dock to the table, to assure all food is safe and wholesome.

Process Review Inspection: This type of inspection, which is conducted primarily but not limited to grocery stores, involves analyzing food preparation processes and tracking potentially hazardous foods from the loading dock to the table, to assure all food is safe and wholesome.

Complaint Inspection: This is an inspection conducted as a result of a complaint received by the Health Department. The specifics of the complaint will be evaluated and discussed with the person in charge.

Foodborne Illness Investigation: Foodborne illness complaints are received and a sanitarian conducts an inspection at the facility reported to be involved in the foodborne illness. The inspection focuses on food source, storage practices, food processing techniques, food handling and employee practices.

Risk Levels

The risk level that is assigned to the food operation determines the number of inspections per year. Risk levels are assigned according to the potential hazard of foodborne illness.

- Risk Level I: One routine inspection per year
- Risk Level II: One routine inspection per year
- Risk Level III: Two routine inspections per year
- Risk Level IV: Four inspections per year - two routine inspections and either:
 1. Two Critical Control Point (CCP) inspections for restaurants or;
 2. Two Process Review Inspections for grocery stores

Risk Level I poses a small health risk to the public. Examples of Risk Level I activities include, a business that offers for sale or sells:

- Coffee, self-service fountain drinks, prepackaged beverages; prepackaged refrigerated or frozen potentially hazardous foods; baby food or formula.

Risk Level II poses a higher health risk to the public than Risk Level I because of hand contact or employee health concerns but little possibility of foodborne illness exists. Examples of Risk Level II activities include:

- Handling or preparing non-potentially hazardous food; holding for sale or serving potentially hazardous at the same proper holding temperature at which it was received; or heating individually packaged and processed potentially hazardous food for immediate service.

Risk Level III poses a higher health risk to the public than Risk Level II because of the following concerns: proper cooking temperatures, proper cooling procedures, proper holding temperatures, contamination issues, or processing a raw food product. Examples of Risk Level III activities include:

- Handling, cutting, or grinding raw meat products; cutting or slicing ready-to-eat meats and cheeses; reheating in individual portions only; heating of a product from a sealed package and holding it hot.

Risk Level IV poses a higher health risk to the public than Risk Level III because of concerns associated with: handling or preparing food that includes reheating; offering raw meat, poultry product, fish; serving a primarily high risk people like immunocompromised or the elderly; or using time instead of temperature as a control for bacterial growth. Examples of Risk Level IV activities include, but are not limited to:

- Reheating bulk quantities of leftover potentially hazardous food more than once every seven days; or Caterers or other similar food service operations that transport potentially hazardous food.

Violation Types

- **Critical Violations:** Violations of the Ohio Uniform Food Safety Code, which, left uncorrected, are more likely than other violations to directly contribute to food contamination, or foodborne illness. Examples of critical violations include poor temperature control of food, improper cooking, cooling, refrigeration or reheating temperatures. Such problems can create environments that cause bacteria to grow and thrive, which puts the consumer at risk for foodborne illness.
- **Non-Critical Violations:** Violation not directly related to the cause of foodborne illness, but if uncorrected, could impede the operation of the food facility. The likelihood of foodborne illness in these cases is very low. Non-Critical violations, if left uncorrected, could lead to Critical violations. Examples of non-critical violations include a lack of facility cleanliness and maintenance or improper cleaning of equipment and utensils.

Enforcement Actions

The Mahoning County District Board of Health imposes the following type of enforcement actions:

- **Suspension of food license for imminent health hazard:** The license is suspended and a directive is given to cease and desist using unsafe portions of the facility or the entire facility to ensure public health. A hearing is not required to suspend a license, but the opportunity must be given for a hearing after the suspension is in effect. Grounds for closure due to imminent public health risks may include but are not limited to:
 - No hot water
 - Sewage backups or overflows
 - No utilities
 - Fire
 - Pest infestation
 - Contaminated food
 - Food-borne illness outbreak
 - Inadequate refrigeration
 - Flood
- **Revocation of food license:** Food operation is closed due to accumulation of repeat, continuing and flagrant violations of the regulations that could lead to food-borne illness. Before the revocation, an opportunity for a hearing must be given to the food operator.