

5/27/22

Agriculture and Natural Resources Committee:

Here is my written response as to Senate Bill 338.

Background: I have been a Registered Sanitarian/ REHS since 2000 working at 2 different health departments. Prior to that I worked in a family- owned Restaurant/Bar for 14 years and then for one of the largest food manufacturing companies for another 14 years. I have also taught food safety as an adjunct professor and taught Level 2 Manager training since 2005.

On or around 2001, Health Departments inherited the Retail Food Establishments from Ohio Department of Agriculture(ODA). Here are descriptions of a couple of places I had to inspect. 1) A mom and pop small grocery store with no running water or restrooms that were slicing lunch meats/ cheeses, no restroom or handwashing in the facility. 2) A bakery that was so bad on my first inspection that I had to have the Health Commissioner come down & he instantly issued a closure.

A few years down the road when we started to go out with ODA on surveys, I was selected to do the largest Grocery store in the county. It was always clean, rarely had many violations and had one of the best food safety procedures/standards in place. On survey I was horrified by ODA's requirements. I believe I ended up with 8 pages of violations. For, instance there was a clean meat slicer. It wasn't covered and had a small (less then 1/2 a pencil eraser) size piece of dried ham. They had me make the store break down the slicer, wash, rinse , sanitize & dry. Another violation was a chef knife(retail about \$150) the very small end of the tip was broken off. They wanted it discarded , even though it was still highly usable. This inspection started the dispute between Industry RFE's & the state. Said facility got their lobbyists involved & the state legislature. Over the years I have highly disagreed how ODA does & requires their surveys to be administered. The ODA surveys have created poorer working relationships with the facilities picked for survey in my opinion.

The first of 2022. ODA contacted me over doing a survey. I requested not to be surveyed until after the first week of June because we were finishing up our Accreditation (mandated by the State) ACAR plan. It had to be finalized & submitted to PHAB before May 20, 2022. I also had a city cleanup for the dates of June 1 – 4 that need my time and overtime.

On or about March, I was informed the date ODA was coming to do our survey. The problem I have is no consideration was given for my workload or time.

ODA came this week from May 23 – 26th, 2022.

Even though they haven't been here since 2016. **They are required to come every three years per : Each board shall be surveyed by each director at least once every three years. Surveys shall be conducted in accordance with rules adopted under sections [3717.33](#) and [3717.52](#) of the Revised Code, as applicable. The directors shall schedule and conduct their surveys in a manner that minimizes, to the extent practicable, intrusion on and inconvenience to the board.**

ODA for the time here: I had to try and find documents that were no longer here, because our policy retention is 6 years. I feel I shouldn't have had to go back all the way to 2016, For their survey requirements.

Futhermore, the way ODA conducted the field inspection survey is questionable. I was required to cite every inspection violation I observed, cite rather it was a critical or not while to ODA employees followed me around. How can I be assured I was within their 80% requirement? They also required, I opened every drawer, cupboard or points were removed. They require you take at least one hot internal temperature. When doing that is requires the product to be discarded usually because of a puncture hole and the facility doesn't want to have customers question them over the hole.

In discussions, with my paperwork deductions will be taken for : missing putting I for in, in box 36 for process review, even though the process review was clearly done by the I's marked & documented on the process review report. Another noted deficit was I didn't look in every drawer/ cupboard. One had a refrigerator in front of the door. I was told I should have had them move the refrigerator. Even though we looked in easily over 50 different drawers/ cupboards. This inspection ended up with 8 criticals & 22 no criticals & is a very clean facility.

I was informed I didn't go back for a reinspection on the date listed. Those should be suggested dates. It was a facility that needed to replace some flooring. I was 5 days later then the date marked for a reinspection. It was stated I should go in and document why I didn't make the date. Obviously I was not available at the date. If I was missing reinspection for critical Items I can see being docked. The other non-critical should be at our discretion.

During the pandemic I did not miss one inspection where some departments didn't do any inspections. I explained I had to help do 4000 Covid vaccinations, covid complaints and still meet my job requirements.

I might be put on criteria because of this letter but since I only have a little over a year until retirement. We shall see.

On my 2021 ODH Survey, I was only cited for not putting my cost change per a facility out in the 30 days required. In my math it was exactly 30 days , They said by when our city council approved it 28 days.

Good Luck finding qualified or anyone that will stay working in Health Departments in the future.

We have to already submit the majority of the documents (cost methodology, etc) and reports are all online.

I am all for **NO ODA surveys** and taking a required test.

Sincerely,

Beth Ann Conrad, MBA, BBA, AAS REHS