

# THE ALLIANCE

A Maricopa County Environmental Health Publication

Volume 8, Issue 1  
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Edited by:  
Johnny Diloné, P.I.O.

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**Environmental Health is  
a division of the  
Maricopa County  
Environmental Services  
Department**

## The Director's Menu



**John Kolman,  
Director,  
Environmental Services  
Department**

It is my pleasure to welcome you to this new edition of *Alliance* and to introduce you to the topics covered in this issue, including all the plans for the Environmental Services Department to better serve our employees, the industry in general, and the community at large.

As you already know, last year we adopted new inspection guidelines where we focus on quality time invested at each establishment as opposed to quantity of inspections during a certain period of time. Our goal is to keep improving our inspection format while providing your business with the best guidance and support. As we continue to be progressive, we are also working on adopting a new inspection model based on the FDA code.

Please read the Proposed Maricopa County Health Code Revisions and all the information provided in this issue of *Alliance*. Remember that your feedback and assistance are always welcome and are key factors in our decision making process. We appreciate your efforts and cooperation as we work together to help minimize public health risks in our community.

### About the Director...

John Kolman was appointed Director of the Environmental Services Department in October of 2009, after serving the department as Interim Director for five months.

Mr. Kolman has been with the Environmental Services Department for 12 years. He started as a Water System Investigator and after three years was promoted to Lead. He served as Program Manager of the Drinking Water Program before being promoted to Deputy Director, and then Interim Director in May 2009.

A native of Illinois and having attended the University of Wisconsin, Mr. Kolman described himself as a "frustrated flatlander" and found solace in Arizona's diverse landscape. An avid hiker, Mr. Kolman enjoys Arizona's many hiking trails, ranging from South Mountain to the North Rim of the Grand Canyon.

Mr. Kolman says one of the best parts of his new position is communicating with all the professionals on staff and bringing everyone and everything together to move the department into the future. His goal is to make the department a leader in the environmental health field. To do so, he says the department must be able to adapt to any unusual outside forces, whether they be health related or economic.

Mr. Kolman holds a Bachelor of Science degree in Reclamation with Physical Emphasis from the University of Wisconsin, and a Masters degree in Business Administration from the University of Phoenix.

## THE ALLIANCE

A MARICOPA COUNTY ENVIRONMENTAL HEALTH PUBLICATION

## From the Desk of David Ludwig

MPH, R.S.



Hello and Thank You!

I would like to introduce myself to those who may not know me. My name is David Ludwig and I have had the privilege of working for Maricopa County for the past 19 years as the Manager of Environmental Health. In this position, I work with more than 120 Environmental Health Specialists who are committed to protecting public health and safety. We use an educational approach, which is upheld by regulatory actions when necessary.

Last year the department went through a major reorganization. The first change was that we moved from generalist to specialist. We are now focusing our attention on the food protection arena while still providing services to the public accommodations, school grounds, and pet shops in a concentrated program. The biggest change our department saw was realigning the swimming pool inspection program by moving it to our Waste and Water Division.



The second major change was the shift from quantity of inspections conducted to quality inspections. Our Quality Inspections are "risk based" (based on an increased risk of food borne illness) and have routine supervisory oversight. In order to keep quality high, we are working to standardize all

inspections. To help with this, we are currently undergoing a modification in our automated inspection program. This will allow for various county programs to utilize a single format in an effort to streamline record sharing.

This program will have the most noticeable changes in the food inspection system. The Gold, Silver and No Award program will be placed on hold as will the weighted scoring system. The inspection form will realign with a violation numbering counting system, which is used by FDA and numerous health departments across the country. For chain operations this common violation numbering system will allow for comparison across state lines.

It is the Department's intent to upgrade our Health Code by adopting the FDA 2009 Food Code by reference. This will continue to push our standardized inspection initiative. We will be holding a workshop at the County Board of Supervisor's Auditorium at 201 E. Jefferson, with one group at 9 am and a second group at 2 pm on Monday, April 19th, 2010.

In the past 10 years the changes to the Food Code have been based of good science with many of the changes being introduced by those within the industry and being industry sensitive.

Following this workshop the recommendations would be made to the Maricopa County Board of Health and then onto the Maricopa County Board of Supervisors. Both of these Boards will have a public comment period prior to voting on the measure. (More specific changes and a

FDA and County website highlighting the changers can be found later in this newsletter.)

