



OHIO DEPARTMENT OF HEALTH

246 North High Street
Columbus, Ohio 43215

614/466-3543
www.odh.ohio.gov

John R. Kasich/Governor

Richard Hodges/Director of Health

June 2, 2015

Tom O'Leary, President Board of Health
Galion City Health Department
113 Harding Way East
Galion, Ohio 44833

Dear Mr. O'Leary:

The Ohio Department of Health conducted a survey of your Food Service Operation program in May 2015. The purpose of the survey is to determine whether Galion City Health Department is carrying out the mandated program requirements as set forth in the Ohio Revised and Administrative Codes. Karim Baroudi, RS, of our staff conducted the on-site survey, and the Ohio Department of Health Food Safety Program staff reviewed the survey findings and compiled the attached report per our established survey methodology.

The enclosed survey report contains the reviewing sanitarian's findings, recommendations, and conclusions. Based upon this report and further review by the Bureau of Environmental Health and Radiation Protection, we find that the Food Service Operation program is meeting the minimum acceptable standards as specified by the survey methodology. Therefore the Galion City Health Department is hereby approved as the licensor for the district it serves. However, your department is still required to submit an action plan no later than 45 days after receipt of this survey report for all items marked as needing action plans. Please send your written action plans to Gary Bloch, RS, Bureau of Environmental Health and Radiation Protection, Food Safety Program, at the letterhead address. Your action plan will be made part of the survey file.

We wish to thank you and your staff for your time and effort in helping us complete the survey. If you have any questions regarding the survey report, please feel free to contact Jamie Higley, RS, Administrator Food Safety Program, Bureau of Environmental Health and Radiation Protection at (614) 466- 1390.

Sincerely,

W. Gene Phillips, RS, Chief
Bureau of Environmental Health and Radiation Protection

WGP/gb

Enclosures

cc Patricia Factor, BS, MCHES, CHEP, Health Commissioner
Terri Gerhardt, Assistant Chief, Division of Food Safety, Ohio Dept. of Agriculture
File

Status of Compliance

COST ANALYSIS

Item No.	Provision	Meets	Needs Improvement	Comment	Action Plan?
1	Meets the requirements of 3717.07 and 3717.071 of the Revised Code.	✓		<p>Gallion City Health Department (GCHD) used prescribed forms for their Cost Analysis. Anticipated Cost studies and Fee schedules were included for this year under review.</p> <p>Method 2 was used to determine cost of administering the food safety program.</p> <p>The Ohio Department of Health (ODH) received the current WCCHD Cost Analysis with a postmark date of December 19, 2014.</p> <p>The 30% cap on support costs was not exceeded. The average of 9 sanitarian hours per risk-classified operation was not exceeded.</p>	NO

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FEE SETTING					
2	<p>Licensing fees do not exceed the maximum calculated fee. Licensing categories are as required by rule. Any fees that have been disapproved are not being charged. [ORC 3717.25 (A), 3717.45 (A); OAC 901:3-4-03, 3701-21-02.1; OAC 901:3-4-04, 3701-21-02.2]</p> <p>For Vending FSO: the fee may not be increased by a percentage of increase over the previous year's fee that exceeds the percentage of increase in the consumer price index for the immediately preceding calendar year. [ORC 3717.07]</p>	✓		<p>All 2015 fees charged by GCHD were approved, and licensing categories used are provided for in the rules.</p> <p>Fees charged to Food service Operations in 2013, 2014, and 2015 were all at or below fees allowed per cost studies done for the respective years.</p> <p>Vending fees increase did not exceed CPI.</p>	NO
3	<p>20-day notice of hearing was mailed to affected entities. Notice contained the place, date, time, and amount of proposed fees. Public hearing was held for established fees. [ORC 3717.25 (A), 3717.45 (A)]</p>	✓		<p>A "Notice of Public Hearing" was mailed, more than 20 days prior, to all affected Food Services in GCHD's jurisdiction. Letters to licensee sent out on 10/18/2014 for an 11/9/14 hearing date. 2015 Fees were adopted by the Board of Health on 1/20/2015 (Resolution 2015-134). The new fee schedule went into effect on February 1st, 2015.</p> <p>Notices for the 2012, 2013 and 2014 fee setting satisfied all elements provided for in ORC 3717.45(A).</p>	NO

