Memorandum



DATE June 21, 2018

To Honorable Members of the Quality of Life, Arts & Culture Committee: Sandy Greyson (Chair), Mark Clayton (Vice Chair), Rickey D. Callahan, Jennifer S. Gates, Scott Griggs, B. Adam McGough, Omar Narvaez

SUBJECT Proposed Reform of Food Inspection Model

On Monday, June 25, 2018, you will be briefed on the Proposed Reform of Food Inspection Model. The briefing materials are attached for your review.

Please feel free to contact me if you have any questions or concerns.

Joey Zapata

Assistant City Manager

Honorable Mayor and Members of City Council

 T.C. Broadnax, City Manager
 Larry Casto, City Attorney
 Craig D. Kinton, City Auditor
 Bilierae Johnson, City Secretary
 Daniel F. Solis, Administrative Judge
 Kimberly Bizor Tolbert, Chief of Staff to the City Manager
 Majed A. Al-Ghafry, Assistant City Manager

Jo M. (Jody) Puckett, P.E., Assistant City Manager (Interim)
Jon Fortune, Assistant City Manager
M. Elizabeth Reich, Chief Financial Officer
Nadia Chandler Hardy, Chief of Community Services
Raquel Favela, Chief of Economic Development & Neighborhood Services
Theresa O'Donnell, Chief of Resilience
Directors and Assistant Directors

Proposed Reform of Food Inspection Model

Quality of Life, Arts & Culture Committee
June 25, 2018

Kris Sweckard, Director Code Compliance Services

Mandy Shreve, Assistant Director Code Compliance Services



Presentation Overview

- Background on Consumer Health Operations
- Current Food Inspection Model
- Challenges with Current Food Inspection Model
- Proposed Inspection Model Reform
- Implementation Plan
- Update on Temporary Food Events
 - Temporary Food Permit Process
- Staff Recommendation & Proposed Action
- Next Steps



Background on Consumer Health Operations

- Operates primarily under Chapter 17 food safety regulations for food establishments in the City of Dallas and under the State of Texas Food Establishment Rules
- Building Inspection ensures new food establishments are built to Code and authorizes the release of food inspection permit and Certificate of Occupancy
- Consumer Health provides health inspections for:
 - Fixed food establishments, which includes
 - Restaurants
 - Schools
 - Nursing homes
 - Hospitals
 - Grocery Stores
 - Convenience Stores
 - General merchandise stores that serve food (i.e. Dollar General, Walgreens, etc.)
 - Mobile vehicles and push carts



Background on Consumer Health Operations (Continued)

- Consumer Health provides health inspections for (continued):
 - Temporary Events- (i.e. State fair, Irish festivals, Taste of Dallas etc.)
 - Farmers Market
 - Homeless Feedings
 - Pools (commercial)
 - Complaints related to food safety
- In addition, Consumer Health administers the City's Mosquito Abatement Program
 - 90 mosquito traps set a week during Mosquito season over a 6 month period
 - 3 Sanitarians are assigned to this group
 - During the off season, this group conducts fixed food establishment inspections, pool inspections and continues to set approximately 20 traps a week and respond to 311 service requests