A second element of the workshop will be looking at fee changes within the Environmental Health portion of Chapter 1. The majority of fees will be unchanged indicating that our 2006 fee study provide a good baseline that deserves to remain intact. There will be a number of permit categories that will be reduced. A small number of fees will be increased. This is due to the actual time requirements over the past year since reorganization that it has taken to conduct an average inspection at the appropriate rate of inspections

per year.

The permits are found on pages 7 and 8. It is our



goal to work together with you in protecting the public's health and safety. We will continue to look for ways to keep costs down while holding the quality of inspections and education as our top priorities. Please check out our website, mark your calendars and attend the workshop if you have questions or concerns.



*David Ludwig,  
Division Manager  
Environmental Health Division  
Maricopa County  
Environmental Services Department*

# Health Entrée by Bryan Hare, Environmental Operations Program Supervisor, CRO

This document will summarize some of the highlights found in the 2009 FDA Model Food Code which Maricopa County Environmental Services Department is proposing to adopt by reference entirely by the end of the year. This document should not be relied upon as an absolute list of changes in the 2009 FDA Model Food Code. To review a copy of the 2009 code visit our website at [www.maricopa.gov/envsvc](http://www.maricopa.gov/envsvc) or you can visit one of our regional offices.

The new proposed rules will be based on the 2009 FDA Model Food Code and Maricopa County may make some changes to the adopted code. The 2009 code focuses more attention on those areas that have been shown to cause food borne illness based on science, although the physical structure of facilities is still addressed in this code. The new code will eliminate gaps between the 2001 FDA Code and what food production procedures our industry partners are currently utilizing.

In addition, the Maricopa County Environmental Services Department has some proposed revisions to the Maricopa County Environmental Health Code. An overview of these proposed revisions is listed at the end of this article. To review these proposed revisions visit our website at [www.maricopa.gov/envsvc](http://www.maricopa.gov/envsvc) or you can visit one of our regional offices.



## HIGHLIGHTS OF THE PROPOSED ADOPTION OF THE 2009 FDA MODEL

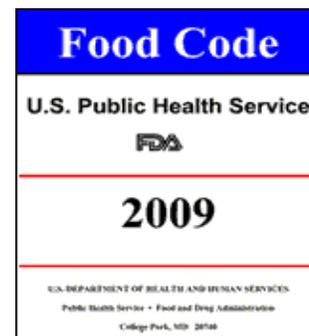
- "CUT LEAFY GREENS" ARE POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) AND ARE REQUIRED TO BE AT 41°F WHEN RECEIVED AND DURING COLD HOLDING
- POTENTIALLY HAZARDOUS FOOD (PHF) IS SYNONYMOUS TO TIME/TEMPERATURE CONTROL FOR SAFETY FOOD (TCS)
- THE HOT HOLDING TEMPERATURE IS 135°F
- THE PERSON IN CHARGE (PIC) MUST DEMONSTRATE KNOWLEDGE AND TRAINING FOR EMPLOYEES WITH REGARDS TO MAJOR FOOD ALLERGENS
- CUT RAW TOMATOES ARE CONSIDERED (PHF/TCS) AND MUST BE MAINTAINED AT 41°F
- "PRIORITY ITEM" (P) DENOTES ITEMS WITH A QUANTIFIABLE MEASURE TO SHOW

CONTROL OF HAZARDS SUCH AS COOKING, REHEATING, COOLING, HANDWASHING, ETC

- "PRIORITY FOUNDATION" (PF) DENOTES ITEMS WHOSE APPLICATION SUPPORTS, FACILITATES, OR ENABLES ONE OR MORE PRIORITY ITEMS
- "CORE ITEM" IS A PROVISION THAT IS NOT DESIGNATED AS A PRIORITY ITEM OR A PRIORITY FOUNDATION ITEM
- NOROVIRUS HAS BEEN ADDED TO THE LIST OF REPORTABLE DISEASES
- DATEMARKING EXEMPTIONS FOR POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) PREPARED AND PACKAGED BY A FOOD PROCESSING PLANT INSPECTED BY THE REGULATORY AUTHORITY
- FOOD MATRIX FOR OPERATORS TO DETERMINE IF FOOD IS (PHF/TCS) IF NOT

CLEARLY INDICATED BY THE MANUFACTURER OR FOOD PROCESSING FACILITY

- SERVING HAMBURGUERS AND OTHER GROUND MEATS IN AN UNDERCOOKED FORM UPON A CONSUMER'S REQUEST IS NO LONGER AN OPTION FOR ITEMS OFFERED ON A CHILDREN'S MENU
- SEVERAL REQUIREMENTS RELATED TO THE EFFECTIVE CLEANING AND SANITIZING OF EQUIPMENT AND SURFACES ARE ENHANCED OR CLARIFIED



