



# Maricopa County subscription service



## Standards Committee Meeting – May 2, 2018

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**Date:** May 2, 2018

**Time:** 9:30 am – 11:30 am

ENVIRONMENTAL HEALTH DIVISION  
**STANDARDS COMMITTEE MEETING**



**Where:**

1001 North Central Avenue  
5<sup>th</sup> Floor Classroom  
Phoenix, AZ 85004

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### Meeting Minutes

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#### **Follow-Up Items From Last Meeting**

##### Thawing in Sink

Can items be thawed properly under cold running water if they are still in their package?

##### Answer:

The items should be removed from their original packaging prior to thawing in order to loosen frozen particles sufficiently.

Code Reference: [3-501.13 Thawing](#)

#### **Food Service Worker Audits During Inspections**

Inspectors are no longer conducting Food Service Worker Card/Certificate audits at every inspection like we used to. An audit of food employee training documentation will be conducted when one or more Priority (P) violation(s), of the same code reference, is/are documented on consecutive inspections. At the

discretion of the inspector, food employee training documentation may be audited when other repetitive or serious health code violations are documented or when lack of Active Managerial control is observed.

The [Maricopa County Environmental Health](#) Code states:

- “The Person in Charge of a food establishment shall ensure Food Employee(s) are trained on foodborne disease prevention in accordance within 30 days of performing any Food Employee activity.”
- The Person in Charge (PIC) maintain documentation of food employee training on the premises. Additionally, §2-103.11(M) of the 2013 U.S. Food & Drug Administration Food Code requires the PIC to ensure that employees are properly trained in food safety as it relates to their assigned duties.
- The PIC must have documentation of food employee training for each food employee who has been performing food employee activities for longer than 30 days. If this documentation cannot be provided, violation 01C, §2-103.11(A-O) will be documented for the PIC not ensuring employees are properly trained. Compliance assessment letter procedures will be followed to verify corrective action.
- Food Establishments may use a proprietary food training program that is not ANSI/ASTM E2659-09 accredited if it was in place prior to July 24, 2014. Otherwise they will have to be an [ANSI accredited program](#).

More information available in the [Enviro Connection](#) News Letter from June of 2015.

Code Reference: [2-103.11 Person in Charge](#)

### **Legislative Updates**

#### Service Animals

Arizona just passed a law making it illegal to misrepresent a pet as a service animal. The new change does not affect the Environmental Health code in any way, Maricopa county will continue to regulate service animals as we always have. It is important for business owners and their staff to familiarize themselves with appropriate questions and ways on how to approach these situations.

Note: An emotional support animal is different than a service animal.

2013 FDA Food Code References:

[2-403.11 Handling Prohibition \(Animals\)](#)

[6-501.115 Prohibiting Animals](#) (code reference); [6-501.115](#) (public health reason)

We will refer questions outside of those addressed in the food code to the [Americans with Disabilities Act's website](#)

#### Cottage Food Law

The new Cottage Food Law, formally known as The Home Baked and Confectionery Goods program was signed by the Governor in March of this year, and is scheduled to go into effect 90 after being signed. Individuals who meet the requirements of the law may prepare non-potentially hazardous (non-TCS foods) foods from their residence for commercial sale.

Changes to the new law allow individuals to commercially sell most non-TCS foods, not just baked goods. Jams, jellies and honey are just a few of the “new” products that are included. No special processes are allowed – like Reduced Oxygen Packaging etc. Read more...[\(link\)](#)

### Mobile Food Bill

The legislature is in the process of approving a bill that will create a state-wide license and mobile food standard. **This bill is not yet approved.** Read more...([link](#))

[Update: this bill was signed by the governor and will be effective on 8/3/18]

### Home Based Business Bill

This bill provides certain regulatory exemptions for home-based businesses. The proposal does allow for a county to create “narrowly tailored” regulations related to health and safety. California currently has a similar bill. **This bill is not yet approved.** Read more...([link](#))

[Update: this bill did not make it through the legislative process]

### Future Adoption of the 2017 FDA Food Code

Arizona Department of Health Services (ADHS) is planning to adopt the 2017 FDA Food Code within the next year. One of the major changes in this version is that it will require **every Person In Charge (PIC) to be a Certified Food Protection Manager (CFPM)**. This means that most food establishments must have CFPM onsite at all times. Another change is the requirement to have a **written policy** in place for fecal/vomit cleanup. We encourage stakeholders to attend any meetings held by ADHS for further information and timeline of adoption. Here is the [link](#) to a summary of changes.

Once ADHS adopts this code, we will be going through our Enhanced Regulatory Outreach Program (EROP) to adopt this by reference.

### Round Table, Process Improvements, Division Manager Topics:

Time will be given for any topics not submitted ahead of time and to discuss any future committee meeting agendas. Visiting stakeholders will also have the floor to bring forth any process improvement ideas for the Environmental Health (EH) Division.

### Crumbine Award

Maricopa County was awarded the 2018 Samuel J Crumbine Consumer Protection Award. This is a national recognition given to a local environmental health program that “demonstrates unsurpassed achievement in providing outstanding food protection services in their community.” We would like to recognize our stakeholders for their input and cooperation.

### Animals on premises

A question came up on the definition of “premises” since this includes parking lots.

With regards to animals being on premises of a food establishment, MCESD inspectors focus on the areas where food and food equipment and utensils are stored, prepared, served, etc. These activities generally does not occur in parking lots. We currently offer a “dog friendly patio” permit for no cost. Information on the requirements and application process can be found here: [Dog-Friendly Patio Permit Application](#).

### 2014 Regulatory Reform Task Force meetings

One of the recommendations of these meetings were to improve communication and consistency not only among internal staff, but also with our stakeholders. These process improvement meetings were started as part of that.

Some other changes were to include the supervisors name on every inspection report – that way it would be easier for establishment to contact the right person. Also to make a distinction on the different types of violations written on the report.

Other

We are currently working on a “Citizen Portal” where owners can manage contact information on permits themselves. This will help to make sure that we have the most “up-to-date” information and that the inspection reports will be emailed to the right person.

We are hoping to go paperless within the near future – which means that all inspection reports will be emailed instead of printed. The inspector will make sure to review the report with the PIC prior to leaving the establishment. If there is no email on-file, we’ll continue to print the report.

It’s been about 12 years since we last reviewed the fee model. We might be looking at that in the near future to make sure that 100% of our cost is recovered. We will also be looking at streamlining processes.

Maricopa County Environmental Services Department  
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