



# Food Inspection in San Mateo County

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## Summary

Does the San Mateo County's Food and Consumer Protection Program provide food facility inspection services effectively and provide sufficient information to the public?

Eating out in San Mateo County is a common, and for the most part enjoyable, experience for the County's over 700,000 residents. When the residents of San Mateo County eat at a food facility they expect untainted food in a safe and clean environment. San Mateo County is not isolated from food borne infections that can cause serious illness and death. In the last three years the Office of Disease Control and Prevention in the San Mateo County Health Agency (Health Agency) reported close to 1900 infections in this County associated with poor food handling, improper food storage and food contamination. Cases of Shigellosis and E. coli have been documented in San Mateo County in the last two years. Other, less widespread occurrences of illness are not unusual.

The risk of becoming ill from eating unsafe food cannot be completely eliminated, but it can be greatly reduced through strict enforcement of food safety regulations. The risk can also be reduced substantially if the public is provided up-to-date information about safe food handling and about how well facilities from which they may wish to purchase food comply with health and safety standards established by law. The Grand Jury found that the County Health Services Agency for the most part does a good job inspecting the 3700 food facilities to ensure that they stay in substantial compliance with state and federal laws, but does not do a good job of providing useful information to residents.

San Mateo County food facility inspection is the responsibility of the Food and Consumer Protection Unit of the Health Services Agency. Inspection quality and uniformity is directed by State, County and Health Agency established guidelines regulating how inspections to be carried out and the standards that are used to determine compliance. Within these guidelines, Inspectors have considerable autonomy. Inspectors close an average of two food facilities per month temporarily or permanently for failure to meet safe food handling standards. An inspection is conducted at each facility once per year unless the inspector determines that follow-up inspections are warranted or complaints are received.

Upon completion of the inspection process every facility, regardless of its inspection rating, is given a six-inch diameter round placard (Seal) that must be posted on the premises where it can be easily viewed. The Seal does not contain any indication of the results of the inspection. The Grand Jury found that the Seals are not uniformly posted by facilities in their present form, and are not an effective means of communicating the results of inspection or other information. The Grand Jury found that other counties, using a posted letter grading system, more clearly inform the public about the results of inspections and that the letter grading system encourages better food handling practices.

The Health Services Agency maintains websites to provide information about food safety and handling, facility inspections and compliance to the public. The Grand Jury found these websites are difficult to use, may not contain timely or accurate information and are not widely publicized. The Grand Jury also found that the procedures for updating the website are inefficient and keep inspectors from performing other essential functions.

Among the recommendations for improvement are:

- Develop and implement a program to improve the public awareness of food safety and the food inspection program
- Develop uniform guidelines for the availability of inspection reports and the posting of food inspection Seals
- Improve the content and display of food inspection seals to:
  - Improve visibility
  - Improve the information provided
  - Indicate the rating results of the inspection
  - Advise the patrons of the availability of copies of the inspection report
- Evaluate and consider use of an A, B, C grading system
- Review all data posted on the website(s) to assure accuracy
- Review how other Counties provide information to their citizens and consider adopting “best practices.” Design and implement new web pages to quickly provide useful and easy to understand information.
- Resolve problems preventing the implementation and implement the system of automation of on-site entry of inspection data



## Food Inspection in San Mateo County

### Issue

Does the San Mateo County's Food and Consumer Protection Program provide food facility inspection services effectively and provide sufficient information to the public?

### General Background

Eating out in San Mateo County is a common, and for the most part enjoyable, experience for the County's over 700,000 residents. When the residents of San Mateo County eat at a food facility they expect untainted food in a safe and clean environment. Poor food handling practices and poor food preparation can and do cause illness. Food-related illness is one of the most underreported but common diseases in the country, according to the Center for Disease Control and Prevention in Atlanta. There are 76 million people affected by food borne illnesses in the United States each year: 5,000 of those die and another 325,000 are hospitalized.

The Grand Jury reviewed the County's food facility inspection and reporting practices, and interviewed County Health Services Agency staff, observed two on-site inspections, reviewed relevant practices, brochures, reports and forms, and examined various websites providing information about food safety and food facility inspections.

The following report addresses findings and presents conclusions and recommendations in two sections:

- I. Food Safety Inspection Process
- II. Food Safety and Inspection Websites and Public Information

# I. Food Safety Inspection Process

## Findings

### Recent History

San Mateo County is not isolated from food borne infections that can cause serious illness and death. In the last three years the Office of Disease Control and Prevention in the San Mateo County Health Services Agency (Health Services Agency) reported close to 1900 infections in this County associated with poor food handling, improper food storage and food contamination.