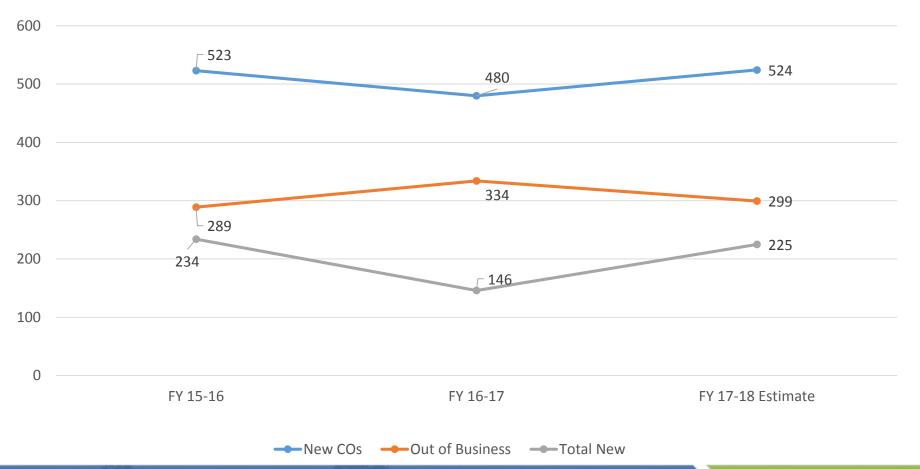


Current Food Inspection Model

- Currently Consumer Health inspects each food facility once every 6 months
 - Approximately 14,200 inspections for 7,100 food facilities a year
- Inspections are graded on point system ranging from 1-100
 - Establishments must score at least 80 to avoid re-inspection
 - Re-inspection dates are based on a scoring range:
 - A score of 70-79 results in a 30 day re-inspection
 - A score of 60-69 results in a 10 day re-inspection
 - A score of below 59 results in a 24 hour re-inspection
- Upon receipt of a food complaint the facility is inspected within 10 days

Challenges with Current Food Inspection Model







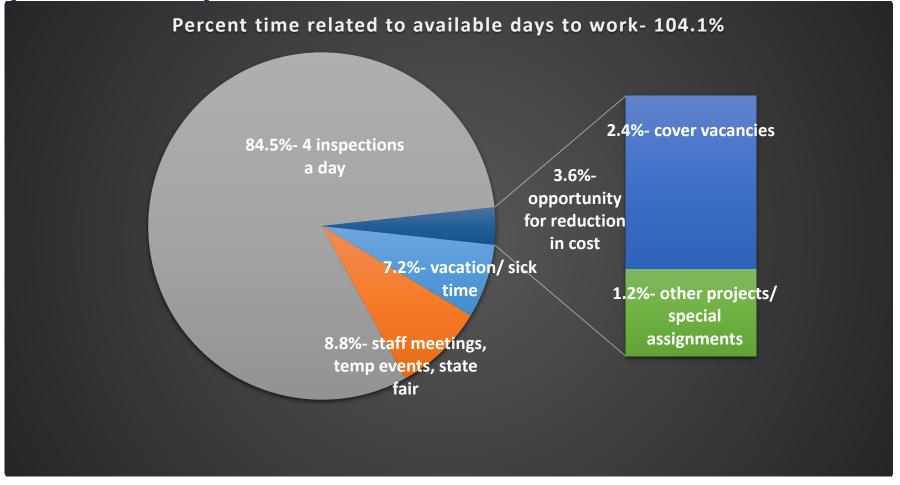
- Food establishments are currently growing at a rate of approximately 200 a year
 - We have had an increase of approximately 1,100 food establishments in 10 years
- Managed increase in workload the past 2 years by:
 - Reassigning the workload of 2 Sanitarians
 - Pool inspections and mobiles use to be assigned to one individual and now have been divided up among all Sanitarians
 - Creating another food district to keep up with the increase in growing food establishments
 - 22 food districts with approximately 323 food establishments in each district
 - Utilizing a contractor to assist with vacancies in food districts and to assist if sanitarians get behind on workload due to competing demands
 - Assigning overtime





- The average inspections per Sanitarian is approximately 66 inspections per month:
 - 54 food establishment inspections
 - 4 mobile inspections
 - 4 inspections that are complaint related
 - 3 follow-up inspections
 - 1 pool inspection





- Costs with managing operation gap:
 - Utilizing overtime- approx. \$60,000 a year
 - Utilizing a contractor to assist with inspections when there are vacanciesapproximately \$130,000 a year
- Utilizing overtime and a contractor for increased workload demand is not a long term solution
- Propose revising the current food inspections model to manage our costs without asking for additional funding by changing the frequency in which we inspect food establishments and mobiles





