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SAFETY FIRST

Build a Better Health-Inspector Relationship

BY AMANDA M. WESTBROOKS

For food retailers, the health inspector's semiannual visits were once a mere annoyance. But new rules under the Food Safety Modernization Act shift regulators' food-safety focus from reactive to proactive, creating the need for a more transparent and collaborative relationship between inspector and operator.

Inspections have also shifted from observation- to risk-based assessments, determining how a food retailer is achieving "active managerial control," in the U.S. Food and Drug Administration's (FDA) terms, over foodborne-illness risk factors. Instead of checking a kitchen's corners for dirt, inspectors now are examining a retailer's specific protocols or procedures.

What's more, the rapid growth in c-stores and other foodservice outlets is outpacing the budgets and manpower of regulatory agencies. As a result, regulators' belts are tightening and their visits are



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becoming less frequent—potentially as few as two annually per site.

These changes put significant responsibility on c-store operators to be the expert of their equipment, food-safety processes and supply chain, protecting both public health and their brand's reputation.

With this new regulatory environment in mind, we asked food-safety specialists how they recommend preparing for, and interacting with, inspectors. What follows are five tips for a productive and beneficial relationship.

1. Do your homework. Review your past inspections and make sure you have corrected any past mistakes. Also, see if the inspector has a pattern of checking for specific types of infractions. "If they specialize in pest control, they might be more focused there than other inspectors," says Tom Ford, vice president of food safety for Ecolab, St. Paul, Minn. He also recommends familiarizing yourself with inspection forms and how they apply to your establishment.

2. Build rapport with inspectors. Local or state inspectors may visit for a routine inspection or to follow up on a food recall or illness for another organization such as the FDA. They may also have received a guest complaint.

"It's OK to ask: 'Is this a routine visit? Or are you here for a specific reason?'" Ford says. "You need to know as soon as they start. It should be nonconfrontational and set the tone." He recommends treating the visit as an opportunity to learn from the inspector's expertise. Avoid being defensive.

"No matter what the answer is, their goal is protect the public health," he says. "Their job is to do the inspection, and your job is to have an open, honest and forthright discussion with them. Most inspectors have a teacher and trainer mentality, and like being treated like a consultant."

3. Know your rights. Understand the health codes related to what the inspector is asking: Are they off-target or are they making some incorrect assumptions based on what they are seeing (or not seeing)? Remember that you are the expert of your operation.

"It's OK to say, 'Ask me some questions about what you're seeing, and let me explain why we do it this way.' This might be a way you're educating them, and it's a two-way

street," says Ford. "Ask about what new rules are coming in. They like that interaction."

He suggests that if you need to make a correction, do it immediately with the inspector. This will give them confidence that you share their goal of protecting the public health. "They would rather walk away knowing the process was improved and there's a longstanding change in place," Ford says.

4. Communicate, collaborate and educate. "The Food Safety Modernization Act has really put things in place," says Jay Ellingson, senior director of food regulations and science operations for Kwik Trip Inc., La Crosse, Wis. "To build trust and transparency, communication between the private and public sectors has to change over the next three, five, 10 years. It has to become more of a collaboration-cooperation-education relationship. They can learn from us, and we can learn from them—to better understand risk-based inspections and how they manage protection of public health."

Kwik Trip is unique because it is fully vertically integrated. Eighty percent of the food products it sells are manufactured in its La Crosse commissary. "We don't have to worry about risk as much from third-party suppliers because we control the products and risk in the production areas," Ellingson says.

Kwik Trip is proactive in its relationship with health departments. When adding new products or equipment to its more than 500 stores in Minnesota, Wisconsin and Iowa, it reaches out to the state inspectors. "The state can disseminate the information the fastest, then they communicate it out to the county and regional boards within our business area," he says. "This way, everybody is

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on the same page proactively before we roll out, so there are no surprises."

The company also holds an annual food-safety event at its headquarters, and it invites vendors and retail colleagues, as well as state, county and federal agencies, to talk about food safety, supply-chain management and risk management.

"Ultimately it's for the protection of public health, as well as protection of the brands that are out there," says Ellingson.