In October 2000, 222 patrons of a Mexican restaurant in Redwood City were stricken with Shigellosis, an infectious disease often caused by poor food handling. One patron died. During a subsequent inspection of the restaurant by the Health Services Agency, a wide array of poor food handling practices were observed, including inadequate hand washing by the staff, cross contamination of food, and improper cold storage of large containers of food.

In October 2003, 16 residents and staff members of a retirement home in the County were stricken with Escherichia Coli (E. Coli), also a food borne infection. An investigation determined that the probable cause of the disease was the consumption of unwashed spinach.

### *County Food and Consumer Protection*

San Mateo County food facility inspection is the responsibility of the Food and Consumer Protection Unit (Inspection Unit) of the Environmental Health Services Division within the Health Services Agency. The Inspection Unit is comprised of a Program Supervisor and twelve full-time and one part-time food facility inspectors. The Program Supervisor has thirty years of experience as a food safety specialist. Two additional specialists are employed to review food establishment building and remodeling plans and to facilitate program standardization. Inspectors are required to have a four-year college degree with a major in a "hard" science and must subsequently pass a State certification examination based on a rigorous course of study in the environmental sciences. The Inspection Unit places a premium on hiring inspectors that mirror the diverse community in which they work. Turnover is high. The average current inspector turnover is about three years.

Each inspector is responsible for approximately 270 facility inspections within an assigned area. Inspectors are not routinely rotated from one area to another. The Health Services Agency believes that criminal background checks made at the time of hire, County policy forbidding employees from accepting gifts that may be perceived as influencing decisions, and random inspection audits by the Program Manager prevent and discourage Inspectors and food facility managers from establishing relationships that might work against the public's interest.

Mobile food units and pushcarts are inspected by one inspector. Vendors are notified when to report for the inspections at a pre-scheduled central County site.

Approximately 3700 permanent and temporary businesses and public agencies in the County are permitted to handle and sell food – 2000 restaurants, 567 markets, 165 schools, and approximately 500 other food facilities.<sup>1</sup> County inspectors inspect and rate all food facilities as Excellent, Good, Average, Fair or Poor based upon the number and specific types of violations of the California Communicable Disease Control risk factors and standards described in the California Uniform Retail Food Facilities Law (CURFFL). An example of the CURFFL standards can be found on the Health Services Agency’s website, *Restaurant and Food Inspections*, under the title *Checklist for Food Establishments* ([www.co.sanmateo.ca.us/smc/county/content/0,,1774\\_2126\\_5439,00.html](http://www.co.sanmateo.ca.us/smc/county/content/0,,1774_2126_5439,00.html)). The California State Legislature enacted CURFFL to set a standard for pure, safe, and unadulterated food. It is the responsibility of the Inspection Unit to make sure that food sellers and dispensers are in compliance with this law which regulates the preparing, cooking, storing and serving of food.

The Health Services Agency provides the public and businesses information about food safety laws regarding proper sanitation, food handling and inspections with brochures and Internet documentation. The Grand Jury found that the public is not well informed about food safety and inspection regulations. The Health Agency admits that it has not done enough to inform the public, and recognizes the need to exert more effort to improve the public’s level of knowledge and understanding.

County food facility inspectors have authority to do the following:

- Inspect food sold at markets, restaurants, schools, mobile catering units and during special community events;
- Educate food facility owners and managers about food safety and how to correct violations;
- Follow-up on complaints and reports of food-borne illnesses;
- Impound food or equipment and order that unsafe food be destroyed;
- Issue citations, revoke or suspend permits to do business, and when a health danger is imminent, stop the sale or dispensing of food immediately;
- Work with the District Attorney to prosecute those who dispense or sell food and continually fail to meet CURFFL standards.

The Grand Jury was informed that very few complaints are received from food facility owners or managers concerning the work of inspectors. A number of food facility owners interviewed by the Grand Jury are complimentary to the inspectors.

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<sup>1</sup> Other food facilities include bars, snack bars, cafeterias, ice cream parlors, catering trucks, food carts and catering commissaries, food stands at street fairs, carnivals, special events and farmers’ markets.