Proposed Inspection Model Reform

State Rules on Inspection Frequency, Chapter 228.249:

CURRENT METHOD:

(a) The regulatory authority shall inspect each food establishment at least once every six months

PROPOSED NEW METHOD:

- (b) If the regulatory authority cannot meet this inspection frequency, frequency shall be prioritized and uniformly applied throughout the jurisdiction based upon assessment of a food establishment's history of compliance with this chapter and the potential for causing foodborne illness by evaluating:
- (1) past performance, for nonconformance with code or HACCP* plan requirements that are priority items or priority foundation items;
- (2) past performance, for numerous or repeat violations of code or HACCP* plan requirements that are core items;
 - (3) past performance, for complaints investigated and found to be valid;

Currently we meet requirements
1-3 through our reinspection process

*HACCP- Hazard Analysis Critical Control Point- a management system in which food safety is addressed through the analysis and control of biological, chemical, and physical hazards from raw material production, procurement and handling, to manufacturing, distribution and consumption of the finished product.





State Rules on Inspection Frequency. Chapter 228.249 (continued)

- (4) the hazards associated with the particular foods that are prepared, stored, or served;
- (5) the type of operation including the methods and extent of food storage, preparation, and service;
- (6) the number of people served;
- (7) whether the population served is a highly susceptible population; and
- (8) any other risk factors deemed relevant to the operation by the regulatory authority.

Proposed new requirements to add to inspection model as criteria to determining the frequency of inspections

- Consumer Health proposes to adopt the assessment used by the State of Texas, Department of Health Services to determine frequency of inspections based on the following, and categories and scoring weight:
 - Type of food preparation (up to 35 points)
 - Food served or sold (up to 30 points)
 - Average number of meals served per day (up to 15 points)
 - Type of population served (up to 5 points)



Proposed New Food Risk Category	Characteristics	Example	Frequency	Current Volume
1- Low	Establishments with no cooking processes of any kind, no heat holding, no open exposed food handling	CVS, Dollar General, C-stores with no kitchen, beer and wine store	Every other year	299 (estimate volume to increase by 11 per year)
2- Medium	Limited menu selection, serving only commercially processed time and temperature controlled foods, heat and serve with no cooking or reheating process, minimal heat holding	QTs, 7-11, Race Track, sandwich and coffee shops (i.e. Starbucks, Subways)	Once a Year	1,128 (estimate volume to increase by 54 per year)
3- High	Establishment that cooks time and temperature products from the raw state, heat hold, reheat food items. May have an extensive menu and/or extensive handling of food ingredients	Restaurants, fast food, schools, nursing homes, hospitals	2 times a year	5,685 (estimate volume to increase by 135 per year)



Inspection Frequency Assessment- Categories and Scoring

1. Type of Food Preparation:

Value	35	28	21	14	7
	Cook/chill/reheat/ hold/serve/ specialized processes	Cook/hold/serve with same day service	Cook and serve- immediate service- holding time <u>not</u> used as a public health control	Preparation of ready to eat foods with no cooking	No food preparation

Higher to Lower Risk



Inspection Frequency Assessment- Categories and Scoring

2. Food Served and Sold:

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Inspection Frequency Assessment- Categories and Scoring

3. Average Number of Meals Served Per Day:

Value	15	12	9	6	3
	>200	151-200	101-150	51-100	1-50

4. Population Served

Value	5	1
	Hospitals/senior citizens/ child care/ immune compromised	General population

