



**State Representative Brian D. Hill
H.B. 65 Sponsor Testimony
February 28th, 2017**

Chair Anielski, Vice Chair Hambley, Ranking Member Bishoff, and members of the House State and Local Government Committee, thank you for allowing me to provide sponsor testimony today on HB 65. This is a re-introduction of House Bill 551 from the previous General Assembly. This bill will improve how health inspectors from local health departments that inspect restaurants and other food facilities are evaluated by the Ohio Departments of Health and Agriculture. There have been changes to the way the state is currently conducting the evaluations that have been overzealous and have caused confusion among regulators and operators alike. HB 65 is designed to promote collaborative efforts between the state, local health department inspectors and operators while prioritizing food safety for Ohioans.

The safety of the food we consume is of great importance to everyone in our state, and we must maintain that vigilance to protect the health of the public. Our friends at the Departments of Health and Agriculture have been focused on “raising the bar” related to food safety in Ohio and I commend them for their efforts. Unfortunately, some of these well-intentioned efforts seem to be misguided by transforming the food survey evaluations of local health inspectors from a risk-based assessment focused on critical violations of the food code that cause food-borne illness into an overly-burdensome comprehensive field exam. This creates the appearance that state evaluators are playing a game of “gotcha” with operators and local health inspectors that have led to written inspection reports containing up to 150 violations. This heavy-handed approach destroys any potential collaborative effort between regulators and operators to gain compliance and is not in the best interest of food safety.

I am not a proponent of making the food survey evaluations conducted by ODH and ODA easier on local health inspectors or operators, and this legislation does not make them easier. In fact, HB 65 proposes to “raise the bar” on food safety and will hold local health inspectors accountable for identifying an increased percentage of critical violations than they are required to identify currently. Properly placing the focus on critical violations that are most likely to cause foodborne illness will allow local health inspectors to have the critical violations corrected immediately and educate operators regarding how to avoid these violations in their facilities in the future. These violations include things like food that is being served at incorrect temperatures and food that is has not been prepared in a sanitary manner. This is not to say that non-critical violations in the food code are not important. However, would you rather have the inspectors looking to see if mops are drying properly, or food workers that are not washing their hands before serving your food?

Under HB 65, health inspectors will continue to enforce the entire food code, but they will be allowed to use common sense and conduct risk-based inspections that focus on critical violations. Doing so will allow them to better protect Ohioans from getting sick as a result of the food they eat.

Thank you for allowing me to testify today. I will be happy to answer any questions at this time.