## Food Safety Inspections

An in-progress review of two food facility inspections revealed that inspectors' evaluations are based on established standards, take one to two hours and are well organized and thorough. Inspectors demonstrate concern for public safety and sensitivity to business conditions and needs. Inspections review all aspects of food facilities' operations with special focus on:

- disposal bins outside of the building where vermin might collect;
- cooking and storage temperatures of the food ;
- general cleanliness of the facility;
- cleanliness of the food handlers;
- areas where cross-contamination of food might occur;
- effective operation of all plumbing and equipment ;
- food storage areas and equipment.

During one inspection, the inspector noticed that a dairy product had not been properly stored and that its temperature was not at the acceptable level. He immediately had the product destroyed. He also noted a cutting board used to prepare sushi had surface cracks that held bits of molded flesh. He had the board immediately removed from service and thrown away. Evidence of possible insect infestation and an inoperative toilet at this same site were called to the attention of a responsible employee. The manager was directed to replace or fix the toilet and arrange to have an exterminator spray the area. The inspector rated this facility's compliance with the law to be "fair" and informed the manager that violations had to be corrected before the inspector returned in two days. The name of any facility that fails to correct major violations as directed by an inspector is posted on the Health Agency's *Repeat Major Violation List* web site until corrections are made. ([http://www.co.sanmateo.ca.us/smc/department/home/0,,1954\\_187548\\_187748,00.html](http://www.co.sanmateo.ca.us/smc/department/home/0,,1954_187548_187748,00.html))

Health Services Agency management expects all food facilities in the County to receive a standard inspection, at least once a year. This inspection is referred to as a "routine" inspection. Routine inspections are usually unannounced. Records indicate that this expectation has been largely met. When there are problems, facilities are inspected more frequently, some as many as six to eight times per year. An average of 8,300 food facility inspections were conducted in the County each year for the last three years. This rolling average has increased by 1,550 (21%) over the last period (years 1999 to 2003). Each inspector may complete up to six inspections a day and as many as 675 a year. The Inspection Unit would like to perform more routine inspections but claims it does not have the staff to do so.

A review of inspection histories on the Environmental Health Services' website indicates inspectors quickly respond to complaints against food facilities with a complete inspection and that they regularly initiate follow-up inspections at facilities cited for major and minor violations of CURFFL regulations or which have a history of poor compliance. Inspectors close down an average of two food facilities per month for failure to meet safe food handling standards. Annual fees are charged

to each food facility to cover inspection costs. Additional fees are charged for follow-up inspections necessitated by noncompliance.

Each restaurant in the County is required to employ at least one person who has successfully passed an accredited food safety certification program. This person is responsible to make sure that other employees are provided the knowledge they need to ensure that food is prepared and served properly. The food safety certificate must be kept on file at the food facility at all times and be made available to the inspector on demand. On its web site the Health Services Agency provides a list of local food and safety training providers whose courses may be taken on site or by home study to obtain a food safety certificate.

Inspection quality and uniformity is directed by State, County and Health Services Agency guidelines regulating how inspections are carried out and the standards that are used to determine compliance. Within these guidelines, inspectors have considerable autonomy and authority to make significant decisions about:

- When and how inspections will be done;
- The rating level given to inspected facilities;
- What will be included in the inspection reports;
- The amount and type of information provided to the public related to food inspection results on the *Food Inspection Results Online* web site.

Following an inspection, a Food Program Official Inspection Report documenting the findings is provided to the facility. The inspector reviews the results of the inspection and the assigned rating with the manager of the facility. The facility is required to make a copy of this report available to the public upon request. The Grand Jury asked 25 restaurants to provide the latest copy of their inspection report for review. Only half could do so. Some indicated they were not aware that they were required to do so, and others noted they would make the report available the next day. Two large markets selling prepared food and one chain delicatessen referred the inquirer to their corporate headquarters. Some food facility operators resent being questioned about these requirements and react negatively when such a request is made.

Inspection reports can also be obtained directly from the County if an individual is prepared to view the report at a County office, give the County 72 hour notice, provide an e-mail address, telephone number and other personal information, view the report under observation and return the report in the same condition it was in prior to review.

