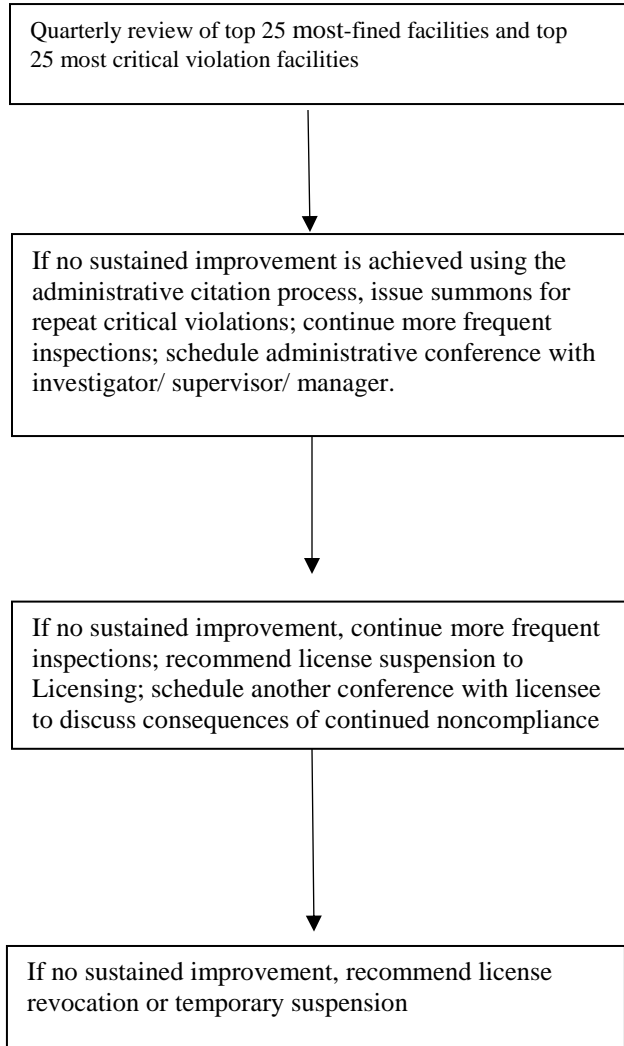


Enforcement Progression in Food Safety Section for Long-Term Severe Noncompliance

The purpose of the Food Safety Section’s enforcement progression is to increase compliance in facilities with histories of severe compliance issues to preserve public health. This progression is intended as guidance and is not formulaic to facilitate a fair and standardized approach that considers the unique risk factors of each operation. These risk factors may include the number of violations, severity of violations, prevalence of foodborne illness risk factors, etc.

Process Summary



Details

Review reports in January, March, July and October. Identify facilities posing greatest public health risk by conducting more frequent inspections. Frequency is dependent on extent of noncompliance and the violations which constitute greatest risk factors for foodborne illness (determined in conjunction with Manager & Supervisor); document violations with photographs when appropriate; provide and document onsite demonstrations during inspections; monitor compliance and decrease inspection frequency if significant compliance is consistently achieved. Per program policy, clearly document recipient name on all inspection reports. If licensee has other facilities, review files to see whether there are common issues which need to be addressed/monitored.

If no significant improvement, issue summons for critical repeat Violations; administrative citations are not assessed for any violations addressed with a summons. Request that licensee attends administrative conference to create a formal intervention plan, to document ongoing and/or severe problems, resources provided, agreed upon solutions, and consequences of failure to improve significantly.

Request that facility provides documentation of enacted solutions to PHI prior to court date for consideration in recommendations to City Attorney. Continue taking pictures of violations during regulatory visits and conducting/documenting onsite demonstrations whenever possible. If appropriate, ask court to order conditions such as use of licensed pest control company, use of cleaning contractor, completion of training, etc. and establish a compliance hearing to follow up.

Use administrative conference to update all elements of intervention plan described above; notify E&L and CAO of case status and provide file if needed

If no sustained and significant improvement, work with City Attorney’s Office and Department of Excise & Licenses to pursue license revocation or temporary suspension.