

# CUYAHOGA COUNTY BOARD OF HEALTH

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BEFORE THE SENATE AGRICULTURE AND NATURAL RESOURCES COMMITTEE

TESTIMONY OF DR. RODERICK HARRIS, DrPH  
CUYAHOGA COUNTY BOARD OF HEALTH

SENATE BILL 338

MAY 31, 2022

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 provide written testimony in support of Senate Bill 338.

In the past, field survey methodology incorporated in food safety program audits conducted by the Ohio Department of Health (ODH) and Ohio Department of Agriculture (ODA) has not promoted public health risk-based inspections but instead, has primarily utilized a generic “catch-all” approach. During these survey inspections, critical violations (those that could lead directly to potential foodborne illnesses) and non-critical violations are not weighted equally between the two agencies or among survey inspectors. Both agency field surveys should evaluate the local health department sanitarian’s knowledge of the food code, problem-solving capacity, customer service and conflict resolution skills, along with their overall professionalism. Long term prevention of foodborne disease hinges on how effectively the sanitarian [Registered Environmental Health Specialist (REHS) or Environmental Health Specialist-in-Training (EHSIT)] can identify the food operation workers’ knowledge of food safety and how thoroughly the sanitarian can educate workers and explain the issue when food safety concerns are identified. The current field survey process does not measure the true capacity of our staff’s knowledge. Survey inspections likewise do not represent the actual work conducted by sanitarians on a daily basis.

Another negative outcome of the current audit process is the negative impact the survey inspection has on the relationship between the sanitarian and the facility owner, manager and staff. During a survey inspection, our sanitarians will identify various food safety code violations. However, they are required to spend an exorbitant amount of time searching for countless items to mark as violations, whether they truly reflect a primary public health concern or not. The survey inspection becomes an exercise in identifying as many non-critical violations as we can, including individual chipped or cracked base coving or floor tiles, dings or minor holes in walls, etc. A dripping faucet, dirty or chipped paint in a storage room and how a mop is stored become just as important as maintaining sanitary food contact services, proper food storage and preparation and handwashing. In a sense, the survey becomes a competition to see whether or



Roderick Harris, DrPH Health Commissioner

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not the sanitarian will identify all of the many items the state surveyor has documented, whether they truly have a direct impact on food safety or not. The sanitarian is graded on how well they tabulated all of these items. This process results in extremely long and inefficient facility inspections that can impact the operation's capacity to function in a normal manner serving the public. When the operator views the completed audit inspection, they often feel that the inspection is punitive instead of educational and beneficial. Sanitarians spend years building working relationships and gaining the trust of food operators and their staff. These beneficial relationships are often strained as a result and in some cases, these grueling survey interactions have even lead to inspectors and state surveyors being told to leave a facility after a four or five hour time frame.

Survey inspection results do not always reflect the true nature of how well or poorly the operation is functioning. The public misinterprets the reports when they appear on the internet, social media or the local news because of the amount of individual violations documented on the report. As a result, the facility and those working there are negatively impacted and their business suffers since it appears that the operation is not "clean" and sanitary.

Local health departments have asked the state agencies to review their current food safety program survey practices for years. These surveys are conducted in a manner that is not consistent with those being conducted in other public health programs. Senate Bill 338 opens the door on that discussion and looks to establish a method to more effectively evaluate a sanitarian's knowledge of the food code and how it applies to foodborne disease prevention in a food operation. The survey process should evaluate our staff's ability to identify and document proper code citations within the state food safety code. Senate Bill 338 will help lead to the establishment of a process that identifies the sanitarian's knowledge of the code, their capacity to apply the code during an inspection, the proper method of documenting and citing code violations and most importantly, that they can thoroughly explain each code violation to the facility operator to prevent the potential for foodborne disease at the facility.

Revamping the survey process will provide ODH and ODA an opportunity to create a unified method of evaluating local health department staff. Their current program surveys vary and often cause staff confusion when each agency interprets the code and conducts their food program survey in a different manner, in some cases just a few months apart.

In closing, I would like to thank you for your time and the opportunity to provide proponent testimony in support of Senate Bill 338.

Sincerely,



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