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**Table A. Interaction of pH and  $A_w$  for control of spores in FOOD heat-treated to destroy vegetative cells and subsequently PACKAGED**

<b><math>A_w</math> values</b>	<b>pH values</b>			
	<b>4.6 or less</b>	<b>&gt; 4.6 - 5.6</b>	<b>&gt; 5.6</b>	
<b>≤0.92</b>	non-PHF*/non-TCS FOOD**	non-PHF/non-TCS FOOD	non-PHF/non-TCS FOOD	
<b>&gt;0.92 - .95</b>	non-PHF/non-TCS FOOD	non-PHF/non-TCS FOOD	PA***	
<b>&gt;0.95</b>	non-PHF/non-TCS FOOD	PA	PA	
* PHF means POTENTIALLY HAZARDOUS FOOD ** TCS FOOD means TIME/TEMPERATURE CONTROL FOR SAFETY FOOD *** PA means Product Assessment required				

**Table B. Interaction of pH and  $A_w$  for control of vegetative cells and spores in FOOD not heat-treated or heat-treated but not PACKAGED**

<b><math>A_w</math> values</b>	<b>pH values</b>			
	<b>&lt;4.2</b>	<b>4.2 - 4.6</b>	<b>&gt;4.6 - 5.0</b>	<b>&gt;5.0</b>
<b>&lt;0.88</b>	non-PHF*/non-TCS food**	non-PHF/non-TCS food	non-PHF/non-TCS food	non-PHF/non-TCS food
<b>0.88 - 0.90</b>	non-PHF/non-TCS food	non-PHF/non-TCS food	non-PHF/non-TCS food	PA***
<b>&gt;0.90 - 0.92</b>	non-PHF/non-TCS food	non-PHF/non-TCS food	PA	PA
<b>&gt;0.92</b>	non-PHF/non-TCS food	PA	PA	PA
* PHF means POTENTIALLY HAZARDOUS FOOD ** TCS FOOD means TIME/TEMPERATURE CONTROL FOR SAFETY FOOD *** PA means Product Assessment required				

## Instructions for Owners of New Businesses



**By Robert Stratman, EHS Supervisor**

If you are planning to open a food/drink service establishment, public school, hotel, or petshop/pet groomer, you will need to complete one of the following procedures to obtain a permit to operate.

If you are constructing a new business or the fully completed space you plan to use (e.g. church kitchen) has never had a permit to operate from Maricopa County Environmental Services Department, you will need to complete the entire plan review process prior to opening your business. Remodeling of a previously permitted establishment will also require plan submittal.

If you are taking over an existing business permitted by this Department or are re-opening a previously closed business, you will need to contact the plan review program at (602) 506-6980 to request an inspection. An inspector will return your call once they receive your request to schedule the inspection. Prior to the inspection, you will need to read the entire New Owner Document on our website, complete the New Owner Application, and present it to the inspector at the time of the inspection.

An inspection will be conducted to evaluate the facility for compliance. If the facility meets current county health code standards at the time of inspection, an operating permit will be approved.

As stated above, the facility must meet current health code standards. The Environmental Health Code does not 'grandfather' any part of an establishment, which means regardless of the current condition or how the existing business was originally permitted, all new permits will have to meet and/or upgrade to current code standards. If the establishment does not meet minimum standards during the inspection, a Cease & Desist Order request will be filed and the owner will be required to pay for an Inspection -Upon Request to schedule a re-inspection to verify compliance.

Once the Cease & Desist Order is in place, the business must remain closed until the Department gives formal approval to open. Additionally, if the areas of noncompliance are significant enough, plan submittal for the repairs may be required, which could further lengthen the time the business is closed.

Although all permit holders are expected to understand and follow all applicable sections of the health code, we understand operators may not be able to effectively evaluate an establishment on their own to deter-

mine if it will meet current standards. To help with this uncertainty and to avoid possible Cease & Desist Orders, this Department offers an evaluation tool that prospective operators can use, prior to taking over ownership or entering into a lease agreement. This tool is referred to as an Inspection -Upon Request and has a fee of \$240. **The application must be completed and signed by the current business owner or landlord. Prospective owners cannot be the applicant so they must work with the current owner to apply for the inspection.** Once requested, an inspection will be conducted and any areas of noncompliance will be documented on an inspection report and **given to the applicant.** The applicant will then choose whether or not to share the inspection results with the prospective owner.

