FDA Voluntary National Retail Food Regulatory Program Standards
Report for Lincoln Lancaster County Health Department
October 2014 - DRAFT

Standard 1 - Regulatory Foundation
Initial Assessment Compliance: 10/6/2003; Audit Verified: 8/30/2005;
Second Assessment Compliance: 6/13/2012; Audit Verified: 6/15/2012

LLCHD remains in compliance with this standard, meeting 10 of 11 risk factor regulations. The
FDA risk factor regulation that is not met in Nebraska is “no bare hand contact of ready to eat
foods.” Upon a third assessment due in 2017, without meeting 11 of 11 risk factors, LLCHD will
no longer meet Standard 1. When the FDA Food Code for no bare hand contact for ready to eat
foods is adopted by Lincoln or the State, establishments would still have the option to use bare
hand contact of ready to eat foods if they have a HACCP plan (Active Managerial Control Plan)
approved that identifies their policies that would protect the food from contamination during
preparation.

The latest Nebraska Food Code was effective March 12, 2012, and adopts the majority of the
FDA 2009 Food Code. The State delayed implementation of the violation terminology in the
2009 FDA Food Code until a digital inspection system was in place.

LLCHD is planning to make needed revision to our electronic inspection program or use the new
State electronic inspection program if/when it is available. This will allow us to implement the
NE Food Code as adopted in 2012.

Standard 2 - Trained Regulatory Staff

The training process for new staff, as outlined in Standard 2, was implemented in 2005. This
includes completing 25 joint visits observing and learning from the Food Team Training and
Standardizing Coordinator or other standardized team members, followed by 25 independent
inspections that the trainee conducts while being observed by the Standardized Team member.
Trainees work through the 36 required ORA-U training courses during this time. After trainees
conduct inspections for a minimum of six months, they are standardized by the Training and
Standardization Coordinator.

Staff have received and recorded training in accordance to Policy 222.05 - Food Safety Program
Staff Training. This policy identifies the training for field staff and establishes a record keeping
system for all training. The record system includes individual training records and an annual
review by the Food Program Training and Standardization Coordinator. Staff training in 2013/14
included the Nebraska Food Safety Task Force Conference, FDA Risk Based Inspection
Training, and the Nebraska Environmental Health Association’s Annual Conference. In
addition, LLCHD applied for and received an AFDO – FDA grant of $2,000 to cover expenses
for three staff to the FDA SW Regional Workshop/Seminar in Kansas City, MO September 24 –
26, 2014.
Standard 3 - Inspection Program Based on HACCP Principles
Second Assessment Compliance: 5/16/2014; Audit Verified: 6/17/2014

LLCHD meets Standard 3 based on LLCHD’s inspection report form, inspection policies, inspection intervals based on risk, food code variance requests policy, and HACCP plan review policy. Three policies were revised in the process to provide program documentation required by the Standard 3 self-evaluation. The second self-assessment of this Standard was completed in May 2014, and the verifying audit was completed by George Hanssen, REHS with the NE Department of Agriculture, in June 2014. LLCHD applied for and received a $2,000 AFDO/FDA grant to complete the Standard 3 second self-assessment and verifying audit.

LLCHD has been using a digital inspection reporting system, “InspecTab,” since Fall 2005. This system uses the risk factor form, provides additional information such as verifying food manager and food handler permit compliance has the ability to attach photos of violations, and maintains inspection data for reports. LLCHD inspection report data is sent electronically to the Nebraska Department of Agriculture.

LLCHD had planned to implement the new violation terminology of Priority, Priority Foundation, and Core designations replacing the terms of Critical and Non-critical. This has not been completed as the NDA postponed implementation while they created and implemented their digital inspection program. LLCHD will decide this year whether to use NDA’s system or update InspectTab.

Standard 4 - Uniform Inspection Program
Initial Assessment Compliance: 5/1/2013; Audit Verified: 6/20/2013

The Training and Standardization Coordinator standardizes each member of the Food Safety field staff on inspection procedures and interpretations in accordance with LLCHD policy and NDA contract. The Training and Standardization Coordinator is standardized by NDA. In the Fiscal Year 2014 two Environmental Health Specialists were Standardized.

Standard 5 – Foodborne Illness and Defense Preparedness and Response
Initial Assessment Compliance: 4/6/2010; Audit Verified: 8/26/2010

LLCHD continues to investigate all complaints and outbreaks associated with a foodborne illness. The FDA recommended Epidemiological (EPI) Team approach has been used by LLCHD since the early 1990s.

Accomplishing compliance with Standard 5 the Food Safety Program has improved our surveillance process to review records for possible trends in food or establishments relative to foodborne illness. Guidance was provided by the Council to Improve Foodborne Outbreak Response (CIFOR) Guidelines for Foodborne Disease Outbreak Response published in 2010.
Since February 2013, the lead EPI Environmental Health Specialist work was assigned to the Food Safety Consultant who has previous work experience in Epidemiology. This has proved to be a good fit for our program needs.

**Standard 6 Compliance and Enforcement**
Initial Assessment Compliance: Partial; Audit Verified: No

This standard requires policies for enforcement activities. Current LLCHD policies meet Standard 6 requirements. LLCHD has enough inspection history of using the risk factor inspection form to do the required verification to meet this standard. The Food Safety Program requires a “Plan of Action” form to be submitted by the establishment operator whenever a Notice of Violation or Food Enforcement Notice has been issued.