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LICENSING

4	<p>Use of application form prescribed/approved by Director of Agriculture/Health [OAC 901:3-4-02, 3701-21-02]</p> <p>License is not issued until a complete application is submitted. [ORC 3717.43 (B), 3717.43 (B)]</p>	✓		<p>Form HEA 5319 approved with a revision date of 8/09 or later used to satisfy provisions in OAC 3701-21-02</p> <p><u>All</u> of 2014 Certified Applications on file were complete with signatures.</p>	NO
5	Licenses not renewed prior to February 1 [ORC 3717.23 (D), 3717.43 (D)]	✓		Licenses were not renewed prior to February 1 st .	NO
6	The license holder has been charged the correct penalty fee for late application. [ORC 3717.23 (D), 3717.43 (D); OAC 901:3-4-02 (D), 3701-21-02 (E)]	✓		a 25% of local fee was adequately charged for all applications postmarked after March 1 st .	NO
7	<p>Temporary Licenses -- No more than 10 licenses issued per person; not issued for more than 5 consecutive days unless in accordance with law [ORC 3717.23 (E), 3717.43 (E)].</p> <p>Temporary licenses are not renewed. [ORC 3717.23 (D), 3717.43 (D)]</p> <p>Temporary licenses may not be transferred. [ORC 3717.26 (B), 3717.46 (B)]</p>	✓		<p>In the Food Service Operations' sample pooled for this survey, No Temporary Food Service licenses were issued for more than 5 consecutive days.</p> <p>GCHD Issues no more than 10 Temporary Licenses per person, per licensing period.</p> <p>Temporary licenses are NOT renewed or transferred.</p>	NO

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8	<p>Limitations placed on licenses in accordance with law [ORC 3717.23 (F), 3717.43 (F); OAC 3717-1-09 (C) and (D)].</p> <p>Mobile licenses have layout, equipment, and items to be sold on the back of license. [ORC 3717.23 (B), 3717.43 (B)]</p>	✓		<p>Formal limitations were placed upon Food Service Operations as needed.</p> <p>Mobile Food Service licenses reviewed as part of this survey have layout, equipment, and menu on the back of the license.</p>	NO
9	<p>Determination of "Primary Business" made according to code [ORC 3717.24 (B), 3717.44 (B); OAC 3717-1-02]</p>	✓		<p>All Food Service Operations, pooled for the survey were properly evaluated as to their primary business, prior to and during licensure.</p>	NO
10	<p>Fees used only for administration and enforcement of RFEs/FSOs. [ORC 3717.25 (A), 3717.45 (A); OAC 901:3-4-02 (D), 3701-21-02 (E)]</p>	✓		<p>Fees charged are used only for administration and enforcement of the food safety program. Per line item budget adopted.</p>	NO
11	<p>Licensors charge no additional fees to RFEs/FSOs except for: facility review and equipment specifications; collection and bacteriological sampling; education courses [ORC 3717.25 (B), 3717.45 (B); OAC 901:3-4-02 (D)(3), 3701-21-02 (E)(3)]</p>	✓		<p>GCHD as a licensor does not charge any additional fees, except for facility plan review fees allowed in Chapters 3717.45(B) and 3701-21-02(E)(3) of ORC and OAC respectively, to Food Service Operations in their jurisdiction.</p>	NO

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12	<p>Licensors collect correct state amount and certify the amount to the Director of Agriculture / Health within the stated timeframe:</p> <p>January 1 – March 31 by May 15;</p> <p>April 1- June 30 by August 15;</p> <p>July 1 – September 30 by November 15;</p> <p>October 1 – December 31 by February 15.</p> <p>[ORC 3717.25 (C), 3717.45 (C); OAC 901:3-4-02 (E), 3701-21-02 (F)]</p>	✓		<p>In 2014, GCHD collected and certified the State amount to the Director of Health on a quarterly basis. All received in a timely manner.</p>	NO
13	<p>If licenses are transferred – conditions of transfers: sale/disposition of RFE/FSO or relocation of the RFE/FSO; determination that license holder is in compliance with ORC and OAC (by recent inspection). A license may be transferred only once within the licensing period and transferred with the license holder's permission. [ORC 3717.26, 3717.46]</p>	✓		<p>Transfer of an FSO license is permitted for sale/disposition or relocation of the business under same ownership, and after an inspection determining compliance.</p> <p>Plan review and approval is often required as a part of the FSO relocation.</p>	NO
14	<p>Facilities' risk levels are determined according to rule [OAC 901:3-4-05, 3701-21-02.3].</p>	✓		<p>The Risk levels of Food Service Operations examined as part of this survey were made in accordance with OAC 3701-21-02.3.</p> <p>Moreover, Risk levels are evaluated and re-adjusted on an ongoing basis and as a part of the compliance inspection.</p>	NO