<u> Higher to Lower Risk</u>



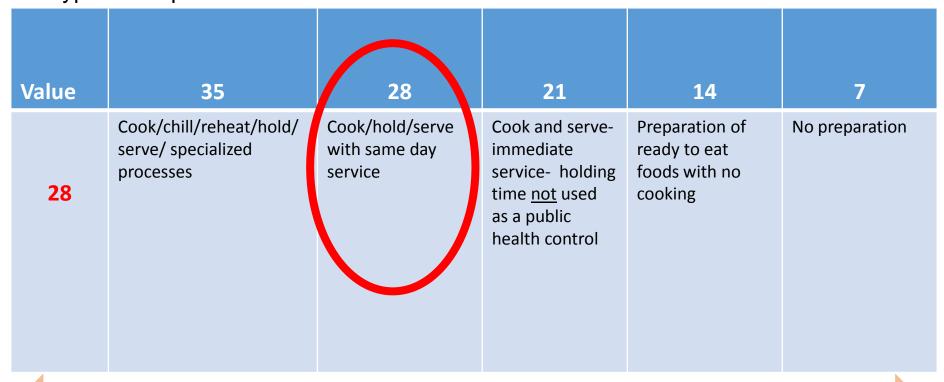
Inspection Frequency Assessment- Categories and Scoring

Total Value Range	70- 85	40-69	17-39
Establishment of Significance or Priority	3 - High Risk	2 - Medium	1 - Low

Higher to Lower Risk

Example of Inspection Frequency Assessment

- Convenience Store with Kitchen
- 1. Type of Preparation



Higher to Lower Risk

City of Dallas

Example of Inspection Frequency Assessment

- Convenience Store with Kitchen
- 2. Food Served and Sold

Value 30	24	18	12	6
- Cooked meat products—(i.e. chicken, ham, roast beef, turkey) - Eggs served - Raw Shellfish	 Pork Sausage Cooked rice Cooked pinto beans Macaroni salad Potato salad Tuna salad Eggrolls Gravy 	 Fish, shrimp or beef steak Reheated packaged time and temperature control food Guacamole dip Milk or cheese cream filled pastries Baked potatoes Cut tomatoes Cut leafy greens Raw seed sprouts 	 Packaged time and temperature controlled foods (no prep) Raw meat products (cut or sold) Shell eggs sold Cold deli meats Commercially cooked meats Commercially preparade salads Hot dogs, pizza Pasta dishes Vegetable salad Cooked vegetables time and temp control batters 	Non time and temperature controlled foods (with prep)

City of Dallas

Example of Inspection Frequency Assessment

- Convenience Store with Kitchen
- 3. Average Meals Served Per Day

Value	15	12	9	6	3
12	>200	151-200	101-150	51-100	1-50

4. Population Served

Value	5	1			
1	Hospitals/senior citizens/ child care/ immune compromised	General population			
Higher to Lower Risk					

City of Dallas

21

Quality of Life, Arts & Culture

Inspection Frequency Assessment- Categories and Scoring

Convenience Store with Kitchen

Total Value Range:

- Type of Food Preparation- 28 pts
- Food Served and Sold- 18 pts
- Average Number of Meals Per Day- 12 pts
- Population Served- 1pt
- Total: 59 points

Total Value Range	70- 85	40-69	17-39
Establishment of Significance or Priority	3- High	2- Medium	1- Low

Higher to Lower Risk



Action: Inspect once a year (Convenience Store with Kitchen)

Proposed New Food Risk Category	Characteristics	Example	Frequency	Current Volume
1- Low	Establishments with no cooking processes of any kind, no heat holding, no open exposed food nandling	CVS, Dollar General, C-stores with no kitchen, beer and wine store	Every other year	299
2- Medium	Limited menu selection, serving only commercially processed time and temperature controlled foods, heat and serve with no cooking or reheating process, minimal heat holding	QTs, 7-11, Race Track, sandwich and coffee shops (i.e. Starbucks, Subway)	Once a year	1,128
3- High	Establishment that cooks time and temperature products from the raw state, heat hold, reheat food items. May have an extensive menu and/or extensive handling of food ingredients	Restaurants, fact food, schools, nursing homes, hospitals	∠ times a year	5,685

City of Dallas

Proposed Revenue Changes- \$220K reduction

Annual Permit Fee	Current Fee- 2 inspections a year	If move to one time a year*	If move to every other year*
Food Establishment 1-2,000 sq. ft.	\$280	\$140	\$70
Food Establishment 2,001 or more sq. ft.	\$318	\$159	\$80
Volume in each category	5,685	1,128	299

^{*}We will conduct a fee study to revise the annual permit fee for food establishments moving to risk category 1 and 2. The above fees are estimates.