Upon completion of the inspection process every facility, regardless of its inspection rating, is given a six-inch round placard (Seal) that must be posted on the premises where it can be easily viewed. The Seal notes the date of the inspection, verifies that the food establishment is “in substantial compliance with California food safety and sanitation standards” and provides additional information about how complaints can be filed or how information can be accessed on the Internet ([www.smhealth.org/enviro](http://www.smhealth.org/enviro)). The telephone number of the Environmental Health Services complaint line is also

provided. The compliance rating assigned by the inspector is not noted. With the exception of the name of the County, the font used for the seal is small (10 to 12 point type) and difficult to read unless at eye-level and in the best light. The Seal does not specifically advise that the website provides a summary of the establishment's inspection report. The Internet address posted on the Seal does not provide the most direct access to information related to food safety and to inspection results. Food facilities are required to post a notice advising patrons that a copy of their latest inspection report is available for view by interested customers.

The Grand Jury visited 40 restaurants to determine if the Seal was posted as required. About 15% did not have the Seal posted and claimed they were unaware of the requirement or that they were not provided a Seal at the time of their inspection. In a similar number of establishments the Seals posted were in areas where they could not be viewed easily by patrons.

There is no designated place on the Inspector's report to check off that a restaurant is in compliance with requirements related to posting a Seal or having reports accessible for review by the public.

### **Food Safety Inspection Process in Other Counties**

A review of the food safety inspection process in some other counties yields some interesting findings. Los Angeles County has adopted a program that requires a letter grade (A, B, or C) be posted by the inspector in an eating establishment's window. Facilities unable to obtain a "C" or better grade could be shut down. Riverside and San Diego Counties, and some states (North Carolina for example), have used similar grading systems for years.

A study published in the May 2002 issue of the *Quarterly Journal of Economics* found that food-related illnesses in Los Angeles County fell by 13% in the first year that the grading policy was established. Food related illnesses rose 3.2% during a comparable period in other parts of the state. The study also found that restaurants with an "A" reported an average 5.7% increase in sales, while those with a "C" said sales declined about 1%. Los Angeles County health officials cite the steadily improving quality of food facilities and their inspection scores and grades as evidence of the value of this grading practice. Only 57% of Los Angeles County's restaurants received an "A" grade in 1998, and now 83% receive "A's."

Sacramento County requires that food facilities post their full inspection reports. Failure to do so results in additional fees and fines. The report must be posted within 10 feet of the main entrance of the restaurant and cannot be placed on back walls, in hallways, or bathrooms.



## Conclusions

The risk of becoming ill from eating unsafe food cannot be completely eliminated, but it can be greatly reduced through strict enforcement of food safety regulations, through increased training of food handlers and an informed public. If such risks are to be reduced, an effective food inspection program is an absolute necessity.

The Inspection Unit regularly monitors the operation of all food facilities in the County and provides effective inspection services. It uses its resources to detect threats to health and takes quick, corrective action to ensure the threats it identifies are eliminated. Inspection Unit staff appears to be dedicated, appropriately educated, trained and experienced.

The public and food facility employees and owners are not well informed about the County's food inspection program and the laws it enforces. Not all restaurant owners or managers are aware of the laws regarding posting notices and making copies of their latest inspection report available. Not all food handlers are sufficiently aware of good food handling practices and procedures. Risks to the good health of food facility customers would be reduced if the public and food facility employees and owners were better informed.

The public is not well informed about a restaurant's responsibility to post a placard (Seal) or how to use the information it provides. In its present form and in the absence of a willingness to enforce posting, the Seal serves no useful purpose. The Seal provides no basis on which the public can evaluate the facility's level of compliance with food safety and sanitation standards. The statement on the Seal that the public may view inspection reports "within a reasonable time of request" does not encourage patrons to make such a request. The purpose for which the Seal was designed and how and where it should be posted should be reexamined.

Prescheduled on-site inspections of mobile units and sidewalk carts provide no ongoing incentive to comply with food handling safety regulations. The practice ensures that the units are likely to be clean and safe only on the day they are inspected.

Despite safeguards set in place to discourage inspectors from becoming too "friendly" with the restaurants they inspect, periodic rotation from one territory would enhance the credibility of objective inspection ratings.

