



The Food Service Program is required to perform food safety compliance evaluations of all food service establishments located within Muskegon County. The program also investigates suspected cases of foodborne illness reported to Public Health - Muskegon County. The report that follows give information on the number of evaluations performed, how many sets of plans were reviewed for compliance with the law, and the number of administrative enforcement actions undertaken by the program. I would like to thank the Muskegon County Board of Commissioners for the continued support they have extended to the program.

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### Basis for Program

The Michigan Food Law of 2000, as amended (Act), delegated the authority and responsibility for the enforcement of the requirements pertaining to food service establishments found in the Act to local health departments. MCL 289.3105 (1 – 4) states:

1. The department shall delegate the authority and responsibility for the enforcement of the requirements pertaining to food service establishments contained in this act and the rules promulgated under this act to local health departments meeting the program criteria provided for in this act and rules promulgated under this act. The local health departments shall enforce this act and the rules promulgated under this act and may delegate enforcement authority under an organization approved pursuant to section 2431 of the public health code, MCL 333.2431. If a food service sanitation program is discontinued or is revoked for failure to meet the program criteria, redelegation to a local health department by the director of the program under this section is not required. Local health departments delegated authority under this chapter shall enforce this act and rules promulgated under this act in the manner provided for in part 24 of the public health code, MCL 333.2401 to 333.2498, except that late fees under section 4113, administrative fines under section 5105, and felony penalties under section 5107 are specifically not delegated to the local health departments.
2. When a food service establishment is a part of a retail grocery or food processing plant and the retail grocery and food processing plant are the predominant part of the food business as determined by the department, authority and responsibility pertaining to that establishment are not delegated under this section.
3. When a retail grocery or food processing plant is a part of a food service establishment but the food service establishment is the predominant part of the food business as determined by the department, the authority and responsibility for the entire establishment are delegated under subsection (1).
4. Mobile and temporary food establishments that are predominantly food service establishments as determined by the department are delegated to the local health departments under this section. Mobile and temporary food establishments that are predominantly retail groceries are not delegated under subsection (1).

## **Purpose of the Program**

The Centers of Disease Control (CDC) published a surveillance report for 1993 – 1997 entitled “Surveillance for Foodborne Disease Outbreaks – United States” that identified the most frequently reported contributing factors that contributed to foodborne illness outbreaks. These items are collectively termed “risk factors” and have been categorized into five main groups known to contribute to foodborne illness. They are:

- Food from Unsafe Sources
- Inadequate Cooking
- Improper Holding Temperatures
- Contaminated Equipment
- Poor Personal Hygiene

The management of a food service establishment is responsible for implementing specific actions and procedures in its food safety operation in order to attain control over risk factors known to contribute to foodborne illness and thereby reduce their occurrence. This approach strives to prevent foodborne illness from occurring in the first place rather than reacting to an outbreak that has already occurred.

When people go out to eat at a restaurant, they have the expectation that safe food will be served to them. The purpose of the Food Service Program is to evaluate the level of active managerial control exerted by food service operators over the risk factors at each of their establishments and aid them in achieving the public’s expectation of serving safe food.

The Food Service Program conducts unannounced compliance evaluations at every food service establishment in Muskegon County. These evaluations focus primarily the food safety practices and procedures that the management of each food service establishment has in place and that the appropriate Food Code interventions are being appropriately implemented to mitigate risk factors. If risk factors are identified in a food service operation, Food Service Sanitarians inform the operation’s management in order for them to implement corrective actions so people do not become ill.

## **Food Service Program Activities**

Personnel assigned to the Food Service Program are responsible for conducting a multitude of activities ranging from review construction plans to investigating causes of foodborne illness. The most frequently conducted activities are listed in the following sections.

### **Compliance Evaluations of Food Service Establishments**

The Food Service Program is required by the Food Law of 2000, as amended, to evaluate each food service establishment every six months. If the food service establishment operates nine continuous months or less in a calendar year, only one evaluation is required. In addition to these evaluations, the Food Service Program also evaluates temporary food operators, Special Transitory Food Units, and mobile food operations.

### **Plan Review of Proposed Food Service Operations**

The Food Service Program is required by the Michigan Food Law of 2000, as amended, to evaluate proposed construction of every food service establishment planned be constructed in the County. Sanitarians assigned this duty ensure that food establishments are constructed according to the Food Code and have standard operating procedures in place that reflect their proposed food operation prior to opening the establishment.

### **Complaint Investigations**

The Food Service Program is required to investigate all non-foodborne consumer complaints involving food service establishments it receives from the public within (5) five days of receiving the complaint. Written record of the complaint, the ensuing investigation, and outcome are required to be maintained on file.

## Foodborne Illness Investigations

The Food Service Program is required to investigate all foodborne illness consumer complaints involving food service establishments it receives from the public within (1) one day of receiving the complaint. The health department is also responsible for informing the Michigan Department of Agriculture within 24 hours of determining that a foodborne outbreak has occurred. A foodborne outbreak is defined as:

- Two or more persons, not of the same household, have ingested a common food and have a similar disease, similar symptoms, or excrete the same pathogens, and there is a time, place, or person association between these persons,
- There is a single case of suspected botulism, mushroom poisoning, paralytic shellfish poisoning, or other rare disease; or
- There is a case of a disease or poisoning that can be definitely related to ingestion of food.

## Community Data

Last fiscal year 112 consumer complaints were investigated. Of those 112 complaints, 29 were foodborne illness complaints and 3 were classified as outbreaks.

Program Data Activities	FY 2009	FY 2010	FY 2011
Food Service Evaluations (fixed, mobile, vending, STFU)	1,221	1,165	1,180
Follow-Up Evaluations	495	437	400
Temporary Evaluations	224	268	254
Critical Violations Identified	2,141	1,892	1,698
Sets of Plans Reviewed	48	30	30
Complaints Investigated	73	122	112
Administrative Enforcement Actions	38	41	31

## Community Value

It is difficult to place an exact value on the Food Service Program at Public Health - Muskegon County because success is measured by the amount of people that are prevented from becoming ill and that is not a number that can be quantified. Sanitarians are involved in multiple activities ranging from performing compliance evaluations of food safety systems, ensuring proposed food establishments have enough refrigeration, hot water, and hand washing facilities, as well as investigating cases of foodborne outbreaks and preventing their spread to other food establishments and customers. Most of these activities happen behind the scenes and the general public is probably not aware of the extent of the program's responsibilities. The examples provided in this report show some of the successes PHMC has had in aiding food service operations in improving their food safety systems and change some of the risky behaviors of its employees. Food service establishments that have strong management and a good food safety system are less apt to make their customers ill. That is the goal of this program.

## Fiscal Year 2011 Financial Information (Unaudited)

Revenues:	FY 2011 Actual	FY 2011 Percentage
Intergovernmental Revenue	\$99,305	14.27%
Medicaid	\$0	0.00%
Fees	\$359,067	51.62%
Access Health	\$0	0.00%
Transfers In*	\$237,287	34.11%
<b>Total Revenues</b>	<b>\$695,659</b>	<b>100.00%</b>

\*Differs from Muskegon County 2011 CAFR in the amount of \$2,365

**Expenditures**

Program Salaries/Fringes	\$533,872	76.74%
Other Program Expenditures	\$161,787	23.26%
<b>Total Expenditures</b>	<b>\$695,659</b>	<b>100.00%</b>