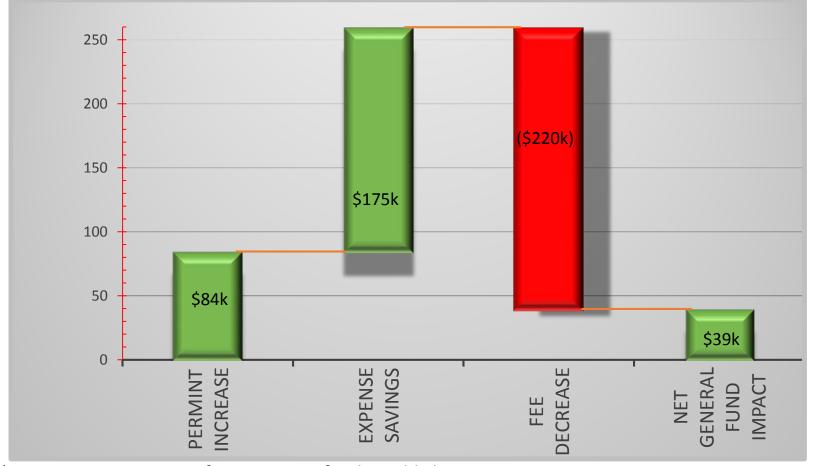
Proposed Expense Changes- \$175K Savings

Expense	Current Costs	Proposed	Savings
Overtime Reduction	\$60k	\$10k	\$50K
Contract Savings	\$130k	\$5k*	\$125K
Total	\$190k	\$15k	\$175k

^{*} Contract will remain intact to be utilized as a safety net only



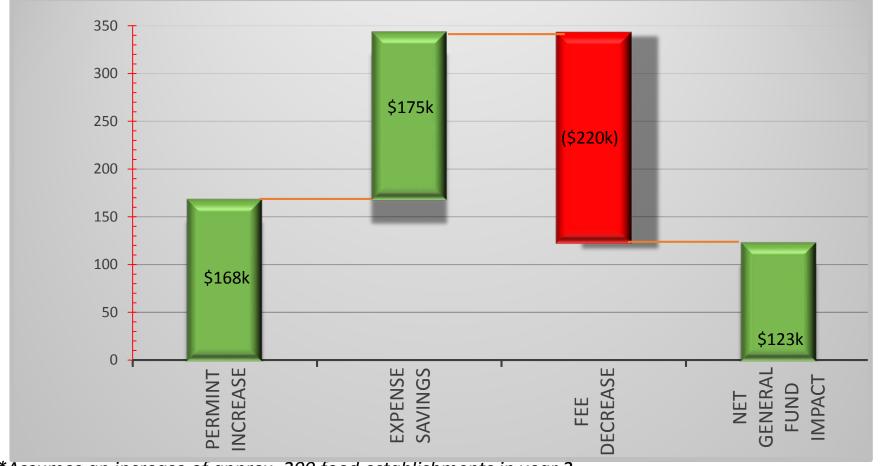
Year One Net General Fund Impact



^{*}Assumes an increase of approx. 200 food establishments in year 1



Year Two Net General Fund Impact







What other Cities are following a risk based assessment model?