5. Get involved with regulatory agencies. Wisconsin is consolidating food-safety and public health efforts into one entity under the Department of Agriculture, Trade and Consumer Protection. "We have a seat at that table along with the grocers association, the restaurant association, tavern league association and the like," says Ellingson. "By having that seat at the table, all the different foodservice, grocery-store-like businesses can have their say as the state is changing language of rules and statutes."

"It's so important for the industry—especially with the c-store sector growing so fast," he continues. "If you communicate within and outside your company with your vendors, private and public, it will create trust and transparency. Everybody has their own knowledge of how to manage risks and do risk-based assessments. But if they don't talk to each other, nothing gets implemented, and you're walking down the road of your food-supply chain blindly."

There's a lot to feel frustrated about when dealing with regulatory organizations, but a bit of empathy may help when meeting with inspectors.

Tara Paster, president and founder of Paster Training Inc., and Melissa Vaccaro, vice president of consulting, who has more than 24 years of experience as a regulator with the Pennsylvania State Department of Agriculture, shared insights from the other side of the aisle.

1. State and federal codes and training differ. "At this time, there is no national training program for health inspectors," Paster says. Regulators recognize the issue and are working toward standardization, and the FDA holds training so inspectors can assess risks the same way, she says. But lack of money, time and resources have regulators

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struggling to reach the FDA's standards.

"Even if they want to become FDA-standardized, the state may not necessarily have the same codes as what's in the FDA Food Code, and those codes often differ from state to state," Vaccaro says.

2. Time and staff are tight. "I have seen situations where you might have one inspector assigned to 1,000 facilities," Vaccaro says. "That's a lot of facilities to cover within the course of a year, including reinspections."

While inspectors are meant to help educate the industry and act as consultants as needed, many jurisdictions simply don't have the time and resources. "It's up to the industry to take the initiative and be responsible for the business," Paster says.

3. C-stores are changing their business model. With more c-stores expanding their food offerings, inspectors need to adjust from facility to facility. Is it a c-store or a restaurant? Does it have a limited or an expanded menu?

"They have to sit back and sort it out by looking at a menu review and observing how different areas are managed," Paster says. "A very small area doing almost the same amount of work as a restaurant creates a lot of confusion that takes time to sort out."

"There's nothing wrong with a facility operator educating an inspector," she continues. "It happens all the time."

4. Equipment has evolved. Some states, such as Maryland, require any upgrades to a facility or equipment be brought to the regulator's attention in advance. Others don't. "Food equipment available to c-stores has changed drastically over the past 10 years, and especially recent years," Vaccaro says. "Just look at soda machines."

"[The inspector's] job is going to be to ask enough questions of the operator to assess whether food safety is in control or not. So the operator needs to know their equipment."

5. Relationships are key. The biggest change for the regulatory community has been the growing food-safety partnership with all branches of the foodservice industry, Paster and Vaccaro say. They encourage c-store retailers to know their regulators by name and have a voice when codes are being written.

Vaccaro points to Caroline Friel, senior

regulatory compliance specialist for Wawa Inc., Wawa, Pa. Her participation in the Central Atlantic States Association of Food and Drug Officials helped Vaccaro build a true relationship with her.

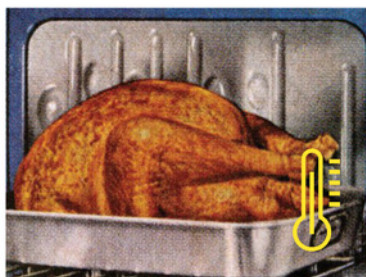
"I could call her and say, 'Hi Caroline, this is Melissa. I'm with the Pennsylvania

Department of Agriculture. I'm standing in this store and I have a question about some new equipment.'

"A connection made at these organizations makes it easier to take care of issues a lot quicker and with a lot less stress on both the facility and on the inspector."

7 Rules for Shrinking Your Risk

Kwik Trip's Jay Ellingson suggests foodservice employees follow these seven rules to help them eliminate more than 90% of food-safety risk at retail (assuming, of course, your food product line and supply-chain upstream are safe to begin with).



Follow cooking time and temperature guidelines.



Cook food thoroughly and adequately.



Wash hands appropriately when handling food.



Wear gloves appropriately when handling foodservice product.



Wear a hair restraint.



Wear a clean uniform and apron.



Do not go into work sick.