## Recommendations

1. The Board of Supervisors should instruct the Director of Health Services to develop a better multimedia public awareness program by November 1, 2004 that will provide to the public information it needs to avoid becoming ill at home or in the community by eating food that has been improperly handled, cooked or served. The program should regularly provide the public information about:

- Food safety laws and local codes established to protect the public
  - Safe handling and storage of food at home and at work
  - Food borne diseases and how they are transmitted
  - Common food safety and handling myths
  - Food facility inspections (how and why they occur, how facilities are rated and results reported, how results can be obtained and interpreted, food facility closures and re-openings, etc.)
  - Current relevant topics of interest
  - How the public and food facility workers can report suspected food borne illnesses, raise concerns, file complaints and seek additional information.
2. The Board of Supervisors should direct the Director of Health Services to:
- 2.1. Redesign and enlarge the Seal by September 1, 2004 to:
    - provide better visibility;
    - prominently display the rating assigned by inspectors;
    - advise the reader that the latest inspection report is available for review at the facility and the County;
    - direct the reader to the *Food Inspection Results Online* web page;
    - advise the reader of the other related County websites;
    - continue to note the date of inspection and phone number of the Food and Consumer Protection Unit of the Environmental Health Services Division.
  - 2.2. Develop uniform inspection guidelines immediately, to assure that:
    - Seals in all food facilities are obviously and similarly displayed.
    - The latest inspection reports can be conveniently viewed by the public at any time
  - 2.3. Use a news release to inform the public of the guidelines established in 4.14.2 above and post them on the County website.
  - 2.4. Develop a hand-out that inspectors must give to owners and/or managers of food facilities that explains their responsibilities to post inspection results and to provide, upon request, a copy of their latest inspection report.
  - 2.5. Evaluate and consider the advisability of adopting an A,B,C grading system, by November 1, 2004
  - 2.6. Develop procedures and practices by October 1, 2004 that will provide for:

- periodic rotation of the County's food inspectors;
  - annual unannounced inspections of mobile food dispensing trucks and carts.
- 2.7. Revise the Food Program Official Inspection Report form to allow inspectors to indicate thereon that information is posted as required and that a copy of the latest inspection report is on hand.

## II. Food Safety and Inspection Websites and Public Information

Part 1 | Findings | Conclusions | Recommendations | Responses | Attachments

### Findings

The Health Services Agency and its Environmental Services Division maintain websites to provide information to the public. The sites that offer the public important information regarding food safety and handling, facility inspections and compliance with the law are entitled: *Food Inspection Results Online*, *Repeat Major Violator List*, *Food Facility Closure List*, and *Administrative Hearings*.

Sites that are designed primarily to supply information to food facility managers and workers are entitled: *Retail Food Program Forms and Information*, *Internet Postings and Corrective Actions*, and *Approved Food Safety Certification Courses*.

These sites provide the public and food facility workers useful information about food facilities that have been closed because of a failure to correct major violations, food facilities that are currently involved in administrative hearings, code violations that are considered “major” because they can easily cause serious food-borne illness, and links to other non-County websites that provide information regarding certification requirements and education, and safe food handling procedures.

Movement from one site to another and to the home pages of the Health Services Agency and Environmental Health Services is not easy. Not all web pages are up-to-date. For example, the *Internet Posting and Corrective Actions* web page notes “food establishments will soon be displaying a San Mateo County Seal which indicates the latest inspection date.” The display requirement has been in effect for over a year.

The *Food Inspection Results Online* web page is the public’s primary source of information about food facilities and how well they comply with the law. Responsibility for the web page’s design and maintenance is presently contracted to a firm in Texas. The Grand Jury was advised that the County is considering transferring this responsibility to the County’s server in the near future. This page notes:

- the results of routine, follow-up and special facility inspections;
- complaints filed and respective follow-up information;
- the compliance rating assigned by the inspector after each routine inspection;
- a history of all inspection related information from 2001 to the present.  
(Note: The Inspection Unit has no policy determining how long information will remain on the site.)

Although County brochures and the County website indicate that reports are posted to the website within 14 days after an inspection, not all inspectors’ reports are

posted within this timeframe. The Grand Jury found that some reports are not posted for over a month, and could not accurately determine if all reports were posted. Corrections of violations noted during a routine inspection can be corrected before the original inspection report is posted. A survey by Sherry Hu, of *Channel 5 Investigates*, in September 2002, revealed that approximately 50% of 100 inspected food facilities on a list provided to the station by the Health Agency did not have inspection reports posted within two weeks. 20% were not posted after one month.

Inspectors record the information they gather during an investigation on the Food Program Official Inspection Report form. This information is later transferred to another form from which the data is posted to the website. Clerical staff assists in carrying out this responsibility; however, approximately half of the inspectors do this transcription themselves. Reports entered by clerical staff are returned to inspectors for review before the information is posted on the site. The Grand Jury was informed that this partly accounts for the length of time it takes for information to appear on the website. Some inspectors believe more clerical help is needed.

