



COUNTY OF SAN MATEO
Inter-Departmental Correspondence
Health System



Date: April 8, 2015
Board Meeting Date: April 28, 2015
Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors

From: Jean S. Fraser, Chief, Health System
Heather Forshey, Director, Environmental Health

Subject: Adoption of an amendment to an ordinance requiring the posting of a placard in food establishments and approval of a food placarding system.

RECOMMENDATION:

Approve:

- A) The adoption of an amendment to the San Mateo County Ordinance Code replacing Section 4.56.070 of Chapter 4.56 (Food Facilities) of Title 4 (Sanitation & Health) of the San Mateo County Ordinance Code, which replaces the requirement for posting inspection reports with a requirement for posting a placard in accordance with an approved food placarding system, previously introduced on April 14, 2015, and waive of the reading of the ordinance in its entirety; and
- B) A food placarding system, consisting of posting color-coded – Green (Pass), Yellow (Conditional Pass), or Red (Closed) - placards at food facilities.

BACKGROUND:

The Environmental Health Services Division (EHS) of the San Mateo County Health System is responsible for regulatory oversight of all retail food facilities in the county to ensure food safety. California Health and Safety Code Section 113709 authorizes – but does not require – the placement of a placard denoting the results of a food safety inspection in food facilities.

EHS has been considering a food placarding system for a number of reasons. First, the Green/Yellow/Red food placarding system effectively communicates to the public whether a food facility complies with food safety principles, enabling diners to make informed choices about where to eat and encouraging food facilities to improve their food safety practices.

Second, nearly a dozen California counties and cities have already initiated food placarding systems, including the counties of Sacramento, Alameda, Santa Clara, and Marin, and the City of Berkeley. Several other Bay Area counties - Sonoma, Contra Costa, and Solano - will be implementing a food placarding system in the next year. Implementing a food placarding system in San Mateo County that is similar to food placarding systems used in other Bay Area jurisdictions provides consistency for food operators operating facilities in multiple counties, and provides a consistent communication tool to inform the public about food safety practices in food facilities.

Over the past six months, EHS staff members performed extensive outreach. Approximately 4,000 food facility operators were invited to 14 information sessions held throughout the County. Additionally, EHS staff members reached out to key stakeholders including the California and Golden Gate Restaurant Associations, the National Latino Council, city managers, chambers of commerce, and SFO Airport management; made presentations at scheduled venues and upon request in English, Chinese, and Spanish; distributed multi-lingual handouts at all events; and explained the proposed food placarding system and sought feedback from food facilities during inspections.

DISCUSSION:

Under the proposed food placarding system, the methods and procedures of the inspection, as well as closure criteria, will remain the same as the current system. Inspections will continue to be conducted using the U.S. Centers for Disease Control and Prevention (CDC) risk factors as the primary focus of safe food handling practices.

However, after an inspection is performed by EHS staff, a colored placard will be issued, summarizing the food safety status reflected on the inspection report. In contrast to the existing system, posting a colored placard will benefit food facility operators and customers by providing a simple and easy-to-read sign near the entrance of the facility that summarizes the conditions of the food facility during the inspection. Customers will still be able to review an inspection report, on-site by request or on-line, to determine a food facility's compliance status with respect to its safe food handling practices. Additionally, the inspection report can be accessed by scanning a barcode located on the placard.

The color of the placard issued will be determined based on the number of major violations observed during a routine inspection or if an imminent health hazard is observed. As per the CDC, major violations directly contribute to the spread of food-borne illness.

Green Placard: The facility can have no more than one major violation observed during the inspection. The major violation must be corrected at the time of the inspection.

Yellow Placard: The facility has two or more major violations observed during the inspection. All major violations must be corrected at the time of the inspection. A re-inspection will be conducted within **3 business days**.

Red Placard: The facility is closed due to violations that are an imminent health hazard or major violations and remains closed until the unsafe conditions are corrected

This ordinance replaces Section 4.56.070 of Chapter 4.56 (Food Facilities) of Title 4 (Sanitation & Health) of the San Mateo County Ordinance Code related to the posting of inspection reports. This ordinance also authorizes EHS to post placards signifying the overall compliance at each food facility after an inspection. The revision also specifies the required location of the placard and the penalties for violation. Finally, the ordinance makes clear that the EHS Director formulates the standards and guidelines for determining the compliance status of each food facility with respect to its safe food handling practices and the corresponding color of its placard, and how these standards and guidelines are available to the public.

County Counsel has reviewed and approved the ordinance.

Adoption of the food placarding system and this ordinance will contribute to the Shared Vision 2025 outcome of a Healthy Community by encouraging safe food handling practices at all food facilities in the county. It is anticipated that the percent of facilities receiving green placards will increase from 79% to 83% after passage of this Ordinance.

PERFORMANCE MEASURE:

Measure	FY 2014-15 Estimate	FY 2015-16 Projected
Percentage of inspected facilities receiving a green placard.	79% 1947 facilities	83% 2046 facilities

FISCAL IMPACT:

EHS has appropriated one-time savings in the current approved budget to fund all set-up costs, including development of the program, initial training of staff and operators, and initial implementation of the program. Upon implementation, inspection fees established by ordinance will fund this program. There is no Net County Cost associated with this ordinance.