

MEMO / NOTE DE SERVICE

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TO: Board of Health for the City of Ottawa Health Unit

DESTINATAIRE : Conseil de santé de la circonscription sanitaire de la ville d'Ottawa

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**SUBJECT: UPDATE ON OTTAWA PUBLIC HEALTH'S FOOD SAFETY PROGRAM:
"OTTAWA SAFE" TRIAL PROJECT**

**OBJET : MISE À JOUR SUR LE PROGRAMME DE SALUBRITÉ DES ALIMENTS DE
SANTÉ PUBLIQUE OTTAWA : PROJET PILOTE « OTTAWA SANS DANGER »**

PURPOSE

The purpose of this memorandum is to provide the Board of Health (BOH) with an update on Ottawa Public Health's (OPH's) Food Safety Program, specifically the "Ottawa Safe" trial project.

OPH's Food Safety Program focuses on reducing transmission of food-borne illness through activities such as inspection of food premises, increasing public access to food

inspection reports, and enhancing information exchange with the retail food industry. During each inspection, Public Health Inspectors (PHIs) educate food handlers about proper food handling practices and ensure compliance with all applicable legislation in order to mitigate the risk of food-borne illness.

BACKGROUND

In 2011, the BOH approved [OPH's Food Safety Strategy](#), which aimed to further strengthen programming by monitoring and reporting on emerging issues while using evidence-informed decision-making to deliver high-quality food safety programs.

In 2012, the BOH approved a progress [report on OPH's Food Safety Program](#), which recommended enhancements to build on successes achieved, specifically in the approach to Food Handler Training for repeat offenders.

In 2014, the BOH received a subsequent report, entitled [Update on OPH's Food Safety Program](#), which provided an update on the continued progress of OPH's Food Safety Strategy and its three pillars – 1) Education, 2) Inspection, and 3) Quality Assurance – as well as a recommendation to pilot a new disclosure system for food safety inspection results within food premises.

Since then, the Ministry of Health and Long-Term Care (MOHLTC) has instructed local health authorities to continue enhancing transparency and accountability in order to promote public confidence and to ensure that members of the public are provided with requisite information to make informed choices about the facilities they access for service(s). OPH's response to this direction included a commitment to strengthening current disclosure measures. Following the BOH's approval of the [Update on OPH's Food Safety Program – "Ottawa Safe" Trial Project](#) report in June 2015, OPH launched an enforcement-based, colour-coded, online disclosure trial project. As there were no provincial guidelines prescribing a consistent approach for health units to implement disclosure programs, OPH conducted a review of food safety literature and disclosure systems across North America. As a result, the disclosure system was based on OPH's enforcement policy, which focuses on repeat non-compliance and potential legal action. The objective of this program was to provide consumers with access to timely, useful, and accurate information to assist them in making informed decisions on where to dine.

OPH's trial project had three main goals:

1. Enhancing public confidence in OPH's work by prioritizing organizational transparency and accountability;

2. Providing easily understood information to empower residents to make informed decisions about where to dine; and
3. Rewarding and compelling compliance with all food safety regulations.

DISCUSSION

Currently, of the 36 Ontario public health units, 30 have implemented food premises disclosure programs that exceed the MOHLTC minimum requirements and have classification systems: “traffic light” (green, yellow, red) classification (8); pass or fail classification (2); summary of results (19); and star rating (1). (MOHLTC, 2017) OPH has, prior to this trial project, used a “summary of results” system.

OPH’s consultations with food premises operators and the public prior to implementation of the trial project confirmed that residents want more accessible information about the results of food safety inspections. The trial project used an online-only colour-rating system (green, yellow, red) to enhance communication of food premises inspection results.

Evaluation of OPH’s colour rating disclosure Trial Project

An evaluation of the trial enforcement-based, colour-coded system involved reviewing empirical literature, quantitative and qualitative analysis of data from the retail food industry, and engaging with the general public for feedback that was obtained via voluntary, self-selected online surveys. In addition, OPH examined compliance rates as they related to food safety inspections before and after the introduction of the online colour-rating disclosure pilot.

The online surveys¹ were promoted to the retail food industry and the general public through PHIs and business associations, email, website, social media messaging, Google ads, and postcards. Results showed that respondents (both retail and general public) feel inspections are an important public health intervention. In addition, the majority of respondents believe that the colour classification system helps people interpret food safety results;² such as a red rating to identify the closure of a food premises. However, the meaning of OPH’s green and yellow colour ratings³ was

¹ N= 1,197 for general public respondents; N= 219 for respondents from the retail food industry

² 78% of public respondents indicated that they feel a colour-rating system helps one to understand food inspection results.

