

Senate Agriculture and Natural Resources Committee
Senate Building
1 Capitol Square
1st Floor
Columbus, OH 43215

May 31, 2022

Dear Ladies and Gentlemen of the Committee:

Chairman Schaffer, Vice Chairman Huffman, Ranking member Fedor, and members of the Senate Agriculture and Natural Resources Committee, I am Colin Johnson, Deputy Health Commissioner/Environmental Health Director of Medina County Combined General Health District. Thank you for the opportunity to provide this testimony, on behalf of Medina County in support of Senate Bill 338, which changes the way local health department food safety program staff are evaluated by both the Ohio Department of Health and the Ohio Department of Agriculture. The current process is cumbersome, time consuming, and creates an exercise in counting violations while not providing any extra benefit to food safety.

Several main factors are problematic with the current system. One of the major problems is that violations are determined by both State agencies and the local health department inspectors. If a local health department inspector does not feel in his/her expertise that a violation exists, they are still required to document the "violation" for fear of losing points versus the State inspector. The local inspector does not have an opinion even if they feel the condition does not meet the burden of proof of being a violation. An example would be a dirty floor, baseboard, equipment, etc. The presence of dirt alone may not necessarily warrant a violation but may be an item of discussion of regular ongoing cleaning compared to accumulated dirt or grease where it is obvious that the location does not routinely maintain the cleanliness of the facility. This is one scenario that is better left to the expertise, experience and familiarity of the operator to the local health inspector.

Along with the issue of violations is how the violations are counted. If a facility has a violation in a specific section of the code such as dirty equipment it is the expectation that the violation is listed separately for each piece of equipment instead of grouping them all into one violation. This could drastically increase the number of violations for a facility when in reality it is the same violation. This may pose a perception issue to operations since many local health departments post inspection results online and the media quite often requests inspection records.

Another factor supporting the need to change the process is that the amount of time required to complete a State survey inspection is unrealistic, especially since local health departments can only have a maximum of 9 hours per location per licensing period. Many of the survey inspections using the current method take hours to complete since local health department inspectors are required to be

Health Center	Community Health	Environmental Health	WIC	Administrative Services
OPTION 1 330-723-9674 fax	OPTION 2 330-723-9697 fax	OPTION 3 330-723-9650 fax	OPTION 4 330-723-9630 fax	OPTION 6 330-723-9659 fax

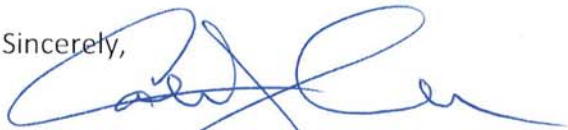
very meticulous to make sure that they do not miss any violation, no matter how small it may be. To expect to monopolize an establishment's staff time for that long is not right and many times causes agitation between the employee and the inspectors.

Local Health Departments would like to build a positive working relationship with facilities and provide food safety education during inspections, not only regarding violations observed but also many other topics related to proper food safety procedures. This is a vital part of the food safety program since local health departments are only in facilities several times a year for a limited amount of time. The rest of the time, health departments and the community rely on the employees to conduct proper food safety practices to ensure that safe food products are provided to the community.

This bill would provide a less time consuming method of evaluating food program staff of local health departments while reducing the possibilities of upsetting the working relationships many health departments have established with facilities.

Thank you for the opportunity to provide testimony.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Colin Johnson', with a large circular flourish at the end.

Colin Johnson M.P.H., REHS
Deputy Health Commissioner