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INSPECTIONS

15	Inspections conducted at the frequency required [ORC 3717.27 (A), 3717.47 (A); OAC 901:3-4-06, 3701-21-02.4].		✓	<p>Inspections examined from the sampled pool of Food Service Operations to satisfy the scope of this survey, were conducted at the frequency required by law.</p> <p>Inspections <u>must</u> be spread out throughout the licensing period, to ensure effective regulatory oversight and better protect the public's health.</p> <p>Galion Restaurants, Inc. received their first Standard inspection more than 30 days after the license has been issued.</p>	YES
16	Inspections conducted by an RS or RSIT [ORC 3717.27 (A), 3717.47 (A)]	✓		Inspections were conducted and signed by a Registered Sanitarian. Board of Sanitarian Registration cards/website was verified as part of this survey.	NO
17	Inspections recorded on the proper form [ORC 3717.27 (A), 3717.47 (A)]	✓		Inspections were electronically recorded on prescribed forms HEA 5302 and 5350 updated through HealthSpace®, and approved by <i>The Ohio Department of Health</i> .	NO

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18	Sanitarian's ability to apply the food safety code [ORC 3717.11 (A)]	✓		Based on review of the inspection reports Sanitarians demonstrated the ability to apply the food safety code in a proper and consistent manner. Follow up inspections are conducted frequently and as needed. Critical violations were documented, prioritized, and highlighted.	NO

PROCEDURE / METHOD

19	Procedure regarding complaints of RFEs/FSOs, Include (a) complaint form (b) time frame for investigation based on risk to the public's health (c) criteria for declining to investigate [OAC 901:3-4-09 (A), 3701-21-02.5 (A)]	✓		Written "Complaint Investigation" procedures are on file with forms documenting time frames and other pertinent information needed to conduct an effective investigation and deal with imminent threats to the health of the public. Policies for declining to investigate are in place, mirroring criteria set forth by the Ohio Administrative Code 3701-21-02.5(A).	NO
20	Results of complaint investigations are properly documented on a standard state inspection form. The complaint form, laboratory results, and inspection form are filed in the facility's file. [OAC 901:3-4-09 (B), 3701-21-02.5 (B) and (C)]	✓		Findings and actions resulting from a complaint investigation are properly documented on a Standard Inspection Form and filed in the facility's file.	NO

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FACILITY LAYOUT & EQUIPMENT APPROVAL

21	Requires level one certification for new RFEs/FSOs. [OAC 901:3-4-16 (C), 3701-21-25 (I)]	✓		GCHD requires, and document in the facility file, Level One Certification for Operator/Person In Charge of <u>new</u> and <u>recalcitrant</u> Food Service Operations licensed.	NO
22	Required submitted materials [OAC 3717-1-09] acted upon within 30 days of receipt [OAC 901:3-4-07, 3701-21-03].	✓		GCHD Facility Reviewer stamps plans when they are submitted. GCHD acted upon submitted materials within 30 days of receipt. Examined plan review correspondence, revealed usually a week or two review timeframe before a written "conditional approval" is issued.	NO
23	Requires appropriate materials submission [OAC 3717-1-09 (A)].	✓		Three (3) sets of plans, detailing new and remodeled food service facilities' layout, were reviewed as part of the survey. All materials required for submission were collected by the "Facility Reviewer" and accordingly decisions were made in conformance with OAC 3717-1-09.	NO
24	Food equipment approvals made in conformance with rules [OAC 3717-1-09 (B)].	✓		Food equipment spec sheets and other pertinent information from approved testing agencies were used to approve such equipment in compliance with the code.	NO

Item No.	Provision	Meets	Needs Improvement	Comment	Action Plan?
25	Temporary facility layout and equipment specifications reviewed [OAC 3717-1-09 (E)].	✓		Temporary facilities reviewed as part of this survey had all information (printed on back of license) and specifications required by OAC 3717-1-09(E).	NO