City	What year implemented	# of Food Establishments	Staff	Frequency	Basis for frequency
Houston	1991	12,807	34 inspectors; 4 supervisors	Based on 3 classifications	Low- (ever other year)- prepackage foods Med- (once a year) cook and serve (i.e. fast food) High- (every 2 years) cooking and serving processes are extensive
Garland	1990	1,067	10 health specialists; 1 supervisor	Based on 3 Criteria	Twice a year- food preparation sites; Once a year- pre-packaged food; Score below a 70- inspected immediately the next quarter
Ft. Worth	2008	3,180	2 supervisors; 16 inspectors	Based on 5 classifications (1 to 5 times a year)	Once a year- grocery stores/bars; Twice a year-fast food or convenience snack stores; Three time a year- full service restaurants; Four times a year-hospitals and assisted livings; Five times a year-history of non compliance and complaints

City of Dallas

Implementation Plan

- Met with Greater Dallas Restaurant Association Government Affairs Committee on June 14, 2018
- May 2018 to July 2018:
 - Complete approximately 800 risk profiles:
 - Risk assessments will represent a sample of types of food establishments
 - If a food establishment feels they have been incorrectly categorized they may request a re-assessment
- August 2018:
 - Notify all registered food establishments of the proposed changes
 - Work with Communication and Information Services to update our inspection and billing software
 - Complete fee study for risk categories 1 and 2
- September 2018:
 - Test software changes
- October 2018:
 - Begin new inspection process





Update on Temporary Food **Events**



Automated Temporary Food Permit Application Process

- Code Compliance worked with Communication and Information Services (CIS) to write business requirements to automate the current manual process
 - Working with CIS to identify a technology solution to automate permit process
- Efficiencies created:
 - No longer need temp help- savings of \$110k
 - No longer have to keep paper files
 - Increased customer service-payments online- no longer need to submit application and payment in person
 - Several companies that host temporary events are out of State



Staff Recommendation & Proposed Action

- Seeking Council approval on staff recommendation to amend Chapter 17 to:
 - Adopt a risk based food inspection model for food establishments

Next Steps

 On August 8, 2018 adopt recommendations from Quality of Life, Arts and Culture Council Committee on amending Chapter 17 to adopt a risk based food inspection model for food establishments

Proposed Reform of Food Inspection Model

Quality of Life, Arts & Culture Committee
June 25, 2018

Kris Sweckard, Director Code Compliance Services

Mandy Shreve, Assistant Director Code Compliance Services



Additional Examples of Inspection Frequency Assessment

Appendix



City of Dallas

Example of Inspection Frequency Assessment

1. Type of Food Preparation

Value	35	28	21	14	7
7	Cook/chill/reheat/hold/ serve/ specialized processes	Cook/hold/serve with same day service	Cook and serve- immediate service- holding time <u>not</u> used as a public health control	Preparation of ready to eat foods with no cooking	No preparation

Higher to Lower Risk



Example of Inspection Frequency Assessment

2. Food Served and Sold

Value	30	24	18	12	6
12	 Cooked meat products—(i.e. chicken, ham, roast beef, turkey) Eggs served Raw shellfish 	 Pork Sausage Cooked rice Cooked pinto beans Macaroni salad Potato salad Tuna salad Eggrolls Gravy 	 Fish, shrimp or beef steak Reheated packaged time and temperature Control food Guacamole dip Milk or cheese Cream filled pastries Baked potatoes Cut tomatoes Cut leafy greens Raw seed sprouts 	 Packaged time and temperature controlled foods (no prep) Raw meat products (cut or sold) Shell eggs sold Cold deli meats Commercially cooked meats Commercially preparade salads Hot dogs, pizza Pasta dishes Vegetable salad Cooked vegetables Time and temp control batters 	Non time and temperature controlled foods (with prep)

Higher to Lower Risk

City of Dallas

Example of Inspection Frequency Assessment

3. Average Meals Served Per Day

Value	15	12	9	6	3
6	>200	151-200	101-150	51-100	1-50

4. Population Served

Value	5		1	
1	Hospitals/senior citizens/ child care/ immune compromised		General population	
	Higher to Lower	Risk		