The Inspection Unit points out that the number of days it takes to post reports will be reduced to a day or two when it successfully implements its plan to use computers in the inspection and posting process. Computer equipment and software have been obtained for this purpose, but the Grand Jury was told that technological glitches have stalled the implementation. The Grand Jury was also told that there is reluctance on the part of the inspection force to accept the new technology.

The Grand Jury's use of the *Food Inspection Results Online* web page determined that

- Locating the food inspection results online webpage is cumbersome. The site can be more easily accessed directly by using a search engine.
- The reports for 40% of the food facilities researched could not be accessed using the restaurants' names as they appear in the telephone book. Many could not be accessed without attempting several variants of a restaurant's name. One restaurant with a long history of major violations was finally found with its name misspelled.
- Instructions for use of the website are minimal, sometimes misleading, and do not compare favorably with other similar websites.
- Follow-up inspections do not consistently indicate that violations noted in inspections have been corrected.
- Information posted immediately on other websites related to repeated failures to correct violations and facility closures is not simultaneously posted on the *Food Inspection Results Online* web page, the page the public is most likely to access first.
- The nature, validity or any action related to a complaint is not consistently indicated.
- Not all inspection results are reported consistently or uniformly. Some recent inspection reports listed the inspector's overall rating, others do not. Some

list

violations of the posting requirements, others do not.

The Health Services Agency was unaware of some of the website deficiencies called to its attention by the Grand Jury.

Statistics provided to the Grand Jury indicate that when the *Food Inspection Results Online* web page was initiated, it received about 60 or more “hits” per day. In the latter half of 2002, this number declined by 50% and remained at that level into late 2003. The number of hits for the beginning of 2004 has risen slightly, due in part to research by Grand Jury members.

The Seattle/King County food safety and inspection website provides users direct computer access to videos about food safety in seven different languages, an opportunity for the public to participate in a mock inspection tour and a study guide for workers to prepare for certification.

## Conclusions

The County Environmental Health Services Division’s websites related to food safety, handling and inspections are inadequate and not well managed. Little has been done to shorten the time it takes to post inspection information. The existence of the *Food Inspection Results Online* website is not well known to the public. Few people use the site and the number that do is declining.

The Health Services Agency does not seem to be interested in improving the timeliness or quality of information provided on the website. In comparison to other similar websites, San Mateo County’s efforts to provide information about food safety information is minimal at best and what exists is lost in a maze of confusing web pages.

The Seattle/King County website ([www.metrokc.gov/health/foodsfty/index.htm](http://www.metrokc.gov/health/foodsfty/index.htm)) and Los Angeles County’s Department of Health website ([www.lapublichealth.org/rating/](http://www.lapublichealth.org/rating/)) are good models for any county wishing to develop similar websites or improve existing ones. Each is attractive, easy to understand and provides the public and food facility managers and owners extensive and useful information.

The time spent by inspectors manually transferring data from inspection reports to a data input form might be better spent inspecting facilities. Automation of the process seems to have a low priority within the Health Services Agency.

## Recommendations

3. The Board of Supervisors should direct the Director of Health Services to:
  - 3.1 Review immediately all food safety and inspection web pages to assure that the information entered is accurate.
  - 3.2 Review immediately the *Food Inspection Results Online* web page database to insure it lists the correct names and addresses of all food facilities that must be inspected.
  - 3.3 Review immediately other county web sites to obtain alternative examples of how food safety and inspection websites are structured.
  - 3.4 By January 1, 2005 design and implement a new more “user friendly” *Food Inspection Results Online* Web site that provides:
    - Better instructions for its use.
    - Easier access to other food safety and handing information on other Health Services Agency and Environmental Health Services Division web pages.
    - A more flexible search feature that allows users to search by:
      - name, address, city, type of facility and food served;
      - A limit on how long information will remain on the site;
      - Simultaneous posting of information posted on the *Repeat Major Violator List*, *Food Facility Closure* and *Administrative Hearings* web pages.
  - 3.5 By September 1, 2004, resolve all problems that prevent the implementation of the automation of on-site entry of inspection data.
  - 3.6 By November 1, 2004, implement the automation of on-site entry of inspection data along with electronic transfer of the data into the database.



