

HAMILTON BOARD OF HEALTH

WEDNESDAY, MAY 25, 2016

Present: Board of Health members: Lindle Willnow, Susan Wilfahrt, Health Agent Leslie Whelan, Food Inspector Bobby Cody, Public Health Nurse Chris Lee

Meeting Opened: Lindle Willnow called the meeting to order at 7:04 p.m. at Hamilton Senior Center

Cindy Rice (Eastern Food Safety) – Local Adoption of the 2013 FDA Food Code

Cindy Rice summarized how 12 North Shore cities and towns are moving toward adopting the 2013 FDA Food Code. This includes health departments voluntarily adopting the FDA program standards for inspection of retail food establishments. The changes from the 1999 version of the Food Code include Center for Disease Control (CDC) risk factors including poor hygiene, contaminated equipment, improper holding temperatures, improper cooking temperatures, and unsafe sources of food. These cause the most significant outbreaks and food borne illness. The 2013 Food Code addresses these risks in food establishments.

Cities and towns across Massachusetts are using different versions of the food code which can be confusing to health inspectors and restaurants. Adoption of the same food code promotes uniformity, and reduces conflict across multiple restaurants. The 2013 food code is the latest science based regulation and minimizes inspector bias. Risk values have been assigned to inspection items which is valuable for health inspectors and restaurants needing to correct violations.

The terminology includes:

- Priority violation – most serious risk, (a violation would be raw meat or foods touching or dripping on food ready to eat, cross contamination of bacteria, improper use of gloves such as use of contaminated gloves, hot holding of food at not a high enough temperature allowing bacteria to grow,
- Priority foundation item – one step down, (a certified food manager should be in charge, shelf stock tabs for 90 days used, and calibrated thermometers)
- Core violation – lowest level of risk for health inspection, (general maintenance such as no screens on doors, environmental contamination - milk leak in refrigerator, dirty floors).

One value of the code for health inspectors is it can be used for guidance on proper handwashing. Another change in the code is new terminology for food most at risk for food borne illness. Time and temperature controlled for safety foods include new additions such as cut leafy greens, tomatoes, and melons, these must be kept at 40 degrees or colder, so bacteria will not grow. There is also revised temperature safety zones in the new code: 41 degrees and 135 degrees. There is a four hour rule for foods where disposal is required if in the danger zones: warmer than 41 degrees for cold food, and less than 135 degrees for hot food. Also, a prepared food in the refrigerator if not used within 24 hours it has to be marked and cannot be used longer than 7 days from date of preparation. Labels are available for restaurants to use for this purpose on food grade containers.

Another new provision in the food code for public health control is length of time that food can remain at room temperature. There are some situations where restaurants want to keep food out at room temperature. This can be done if a container of food is labeled with time the food came out of the refrigerator (i.e., cut tomatoes) and the container with any remaining unused product must be disposed of after four hours. If food temperature is higher than 125 degrees or less than 70 degrees the food can be left out for up to six hours and then disposed of.

In addition, restaurants need to notify customers that their latest inspection report is available to view online or at the restaurant. This could be done on menus, posted on the wall next to the cash register, or on their website.

Also addressed is when reheating commercially prepared foods the temperature has to be 165 degrees. If a commercially prepared food is heated for the first time the hot holding temperature of 135 degrees is required. For a restaurant using vacuum packed frozen fish, it has to be thawed in the refrigerator from the frozen state. Wiping cloths that touch food surfaces have to be stored in a sanitizer bucket with the proper concentration in between uses to prevent cross contamination.

There is a provision in the code that restaurants have to be pest free. Surface sinks and mop sinks have to be provided for wastewater for cleaning. Discussion was on how existing buildings cannot be forced to installed mop sinks unless construction, upgrades or change of ownership is occurring. These establishments could apply for a waiver.

The new code has more emphasis on illness policy since sick food workers account for more than 50% of outbreaks. Some requirements restrict sick food workers and exclude sick workers (i.e., anyone with norovirus cannot work). This is a reportable disease where the Health Department has to be notified. This also applies to E.coli, salmonella,

Hepatitis A. Grocery stores and restaurants have to have written procedures for cleaning-up bodily fluids such as diarrhea and vomit. Spill kits can be used.

Features to be provided on the inspection form include indication that an item was in compliance throughout the visit, out of compliance at any time during the visit, non-applicable or not observed. This could include one or all employees not hand washing correctly. The form will include the food code reference and risk designation so inspector and food establishment will have a better understanding of any risk found.

Training is occurring now for health department regulators in the 13 cities and towns on the North Shore. The objective is to train one or more health department staff from every town by June 2016. Eight trainings will occur for food establishments. A two-hour webinar will be available for food establishments and health departments. Rice has a document containing all of the food code changes that can be provided to food establishments. Discussion was on how there are 13 towns that got together to adopt the code and this does not yet include Wenham. It was noted that the serve safe certification is based on the FDA 2013 Food Code.

