POLICY NUMBER: 222.32
DIVISION: Environmental Public Health
POLICY TITLE: Food Complaint Investigations
AGENCY (ies): Lincoln-Lancaster County Health Department
AUTHORITY: Board of Health
DRAFTED: 12-05-94
APPROVED: 12-13-94
REVISED: ~~09-22-09~~12-18-15
APPROVED: ~~10-13-09~~

POLICY STATEMENT:

All complaints received on food establishments shall be investigated in a timely manner.

PROCEDURE:

I. All complaints received will be initialized into the digital records management system by the person taking the complaint information. This can be either the office assistant, Environmental Health Specialist (EHS), or a supervisor. The complaint information will automatically be e-mailed to the assigned EHS who inspects that food establishment. The complaint shall be related to the establishment's digital permit file.

II. The EHS will investigate the complaint in a timely manner. When an on-site investigation is not warranted, complaints may be handled by a phone call to the establishment food manager, person in charge, or owner.

A. Reports of possible foodborne illness will be considered priority and investigated according to Policy 222.39 - Foodborne Illness Complaint Investigation Policy.

B. Complaints about "~~critical~~ priority items," as identified by the Nebraska Food Code will be investigated within one working day~~s~~.

C. Complaints on "~~non-critical~~ priority foundation and/or core items" and food handler /food manager violations will be investigated within 5 working days. These complaints may be held to investigate during a regular inspection, as long as the inspection is done within 30 days of receiving the complaint.

III. Findings of the complaint investigation shall be documented.

A. All complaint information and findings shall be entered into the complaint case file by selecting the "~~inspections~~food complaint info" ~~button~~ tab located in the ~~complaint~~ toolbar. The EHS shall indicate whether a violation was found or not. After all the complaint documentation is entered, the complaint can be closed. ~~and related to the establishment's digital file.~~

B. When an InspecTab inspection report is left with the person in charge, the report shall also be filed into the establishment's digital file.

C. When an Environmental Public Health Inspection Report "short form" is completed, all information pertaining to the complainant and action recommended or taken by the owner/manager to resolve the complaint shall be documented. If a paper short form is completed, ~~The~~ the yellow copy will be left with the establishment and the original is to be returned to the office to be scanned into the establishment's digital file.

D. When it is apparent during the investigation that there are numerous food code violations to be addressed, a complete inspection will be made per Policy 222.30 - Routine Food Establishment Inspections. The purpose for the inspection report will be marked as a "complaint" investigation.

E. Enforcement action will be taken per Policy 222.31 - Food Establishment Enforcement.

F. Complaints handled by phone shall be documented in the "Comments" of the complaint file identifying the Person in Charge talked to and a summary of the discussion.

IV Reports of food tampering or alleged intentional contamination are a criminal act and are reported to and investigated by the Lincoln Police Department.

A. When a call of suspected intentional contamination is received, caller contact information is recorded and a complaint is initialized. The caller shall be kept on the line and transferred to the Lincoln Police Department's non-emergency number at 402-441-6000. LLCHD staff shall stay on the line until a successful call transfer is verified.

B. LLCHD shall assist any law enforcement agency with investigations as requested.

V. If LLCHD receives a complaint that involves a product that originated outside the agency's jurisdiction or has been shipped interstate, the Nebraska Department of Agriculture shall be contacted for further product traceback procedures.

VI. The Food Safety Program Supervisor will randomly review complaint records per Policy 222.01- Food Safety Program Quality Improvement and Standardization. Open complaints will be reviewed at the monthly Food Team meeting.