**COUNTY OF SAN MATEO**  
**Inter-Departmental Correspondence**

County Manager's Office

**DATE:** August 16, 2004

**BOARD MEETING DATE:** August 31, 2004

**TO:** Honorable Board of Supervisors  
**FROM:** John L. Maltbie, County Manager  
**SUBJECT:** 2003-04 Grand Jury Responses

**Recommendation**

Accept this report containing responses to 2003-2004 Grand Jury recommendations on the following: Narcotics Arrests, San Mateo County Jails, and Food Inspection in San Mateo County.

**Discussion**

The 2003-2004 Grand Jury issued reports on Narcotics Arrests on June 2, 2004; San Mateo County Jails on June 3, 2004; and Food Inspection in San Mateo County on June 10, 2004. The County is mandated to respond to the Grand Jury within 90 days from the date that reports are filed with the County Clerk and Elected Officials are mandated to respond within 60 days. The report pertaining to Narcotics Arrests requires direct responses from the Sheriff and the District Attorney. The report pertaining to San Mateo County Jails requires a direct response from the Sheriff.

**Vision Alignment**

This response to the Grand Jury's findings and recommendations keeps the commitment of responsive, effective and collaborative government through goal number 20: Government decisions are based on careful consideration of future impact, rather than temporary relief or immediate gain.



## Food Inspection in San Mateo County

### I. Food Safety Inspection Process

#### **Findings:**

Concur. The Division staff will continue to provide food inspection services throughout the county, begin action on each recommendation, as detailed below, and begin working with the Public Health Education Unit and consumer focus groups to improve public awareness surrounding food safety.

#### **Recommendations:**

- 1. The Board of Supervisors should instruct the Director of Health Services to develop a better multimedia public awareness program by November 1, 2004 that will provide to the public information it needs to avoid becoming ill at home or in the community by eating food that has been improperly handled, cooked or served. The program should regularly provide the public information about:**

- **Food safety laws and local codes established to protect the public**
- **Safe handling and storage of food at home and at work**
- **Common food safety and handling myths**
- **Food facility inspections (how and why they occur, how facilities are rated and results reported, how results can be obtained and interpreted, food facility closures and re-openings, etc.)**
- **Current relevant topics of interest**
- **How the public and food facility workers can report suspected food borne illnesses, raise concerns, file complaints and seek additional information.**

**Response:** Concur. The Division has begun implementing this recommendation and will continue to work with the Public Health Education Unit and consumer groups to evaluate various outreach strategies, options and budgets.

- 2. The Board of Supervisors should direct the Director of Health Services to:**

- 2.1 Redesign and enlarge the Seal by September 1, 2004 to:**

- **provide better visibility;**
- **prominently display the rating assigned by inspectors;**
- **advise the reader that the latest inspection report is available for review at the facility and the County;**
- **direct the reader to the Food Inspection Results Online web page;**
- **advise the reader of the other related County websites;**
- **continue to note the date of inspection and phone number of the Food and Consumer Protection Unit of the Environmental Health Services Division.**

**Response:** Concur. This recommendation will be implemented as follows. The seal design and content will be updated to provide concise and clear information to the consumer. In addition, the Division will propose a County Ordinance requiring that upon issuance of the inspection report, the owner/operator of the food facility shall post the most recent report in a location clearly visible and readable by the general public and patrons entering the establishment.

- 2.2 Develop uniform inspection guidelines immediately, to assure that:**
- **Seals in all food facilities are obviously and similarly displayed;**
  - **The latest inspection reports can be conveniently viewed by the public at any time.**

**Response:** Concur. This recommendation has been implemented by including these items within the Division's standardization and audit protocol.

- 2.3 Use a news release to inform the public of the guidelines established in 4.14.2 above and post them on the County website.**

**Response:** Concur. This recommendation will be implemented by preparing a press release and including the release in the "Hot Topics" section of the Division homepage. Staff is uncertain what "4.14.2" refers to.

- 2.4 Develop a handout that inspectors must give to owners and/or managers of food facilities that explains their responsibilities to post inspection results and to provide upon request, a copy of their latest inspection report.**

**Response:** Concur. This recommendation has been implemented through a handout that was prepared and distributed in 2002, explaining the requirement to provide a copy of the latest inspection report. The handout will be updated and made available to those businesses that are unaware of the requirement. Successful implementation of recommendation 2.1 above will require the inspection report to be posted in plain view.