ENFORCEMENT

26	Procedure followed for nonemergency enforcement (including proper designation of persons to act on behalf of the board of health for certain allowed actions) [ORC 3717.29, 3717.49].	✓		The Gallon City Board of Health, in its meeting of May 14th, 2015, adopted a resolution (2015-136) authorizing the Health Commissioner and his/her designee to pursue Non-emergency enforcement actions against a Food Service Operation in accordance with ORC 3717.49.	NO
27	Procedure followed for "clear and present danger"/ "immediate danger to the public health" enforcement (Including proper designation by the board of health for the health commissioner to act in their behalf). [ORC 3717.29, 3717.49]	✓		The Gallon City Board of Health, in its meeting of May 14th, 2015, designated the Health Commissioner (resolution 2015-135), to act on their behalf, when suspending a Food Service Operation license for an "Immediate danger to Public Health" .	NO
28	Prosecutor, at request of board of health, commences in common pleas court an action requesting relief regarding the act of noncompliance [ORC 3717.31 (C), 3717.50 (C)].	✓		For the timeframe examined by this survey GCHD did not send any case regarding a Food Service Operation to criminal Prosecution. City Law Director's office work closely with environmental health staff to ensure compliance.	NO

Item No.	Provision	Meets	Needs Improvement	Comment	Action Plan?
29	Fines collected are deposited in appropriate fund for administering and enforcement of law and rules [ORC 3717.31 (D), 3717.50 (D)].	✓		In the past three years, GCHD did not request for any fines to be collected as a result of enforcement action.	NO
30	If the health commissioner or other staff person "embargoes" foods in RFEs/FSOs, have they been properly authorized by the board of health to do so? [OAC 901:3-4-15, 3701-21-27]. If the health commissioner or other staff person "tags articles" in RFEs have they been properly authorized by the board of health to do so? [OAC 901:3-4-12]	✓		The Galion City Board of Health, in its regular meeting of May 14 th , 2015, authorized the Health Commissioner and Environmental Health staff to take action under OAC section 3701-21-27 to Embargo adulterated or unsafe food items in a Food Service Operation. (resolution 2015-137)	NO
31	Does the board of health administer/enforce the food safety code [ORC 3717.11 (A)]	✓		The Galion City Board of Health appears to be satisfactorily administering and enforcing the Food Safety Code.	NO
Other					
32	The health district has materials available for the surveyor at the time of the survey (Appendix 1, Health Department Information).	✓		GCHD's Environmental staff and Administrative staff were cooperative in providing the necessary information and documentation to successfully conduct this survey.	NO

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33	Does the health district evaluate its food program sanitarian(s)?	✓		<p>Ms. Stephanie Zmuda, R.S., Environmental Health Director, will conduct yearly evaluation of her inspectional staff and accordingly demand remediation for deficiencies. Food Safety Sanitarians' Training and evaluation standards/protocol are being updated as part of an ongoing improvement effort in preparation for accreditation through the Public Health Accreditation Board.</p> <p>Currently, evaluation of the EH Director is done through the execution of a Memorandum of Understanding (MOU) with Shelby City to provide such feedback. Health commissioner is considering becoming an RS for future evaluations and continuing improvement projects.</p>	NO

Performance Standards

Item No.	Standard	Status
34	The health district trains and encourages computer skills and the use of technology by its staff.	Sanitarians have access to desktop/laptop computers, email capabilities, and World Wide Web links to look up food safety information and training. Galion City Health Department (GCHD) has a website with links to the Ohio Department of Health and federal food safety websites.
35	Information (Letters of Opinion, Fact Sheets, Newsletters, Recalls, etc.) from the Departments of Agriculture and Health are disseminated in a timely manner to the food inspection staff.	All food safety information and recalls, communicated by the state health department is forwarded to food safety staff in a timely manner via email and scheduled meetings.
36	The health district takes advantage of food training offered by the Departments of Agriculture and Health.	GCHD mandates that staff participates in state sponsored meetings and trainings to advance the practice of public health in Ohio.
37	The health district offers training opportunities to the regulated industry.	GCHD Does not offers Food Safety Training and Certification, at this time. Information for online Training & Certification is made available to food service operators.
38	The health district routinely provides the public with food safety information.	Food safety information is provided to the public through printed media and other public outreach related events. Letters or Newsletters are sent out periodically informing stakeholders from the public and regulated industry on current food safety topics and local concerns. Existing social media platforms should be used, by environmental division, as an economical and effective way to disseminate information to the public.
39	Staff is trained and knowledgeable about the procedures to investigate and report possible foodborne illnesses.	Nursing staff, epidemiologist, and environmental staff train and work together on foodborne illness investigations.
40	An emergency plan to deal with natural disasters, bioterrorism and other emergencies that involve food safety has been developed and staff has been trained regarding it.	Galion City and Crawford County have devised an emergency plan to deal with disasters and other emergencies that involve food safety. Environmental staff input is always sought at multi-agencies' emergency training.
41	Staff uses Risk Control Plans, or similar means to help attain compliance.	To attain compliance, GCHD relies on training opportunities for license holders, risk-based inspections/follow-ups, and enforcement action taken by the board of Health. GCHD devised a "Risk Control" approach to both protect the public and help recalcitrant Food Service Operators get into compliance.

