



Senator George Lang
Senate Bill 338
Sponsor Testimony
Senate Agriculture and Natural Resources Committee

Chairman Schaffer, Vice Chairman Huffman, Ranking Member Fedor, and members of the Senate Agriculture and Natural Resources Committee, thank you for allowing me the opportunity to present sponsor testimony before you on Senate Bill 338.

Senate Bill 338 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. The current food survey process the state uses for their evaluations has been a problem for local regulators and operators alike, and creates pressure on local health district inspectors to count as many violations as possible, making the tallying of violations the primary method to demonstrate an appropriate working knowledge of the Food Code. Instead of a collaborative, educational, risk-based approach to positively ensure food safety in the State of Ohio, the current ODH and ODA food survey process leads to dramatic and unwarranted increases of survey inspection times, manpower, and costs, which may additionally lead to increased licensing costs for industry. Senate Bill 338 is designed to replace the current food survey process with an exam to test local inspectors' knowledge, which in turn will promote better collaborative efforts between the state, local health department inspectors, and operators while also 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 Agriculture and Health have been focused on "raising the bar" related to food safety and I commend them for their efforts. Unfortunately, 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 approach deteriorates collaborative efforts between regulators and operators to gain compliance and is not in the best interest of food safety.

To establish a better method to protect the public's health from foodborne illness and enhance productive working relationships with industry license holders, Senate Bill 338 would eliminate the field surveys of the food program for local health departments, and instead require Registered Environmental Health Specialists (REHS) to pass a written (or electronic) test to demonstrate their knowledge of the code. The bill stipulates that questions on the exam shall be derived from the most common violations cited during the previous inspection year, and that a passing score would require an REHS to achieve 80% correct answers. This would eliminate the unnecessary time and resource-consuming process instituted by ODH and ODA and allow local REHS' to work with operators and exercise their professional judgment and expertise during standard inspections in an even-handed, efficient, and effective way to prevent foodborne illness. For way of background, Senate Bill 338 is an updated version of HB 65, introduced by Representative Hill and passed by the House State and Local Government Committee of the 132nd GA.

Now I want to speak plainly. I know this issue seems confusing, so I want to break it down to its core. SB 338 simply changes the way we evaluate local health inspectors knowledge of the food code by giving them an actual test – that's it. Why did I introduce this bill? Because this problem has been debated for nearly a decade across multiple Administrations and it still has not been fixed. Furthermore, this a business-friendly bill; it will prevent Ohio business owners from being put through the wringer unnecessarily. Food safety is important to me and all Ohioans, and especially to our local health inspectors and business owners. Both local regulators and the business community will come before this committee to testify and echo these same concerns at future hearings. Having the *regulator* and *regulated* express the same concerns shows me that the State of Ohio definitely has a problem that needs to be fixed. I am asking for your help to fix it.

I would like to thank the committee again for the opportunity to present sponsor testimony, and I am happy to take any questions at this time.