- 2.5 Evaluate and consider the advisability of adopting an A, B, C grading system by November 1, 2004.**

**Response:** Concur. This recommendation of grading food establishments has been evaluated and considered several years ago as a proposal to the Board of Supervisors. Staff continues to confer with representatives of Los Angeles, Riverside and San Diego Counties to identify food program improvements gained by implementing a facility grading system. At this time, staff believe that the posting of a single grade to inform the public as to the safety of a food establishment is one-dimensional and does not provide the public with the information they need to make an informed decision. By providing access to past inspection results on the Internet and implementing the other Grand Jury recommendations, the public will be given more information and insight into the Division's activities and the ability to evaluate risk based on personal choices.

**2.6 Develop procedures and practices by October 1, 2004 that will provide for:**

- **periodic rotation of the County's food inspectors;**
- **annual unannounced inspections of mobile food dispensing trucks and carts.**

**Response:** Concur in part. The recommendation for rotation requires further analysis. Currently, the food inspections are performed by three teams of staff, with each team responsible for a geographic area of the county. These teams share inspectional load within their area and provide peer review and coverage throughout the geographical area. Additionally, routine program audits and standardization by program supervisors adequately addresses any concerns of inappropriate activity of the staff. Unannounced inspections of mobile food trucks and carts are currently performed with plans to expand these inspections in 2005.

**2.7 Review the Food Program Official Inspection Report form to allow Inspectors to indicate thereon that information is posted as required and that a copy of the latest inspection report is on hand.**

**Response:** Concur. This recommendation will be implemented and included during the next printing of the Official Inspection Report.

## **II. Food Safety and Inspection Website and Public Information**

### **Findings:**

Concur. Providing useful public consumption of data and information that is designed and intended to monitor compliance and enforcement, and designing web pages for a wide range of end-user skills and abilities, has created some unique challenges. The Division is dedicated to continually reevaluate and improve both the form and function of our public information portals.

**3. The Board of Supervisors should direct the Director of Health Services to:**

**3.1 Review immediately all food safety and inspection web pages to assure that the information entered is accurate.**

**Response:** Concur. This recommendation has been implemented and the Division will periodically perform such reviews.

**3.2 Review immediately the Food Inspector's Results Online web page database to insure that it lists the correct names and addresses of all food facilities that must be inspected.**

**Response:** Concur. This recommendation will be implemented by creating a quality assurance/quality control program that will include standardized naming criteria and updating our database.

**3.3 Review immediately other county web sites to obtain alternative examples of how food safety and inspection websites are structured.**

**Response:** Concur. This recommendation has been implemented and is included as a standard role for the Program Supervisor, IT Analyst and Director. Prior to the issuance of the Grand Jury report, we have reviewed web pages for New York City, Santa Clara County, Seattle/King County and many others.

**3.4 By January 1, 2005 design and implement a new more “user friendly” Food Inspection Results Online Web site that provides:**

- **Better instructions for its use.**
- **Easier access to other food safety and handling information on other Health Services Agency and Environmental Health Services Division web pages.**
- **A more flexible search feature that allows users to search by:**
  - **name, address, city, type of facility and food served;**
  - **A limit on how long information will remain on the site;**
  - **Simultaneous posting of information posted on the Repeat Major Violator List, Food Facility Closure and Administrative Hearings web pages.**

**Response:** Concur. This recommendation will be implemented. Staff will work with the Public Health Education Unit and community focus groups to seek recommendations and consider such features as:

- **Enhanced instruction, “Getting the most out of the Food Inspection Results.”** What does it mean? An inspection is a snapshot in time; use the history as an indicator for evaluating the state of the establishment.
- **Use the five-year record retention as the limit for inspection data on the website.**
- **Link the Repeat Major Violator, Food Facility Closure and Administrative Hearing pages directly to the Food Inspection Results.**

**3.5 By September 1, 2004, resolve all problems that prevent the implementation of the automation of on-site entry of inspection data.**

**Response:** Concur. The Division is committed to implement this recommendation; a recent upgrade to our database software will allow implementation plans to once again move forward.

**3.6 By November 1, 2004, implement the automation of on-site entry of inspection data along with electronic transfer of the data into the database.**

**Response:** Concur. The pilot field evaluation will be implemented by November 1, 2004. During the planning phases, every effort was made to anticipate and address various scenarios encountered by field staff. Nevertheless, it is anticipated that additional changes in workflows and procedures may be identified during the pilot phase. These changes may delay full implementation

until the Summer of 2005. Remaining food staff will begin training upon completion of the pilot phase so that full implementation can occur as soon as all issues have been resolved.