Lindle Willnow moved to adopt the FDA 2013 Food Code. Susan Wilfahrt seconded the motion. VOTE: Unanimous. Willnow amended the motion to have the food code adoption effective by September 2016. Wilfahrt seconded the motion. VOTE: Unanimous.

Bobby Cody (Health Inspector) – Policies for Food Establishment Inspections & Fees

Discussion was on majority of food establishments in Town that are in compliance or readily correct any violations. There is a small group of food establishments where there have been compliance issues. Discussion addressed if a fine should be implemented if after two annual inspections occur and violations remain. This would be for a second and third re-inspection, etc.

A letter could accompany the food establishment permit mailing from the Health Department describing \$50 fee that would occur for more than one food re-inspection violation when a deadline is provided until compliance is achieved. Also noted was that restaurants should have pest control done once a month (i.e., cockroaches). Discussion addressed implementation of re-inspection fees under #4 in proposed re-inspection of fees document. The Board reviewed the introductory language that will be written in a formal policy. The Board was in favor of the probation and quarterly routine inspections language and noted how it should comply with FDA 2013 Food Code. Also, when there are violations and probation there could be as many as four inspections per

year. Additional inspections are likely to not cost the Health Department more money but if fees are charged then revenue would go to the general fund. Also discussed was if Meals Tax revenue could be applied to the cost of additional food inspections, if necessary.

Discussion addressed how the Health Department could publicize the proposed policies for food establishment inspections and fees. This could be done via a letter to the food establishments notifying them about a future Board discussion on the policies.

Christine Lee (Public Health Nurse) – TB Regulations Update

Discussion was about how the HWRSD has been doing a better job complying with the TB Regulations than Gordon Conwell Theological Seminary. Student must provide documentation in millimeters of positive TB status and chest x-ray within 14 days to register for classes. Discussion addressed how specifics should be added to the regulations to include written documentation in millimeters that should be provided for a positive test. TB patients must be provided education regarding importance of taking full course of TB medication to decrease the risk of creating Drug Resistant TB strains.

GCTS needs a part-time 20 hours weekly onsite nurse. Currently GCTS employs Daniel Neves, per diem nurse 20 hours yearly, to address the TB health issues on campus.

The Health Department is working with the North Shore Pulmonary Clinic in Salem with positive TB test result patients especially if these patients are required to have a follow-up appointment.

Discussion ensued about impact of the language barrier with some of these positive TB patients and lack of local physician knowledge about duration of when medicine should be taken (9 months) and risk of resulting drug resistant strains of TB if medicine is not taken properly.

Lee noted that she has been dealing with a suspect zika case. Also mentioned was that a Latent/non-contagious TB patient from GCTS has a child in the HWRSD. She recommended that a certain number of hours for a nurse at the GCTS campus should be written into the TB regulation. A solution could be for the secondary institutions to share medical services support. The public health nurse should not be parsing out the GCTS medical issues when this is the seminary's responsibility. Discussion addressed how Pingree School has a nurse, and that GCTS students should have access to adequate healthcare provided by the seminary (i.e., nurse). The Health Agent and Public Health Nurse will suggest changes to the regulations which will be reviewed by

the Board. Discussion was on state law associated with reporting of communicable diseases and how the GCTS has to comply.

Discussion – Mosquito Control Update

Discussion was on how different types of mosquito species are coming into the area relative to climate change but it is unlikely that there will be indigenous zika virus.

Discussion addressed how the DPW Director had said it was worth the \$40,000 plus for the Town to be a member of the Mosquito Control District since there is no extra bill for ditch clearing. Also, the Board of Health has the authority to regulate spraying for mosquitoes.

The best management practice plan was amended to say bacterial larvaciding products containing only bacillus thuringiensis israelensis and bacillus vericus, no methoprene will be used.

Discussion – Cruelty to Farm Animals – Public Health Initiative

Discussion ensued about how an email containing scientific data on the matter (i.e., cage free hens) will be forwarded to the Board of Health. The Board will review documentation and discuss at next month's meeting.

Discussion – Tobacco Sales Ban under 21 and Flavors

The Board discussed state initiative to ban tobacco sales for anyone under 21 years of age. This topic will be addressed by the Board next month at which time a hearing will be held on the matter. The Health Department will send letters to tobacco product retailers in Town notifying them of the upcoming hearing.

Discussion – Board of Health Member Vacancy

The Board will follow-up with possible candidates for the position. Susan Wilfahrt will be reappointed to the Board for a new term.

Review – Minutes dated April 27, 2016

Willnow moved to approve the April 27, 2016 Board minutes as amended. Wilfahrt seconded the motion. VOTE: Unanimous.

Meeting Adjourned:

Willnow moved at 9:32 p.m. to adjourn. Wilfahrt seconded motion. VOTE: Unanimous. The Board's next meeting will be on Wednesday, June 29 at the Senior Center. The Board also rescheduled its October meeting to November 2, 2016.

ATTEST:

cc: Selectmen, Planning Board, Town Clerk, Conservation