³ 70% of owners/operators and 82% of general public respondents incorrectly answered the meaning of OPH’s green colour rating; 50% of owners/operators and general public respondents incorrectly answered the meaning of OPH’s yellow rating – though 87% of respondents from the general public

generally misunderstood.

Both quantitative and qualitative analysis of the survey data showed that respondents assumed green equates to compliance, free of any outstanding infractions – whereas in fact, infractions could have been found at the time of an inspection but the PHI had allotted a prescribed amount of time for the owner/operator to address the issue. More specifically, green means that thresholds have not been reached for tickets to be issued. As tickets are most often issued for repeat infractions, very few establishments receive a yellow rating.

Adding to the confusion, there is not a consistent approach to disclosure across the province. As noted, many health units in Ontario use a similar “traffic light” disclosure model, but with rationale that leads to different definitions of the green, yellow or red, or other designations in the various systems.

OPH also assessed compliance with required food safety practices under the trial system compared to the previous one. Although the overall objective is to encourage operators to comply with food safety regulations and to reward compliance, OPH observed no change in compliance rates during the pilot phase compared to compliance rates before the pilot was implemented.

Provincial Context and Developments

The MOHLTC has issued a new requirement as part of Ontario’s Public Health Standards Modernization. This proposed requirement, included within the Foundational Standards (Quality and Transparency) of the Ontario Public Health Standards (Requirements for Programs, Services and Accountability), 2018, requires public disclosure (online posting) of all routine and complaint-based public health inspections. OPH is currently meeting MOHLTC requirements in this regard.

Recent dialogue with the MOHLTC related to proposed amendments to the food safety regulation has indicated a potential change that would require the on-site disclosure of inspection results. There has been no signal of provincial plans to require standardized colour-coded categorization disclosure at this time. Nevertheless, OPH has taken into consideration the proposed amendments to the *Food Safety Protocol*. Proposed new stipulations state that health units shall: *(1) Apply a compliance and risk-based approach to regulatory practice shifting the focus away from punitive, enforcement-focused approaches; and (2) Formally adopt an approach already practiced in many*

indicated that they would not eat at a restaurant that was rated yellow; 30% of respondents incorrectly answered what a red rating means.

PHUs that focuses on the achievement of compliance and application of risk assessment.

Therefore, OPH is moving away from the enforcement-based disclosure model that was trialled online over the last two years.

NEXT STEPS

Phased Implementation Plan

OPH will undertake a multi-phased approach to amend the current online, colour-coded disclosure system, aiming for compatibility with potential provincial requirements for point-of-sale disclosure of inspection results in the future.

The plan includes 5 phases:

- 1. Stakeholder Engagement** – OPH will re-engage stakeholders in 2018. Topics will include infraction-based definitions of the green, yellow and red classification of the “traffic light” system, and the alignment of point-of-sale disclosure with the one found online.
- 2. Education Phase** – PHIs will receive training on the new point-of-sale requirement, how it relates to the online disclosure model and the definitions of the green, yellow and red classification of the “traffic light” system.
- 3. Communication Phase** – A public awareness campaign will target two groups: the retail food industry and consumers. It will inform of new infraction-based definitions of the green, yellow and red classification of the “traffic light” system. A number of targeted methods will be used to disseminate information, including bilingual social media avenues and OPH’s website. In addition, PHIs will educate owners/operators and their employees about the colour-rating definitions at every inspection.
- 4. Integration of Point-of-Sale** – Point-of-sale “Inspection Certificates” will continue to be issued in order to inform patrons that a premise has been inspected, of the date of the last inspection, and to direct them to OPH’s disclosure website for additional information. Results from the stakeholder consultations will help guide OPH towards the future integration of a colour-coded certificate to be posted on-site, which will reflect the on-line disclosure system.
- 5. Evaluation** – OPH will evaluate public and operator understanding of the colour

code definitions and the compliance rate by monitoring infractions, and will identify any need for adjustments/modifications at that time.

OPH will continue to expand its disclosure program to raise consumer awareness of food safety, as well as work with operators to enhance food safety standards in the food retail industry with the collective intent to reduce the risk of food-borne illness.

'Original signed by'

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