In addition to the onsite Inspection - Upon Request, a prospective owner can use documents provided by this Department to complete a self-evaluation of a facility. Please review the Plan Review Minimum Requirements for Establishments, New Owner Application, and the Construction Guide, to determine whether your facility will qualify for a new permit. These documents can be found at the Maricopa County Environmental Services website at <http://www.maricopa.gov/EnvSvc/EnvHealth/PlanReview/Forms.aspx>

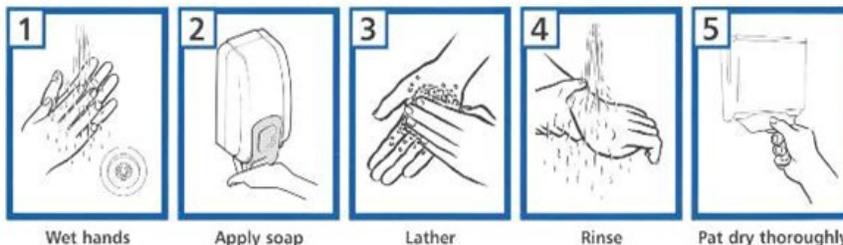
### Hand Washing: A must when handling food!



**Keeping hands clean is one of the most important ways to prevent the spread of infection and illness.**

● Before and after using the toilet

● Before breaks and meals



## Proposed Maricopa County Environmental Health Code Revisions

- PROPOSED REVISIONS TO CHAPTER I INCLUDE UPDATING SIGNAGE LANGUAGE, PERMIT PLACEMENT DIRECTION, A CLARIFICATION ON WHEN AN ANNUAL PERMIT IS ISSUED, NON PAYMENT DELINQUENCY CLARIFICATION, AND REVOCATION, HEARING AND NOTICE LANGUAGE TO ADDRESS THE ISSUE OF FACILITIES OPERATING WITHOUT PAYING FOR SERVICES. ADDITIONALLY, THE PROPOSAL INCLUDES ELIMINATING A 20 DAY DEPARTMENT HEARING TIME LIMIT RESTRICTION, NONREFUNDABLE PERMIT FEE CLARIFICATION CHANGING THE WORD "DIRECTOR" TO "ENVIRONMENTAL HEALTH OFFICER" AND THE ADDITION OF A DEFINITION FOR "SITE".
- ALL FOOD ESTABLISHMENTS' HEALTH PERMITS MUST BE POSTED IN A CONSPICUOUS PLACE DESIGNATED BY THE ENVIRONMENTAL HEALTH OFFICER.
- "SUN TEA" HAS BEEN PROPOSED TO BE ADDED TO THE DEFINITION OF POTENTIALLY

HAZARDOUS FOODS, WHICH WOULD REQUIRE TEA TO BE BREWED TO A MINIMUM TEMPERATURE OF 195°F.

- "ADULT CARE" SERVICE KITCHEN HAS BEEN PROPOSED TO ADDRESS THE PERMITTING AND OPERATIONS OF LONG-TERM ELDERLY CARE FACILITIES.
- EMPLOYEE RESTROOM FACILITY REQUIREMENTS HAVE BEEN PROPOSED TO ADDRESS THE DISTANCE, EMPLOYEE ACCESS, AND THE CONTROL OF ACCESS TO THE EMPLOYEE RESTROOM.
- HANDWASHING SINK REQUIREMENTS HAVE BEEN PROPOSED TO ADDRESS THE LOCATION, DISTANCE, AND APPURTENANCES IN FOOD PREPARATION, FOOD DISPENSING, AND UTENSIL WASHING AREAS IN FOOD ESTABLISHMENTS.
- FOOD CATERING PERMIT REQUIREMENTS MAY BE EXPANDED TO CLARIFY CATERING ASPECTS, SUCH AS EQUIPMENT, FOOD PROTEC-

TION, APPLICATION SUBMITTAL, HANDWASHING SINK REQUIREMENTS, ETC.