City of Dallas

38

Quality of Life, Arts & Culture

Inspection Frequency Assessment- Categories and Scoring

Total Value Range:

- Type of Food Preparation- 7 pts
- Food Served and Sold 12 pts
- Average Number of Meals per Day- 6 pts
- Population Served- 1 pts
- Total: 26 pts

Total Value Range	70- 85	40-69	17-39
Establishment of Significance or Priority	3- High	2- Medium	1- Low

Higher to Lower Risk



Action: Inspect once every other year

Proposed New Food Risk	Characteristics	Example	Frequency	Current Volume
Category				
1- Low	Establishments with no cooking processes of any kind, no heat holding, no open exposed food handling	CVS, Dollar General, C-stores with no kitchen, beer and wine store	Every other year	299
2- Medium	Limited mena solution, serving only commercially processed time and temperature controlled foods, heat and serve with no cooking or reheating process, minimal heat holding	sandwich and coffee shops (i.e. Starbucks, Subway)	Once a Year	1,128
3- High	Establishment that cooks time and temperature products from the raw state, heat hold, reheat food items. May have an extensive menu and/or extensive handling of food ingredients	Restaurants, fast food, schools, nursing homes, hospitals	2 times a year	5,685

City of Dallas

Example of Inspection Frequency Assessment

1. Type of Food Preparation

Value	35	28	21	14	7
35	Cook/chill/reheat/hold/ serve/ specialized processes	Cook/hold/serve with same day service	Cook and serve-immediate service-holding time not used as a public health control	Preparation of ready to eat foods with no cooking	No preparation

Higher to Lower Risk



Example of Inspection Frequency Assessment

2. Food Served and Sold

- Cooked meat products—(i.e. chicken, ham, roast beef, turkey) - Eggs served - Raw shellfish - Cooked pinto beans - Cooked pinto beans - Raw shellfish - Cooked pinto beans - Cooked pinto beans - Cooked pinto beans - Raw shellfish - Raw shellfish - Cooked pinto beans - Cooked pinto beans - Raw shellfish - Cooked pinto beans - Cooked pinto beans - Guacamole dip - Milk or cheese - Cream filled pastries - Cut tomatoes - Cut leafy greens - Raw seed sprouts - Raw seed sprouts - Commercially preparade salads - Cooked vegetables - Time and temperature controlled foods (no prep) - Raw meat products - Cold deli meats - Commercially cooked meats - Commercially - Pocks - Cut leafy greens - Raw seed sprouts - Higher to Lower Risk - Non time and temperature controlled foods (no prep) - Raw meat products - Cold deli meats - Commercially - Potato salad - Cooked vegetables - Time and temp Control batters	Value	30	24	18	12	6
	30	products—(i.e. chicken, ham, roast beef, turkey) Eggs served	 Sausage Cooked rice Cooked pinto beans Macaroni salad Potato salad Tuna salad Eggrolls Gravy 	steak - Reheated Packaged time and temperature Control food - Guacamole dip - Milk or cheese - Cream filled pastries - Baked potatoes - Cut tomatoes - Cut leafy greens - Raw seed sprouts	temperature controlled foods (no prep) Raw meat products (cut or sold) Shell eggs sold Cold deli meats Commercially cooked meats Commercially preparade salads Hot dogs, pizza Pasta dishes Vegetable salad Cooked vegetables Time and temp Control	temperature controlled foods (with

City of Dallas

Example of Inspection Frequency Assessment

3. Average Meals Served Per Day

Value	15	12	9	6	3
15	>200	151-200	101-150	51-100	1-50

4. Population Served

Val	ue	5		1			
	1	Hospitals/senior citizens/ child care/ immune compromised		General population			
	Higher to Lower Risk						



Inspection Frequency Assessment- Categories and Scoring

Total Value Range:

- Type of Food Preparation 35 pts
- Food Served and Sold- 30 pts
- Average Number of Meals per Day- 15 pts
- Population Served- 1pt
- Total: 81 pts

Total Value Range	70- 85	40-69	17-39
Establishment of Significance or Priority	3- High	2- Medium	1- Low

Higher to Lower Risk



Action: Inspect 2 times a year

Proposed New Food Risk Category	Characteristics	Example	Frequency	Current Volume
1- Low	Establishments with no cooking processes of any kind, no heat holding, no open exposed food handling	CVS, Dollar General, C-stores with no kitchen, beer and wine store	Every other year	299
2- Medium	Limited menu selection, serving only commercially processed time and temperature controlled foods, heat and serve with no cooking or remeating process, minimal heat holding	QTs, 7-11, Race Track, sandwich and coffee shops (i.e.	Once a Year	1,128
3- High	Establishment that cooks time and temperature products from the raw state, heat hold, reheat food items. May have an extensive menu and/or extensive handling of food ingredients	Restaurants, fast food, schools, nursing homes, hospitals	2 times a year	5,685

City of Dallas

Example of Inspection Frequency Assessment

1. Type of Food Preparation

Value	35	28	21	14	7	
21	Cook/chill/reheat/hold/ serve/ specialized processes	Cook/hold/serve with same day service	Cook and serve-immediate service-holding time not used as a public health control	Preparation of ready to eat bods with no cooking	No preparation	
Higher to Lower Rick						

Higher to Lower Risk





Example of Inspection Frequency Assessment

1.	Food	Served	and	Sold
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		313			
Value	30	24	18	12	6
18	 Cooked meat products—(i.e. chicken, ham, roast beef, turkey) Eggs served Raw shellfish 	 Pork Sausage Cooked rice Cooked pinto beans Macaroni salad Potato salad Tuna salad Eggrolls Gravy 	 Fish, shrimp or beef steak Reheated packaged time and temperature control food Guacamole Dip Milk or cheese Cream filled pastries Baked potatoes Cut tomatoes Cut leafy greens Raw seed sprouts 	 Packaged time and temperature controlled foods (no prep) Raw meat products (cut or sold) Shell eggs sold Cold deli meats Commercially cooked meats Commercially preparade salads Hot dogs, pizza Pasta dishes Vegetable salad Cooked vegetables time and temp Control batters 	Non time and temperature controlled foods (with prep)
		1.11	to Louisa Diele		17

Higher to Lower Risk



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Example of Inspection Frequency Assessment

3. Average Meals Served Per Day

Value	15	12	9	6	3
15	>200	151-200	101-150	51-100	1-50

4. Population Served

Value	5	1			
1	Hospitals/senior citizens/ child care/ immune compromised	General population			
Higher to Lower Risk					
					

City of Dallas

Inspection Frequency Assessment- Categories and Scoring

Total Value Range:

- Type of Food Preparation- 21 pts
- Food Served and Sold- 18 pts
- Average Number of Meals per Day- 15 pts
- Population Served- 1pt
- Total: 55 pts

Total Value Range	70- 85	40-69	17-39
Establishment of Significance or Priority	3- High	2- Medium	1- Low

Higher to Lower Risk





Action: Inspect once a year

Proposed New Food Risk Category	Characteristics	Example	Frequency	Current Volume
1- Low	Establishments with no cooking processes of any kind, no heat holding, no open exposed for Handing	CVS, Dollar General, C-stores with no Kitchen, beer and wine store	Every other year	299
2- Medium	Limited menu selection, serving only commercially processed time and temperature controlled foods, heat and serve with no cooking or reheating process, minimal heat holding	QTs, 7-11, Race Track, sandwich and coffee shops (i.e. Starbucks, Subway)	Once a Year	1,128
3- High	temperature products from the raw state, heat hold, reheat food items. May have an extensive menu and/or extensive handling of food ingredients	restaurants, fast food, schools, nursing homes, hospitals	2 times a year	5,685