The goals for 2013-2014 are to revise the Food Enforcement Policy to incorporate a new Plan of Action form. In addition, LLCHD’s Food Safety Consultant will assist lower performing establishments receiving Food Enforcement Notices with implementing active managerial controls such as developing and implementing policies and procedures to prevent reoccurrence of risk factor violations. This consultation work is funded by a five year FDA grant awarded to LLCHD.

LLCHD is planning to apply for a $2,000 AFDO-FDA grant to complete the self-assessment and audit of this Standard by June 2015.

**Standard 7 – Industry and Community Relations**
Initial Assessment Compliance: 8/19/2002; Audit Verified: 7/30/2004
Second Assessment Compliance: 5/30/2012; Audit Verified: 5/31/2012

LLCHD continues to exceed requirements for Standard 7. Compliance includes having a Board of Health, a Board of Health appointed Food Advisory Committee, ongoing consumer education projects with the Lancaster County Extension, Food Manager and Food Handler Permit requirements, Food Protection Manager renewal classes, quarterly Food Talk newsletters to food managers, Food Manager Memos providing important local information, a Board of Health annual award for “Excellence in Food Sanitation,” and an LLCHD Food Safety Program website.

The Food Advisory Committee provides input and guidance on Food Safety Program policies, the NDA Evaluation Reports, and the Annual Standards Report.

A major project this past year was implementing upgrades to the on-line food handler training program to add an improved food handler testing process. Approximately 80% of food handlers choose to get their permits online. The online course is a more convenient option to obtain a food handler permit.

Each year there are six Food Protection Manager Permit Renewal Classes presented by the Food Handler Education Coordinator, Dr. Phil Rooney. These classes are very well received by food protection managers as a review of important food safety issues and updates. Food handler
classes continue to be offered with one Prep/Cook class each week, a monthly Serve/Clean class, a monthly Restricted Shift Manager class, and a monthly Spanish Prep/Cook class.

The LLCHD Food Safety Program web page was updated to provide the public with food establishment inspection report information and meet demands for the public information requests. The design of the website was reviewed by the Food Advisory Committee. Each open establishment is statistically rated as above average (top 16%), average (Middle 68%) and below average (bottom 16%) for the most recent inspection and all inspections completed in the past 3 years. Averages are calculated based on FDA establishment categories (i.e. fast food, full service, large retail store, small retail store, bar, school, etc.). Specific violations and enforcement notice details are provided.

The goal for 2014-2015 is to restructure LLCHD’s Food Safety Program Website to reflect the new City format.

**Standard 8 – Program Support and Resources**  
*Initial Assessment Compliance: Partial; Audit Verified: No*

FDA Standard 8 recommends that each full time equivalent have a workload of “280 to 320” inspections per year. The term “inspection” includes routine inspections, re-inspections, complaint investigations, compliance follow up inspections, risk assessment reviews, process reviews, and other direct establishment contact time such as on-site training. The estimated workload for LLCHD’s food inspectors per full time equivalent is approximately 475 inspections per year. There has been significant growth in food establishments throughout our community and especially in the newly developed West Haymarket area which includes Lincoln’s new Pinnacle Bank Arena. There are currently 1374 food establishments in Lancaster County.

Annual permit fee adjustments are made near the start of the City’s Fiscal Year. A Food Establishment Permit renewal fee was increased approximately 3% this year. The establishment fees and food handler/manager fees collected fund approximately 80% of the total direct Food Safety Program costs.

All food establishment and food handler and manager permit information is maintained in digital files. Since January 2013, LLCHD has used a new data system, Accela Automation. Inspection report information is downloaded from InspecTab, and additional information is scanned into the file, eliminating paper files. This digital system includes the creation of documents such as applications, form letters, and reports. The efficiency and accuracy of the food permit records, as well as the ability to generate reports from file data, has made a significant improvement to the program.

In 2012, LLCHD received a five-year grant for $70,000 each year to establish a food safety consultant (0.75 FTE) to assist the poorest performing food establishments to improve their active managerial control resulting in improved food code compliance and increased food safety.
Standard 9 - Program Assessment

The baseline inspection survey was completed in June 2003. This survey report was used to determine areas of greatest non-compliance so that education and consultative work could focus in these areas. To complete a survey using our electronic inspection data, we have modified the establishment information in our files to match the FDA categories required for the survey. LLCHD will create a report(s) to query for the inspection information needed for this survey report. The survey findings will be used to evaluate improvements in food safety compliance by the regulated industry and identify areas for future improvements.

In October 2013 the NDA Evaluation and Standardizing Officers completed 50 evaluation inspections in Lincoln. As part of the evaluation requirements, LLCHD completed a questionnaire providing information about our program and how it functions. In April 2014, LLCHD received the evaluation report on the Food Safety Program. LLCHD has analyzed this report and created a Plan of Action to address areas of improvement.

Summary
LLCHD signed up for the FDA Standards in August 2001. In August 2002, Standard 7 was the only standard LLCHD met. LLCHD now meets Standards 1, 2, 3, 4, 5, 7, and 9. FDA and the Conference for Food Protection continue to support the Program Standards. LLCHD Board of Health has indicated their goal is for the Food Safety Program to meet all nine Program Standards. LLCHD continues to work on improvements within every Standard. A goal for 2015 will be to complete the initial self assessment and audit for Standard 6 and to complete the second assessment survey and audit for Standard 9. The Standards provide direction and goals for the Food Safety Program that enhanced our vision for safe food in Lincoln and Lancaster County, Nebraska.