Survey of
conducted by
conducted on

Gallion City Health District (1702)
Karim Baroudi, RS
May 13th thru 15, 2015

FACILITY LAYOUT & EQUIPMENT APPROVAL

OPERATION	DATE RECEIVED	FLOOR PLAN	EQUIPMENT MAKES AND MODEL NUMBERS	LIGHTING	PLUMBING	MENU	SURFACE FINISHES	30 DAY NOTIFICATION	PRELICENSING INSPECTION	CERTIFIC/ INSPECT
Gallion Restaurants, Inc.	08/23/12	Architectural to scale	Spec Sheets on file	✓	✓	✓	✓	9/10/2012	12/18/12	1/21/13
Millie's Whistle Stop Cafe	5/21/14	Hand drawn to scale	Spec Sheets on file	✓	✓	✓	✓	6/11/14	7/14/15	8/11/15
Club 922	7/23/14	Computer drafted to scale	Spec Sheets on file	✓	✓	✓	✓	7/24/14	10/9/14	Pending Facility n operati

Sanitarian: A**Health Dept: Galion City Health District****Facilities Used for Evaluation**

Name	Address
DK's Drive Inn - STD	1201 Harding Way East , Galion OH
Mill Creek Nursing & Rehab Center - CCP	900 Wedgewood Circle, Galion, OH

Communication. (Interacts in a professional manner with persons-in-charge, managers, and food employees. Questions personnel when necessary during inspections. Explanations of public health principles and code requirements are clear and accurate).

Sanitarian interacted in a professional manner with management, Person-in-charge, food employees, and made appropriate introductions.

Sanitarian generally provided clear and accurate explanations of the *Ohio Uniform Food Safety Code*.

Sanitarian should try to ask more open-ended questions and learn about processes that could not be observed at inspection. (avoid leading questions)

Equipment. (Proper inspection equipment is available and properly used.)

- ☒ forms
- ☒ codes
- ☒ hair restraint
- ☒ alcohol swabs
- ☒ thermocouple or thermistor temperature measuring devise
- ☒ Maximum registering thermometer or 160°F temperature-sensitive tape.
- ☒ Chlorine sanitizer test kit
- ☒ QUAT sanitizer test kit
- ☐ Iodine sanitizer test kit (use not required during survey)
- ☒ flashlight
- ☒ light meter

Code Knowledge. (Exhibits a good understanding of the Ohio Uniform Food Safety Code, its requirements, and application. Inspection focuses on those items that are most likely to result in a food hazard.)

Sanitarian demonstrated a good understanding of the public health concepts at the core of the *Ohio Uniform Food Safety Code*.

During inspection, sanitarian identified critical violations and prioritized corrective actions with the Person In Charge to prevent foodborne illness.

Information about Employee Health was discussed with the Person In Charge to determine compliance with OAC 3717-1-02.1.

Information about major Food Allergens was discussed with the Person In Charge as noted in OAC 3717-1-02.4(B)(9).

Demonstration of Good Inspection Practices. (Demonstrates through personal practice: proper hair control, handwashing, sanitizing of probe thermometer, etc.)

Sanitarian demonstrated good inspection practices by thoroughly washing her hands, avoiding cross-contamination, and making sure that her thermometer is sanitized.

Sanitarian did a great job demonstrating and verifying, with kitchen staff, proper thermometer calibration and temperature taking techniques.

Inspection. (Conducts temperature checks appropriately. Have a good knowledge of food equipment and its use. Inspection report is satisfactorily written, legible, complete, and signed.)

Sanitarian conducted a methodical review of the food service operation, checked and recorded temperatures at all stages of TCS food handling (cooking, holding, cooling and reheating).

Reports were typed to describe the observed violation, stated the code requirements, and its corrective actions. The public health reasons for those requirements were always provided and explained.

Sanitarian paid special attention to the sanitary condition of equipment, and made sure that physical facility is maintained in good repair.

Sanitarian dedicated enough time to review menu items, even on a routine inspection, and noted any changes in processes that might affect safe food handling.