- A MOBILE PET GROOMERS/SHOPS SECTION IS PROPOSED TO GIVE GUIDANCE TO OUR PARTNERS IN THIS INDUSTRY. IT ADDRESSES PLAN REVIEW, OPERATIONAL, AND PERMITTING REQUIREMENTS.
- THE STATE SCHOOL GROUNDS CODE IS PROPOSED TO FORMALLY ADOPT SECTIONS OF THE ARIZONA ADMINISTRATIVE CODE TO PROVIDE UNIFORMITY WITH INSPECTION REQUIREMENTS.
- ALL COLD HOLDING EQUIPMENT MUST MAINTAIN A TEMPERATURE OF 41°F BY OCTOBER 2011. THE 1999 MARICOPA COUNTY ADOPTED ENVIRONMENTAL HEALTH CODE ALLOWED A 10 YEAR GRACE PERIOD FOR EXISTING EQUIPMENT TO COLD HOLD BETWEEN 45°F and 41°F. THIS GRACE PERIOD WILL SUNSET IN OCTOBER 2011.



Protecting yourself  
from  
getting sick during Flu Season




Cover your mouth and nose when coughing or sneezing  
Wash your hands frequently and thoroughly

**Use alcohol based hand sanitizers when soap and water is not available**  
(Apply sanitizer into palm of hand. Rub hands together until they're dry.)



Clean Your Hands:  
Before eating, after using the facilities, before or after preparing food

When you feel sick, stay home to avoid infecting others.  
 Stop the spread of germs that may make you and others sick!

# Proposed Fee Changes



The chart below (and continued on next page) lists the new and proposed fees for the selected categories. The fees have been proposed to recover cost for services as required by county policy and by State statute. Although the Maricopa County Environmental Health Division has many different permit types only the ones listed below are being proposed for change. There are several permit types that will see fee decreases and those will be distributed at the two public workshop meetings on April 19, 2010 at 9 am and 2 pm.

Fee Types within PAS Code	Permit Class	Current Fee	Proposed Fee
Public Accommodation		\$535.00	\$680.00
School Facilities Food Service		\$570.00	\$480.00
Other Minor Review		\$415.00	\$245.00
Transfer of Ownership Inspection		New Fee	\$315.00
Mobile Food Unit Plan Review		\$145.00	\$75.00
Pushcart Plan Review		New Fee	\$45.00
Mobile Pet Shop		\$145.00	\$50.00
E&D Jail Food Service		\$2,825.00	\$1,030.00
Adventure Food Service		\$190.00	\$585.00
Bakery School		\$170.00	\$245.00
E&D Adult Day Care		\$435.00	\$100.00
Boarding Home	Class 2	\$415.00	\$275.00
Eating & Drinking 0-9 Seating	Class 5	\$895.00	\$610.00

## Proposed Fee Changes (Cont.)

Fee Types within PAS Code	Permit Class	Current Fee	Proposed Fee
Damaged Foods		\$765.00	\$620.00
Food Processor School	Class 4	\$580.00	\$490.00
Bottled Water & Beverage		\$410.00	\$305.00
Jail Complex		\$3,310.00	\$1,085.00
Boarding Home	Class 5	\$1,270.00	\$760.00
Inspection upon Request: Environmental Health		\$240.00	\$515.00
Food Catering School		\$590.00	\$465.00
E&D Nursing Home		\$795.00	\$690.00
E&D Assisted Living		\$760.00	\$670.00
Food Processor	Class 4	\$695.00	\$590.00
School Grounds		\$115.00	\$185.00
E&D Hospital Food Service		\$1,215.00	\$1,010.00
Vending Machines 1 -29		New Fee	\$220.00
Vending Machines 30 -59		New Fee	\$220.00
Vending Machines 60 -89		New Fee	\$220.00
Vending Machines Over 90		New Fee	\$220.00
Mobile Food Unit		\$490.00	\$610.00
Campground		\$60.00	\$165.00
Trailer Park		\$105.00	\$200.00
Bare Hands Contact Exemption		\$245.00	\$135.00
Replacement Permit Plate		New Fee	\$5.00
Food Handler Testing		New Fee	\$10.00
Food Handler/Manager Original card printing		\$16.00	\$5.00
Food Handler Referral Class Fee		New Fee	\$10.00
HACCP Plans		New Fee	\$205.00
Mobile Food Variance		\$255.00	\$60.00
Environmental Health Variance		\$90.00	\$200.00

# **Public Information Workshops**

## **Maricopa County Environmental Health Code Chapters 1, 7, 8, 9, 11 & 13 Revisions**

### **Open to All Interested Individuals**

**No Reservations are Needed**

*Call*

**602-506-6616**

*for more information*



**April 19, 2010**

**Monday,**

**9:00 am to 11:00 am,**

**Board of Supervisors**

**Auditorium**

**April 19, 2010**

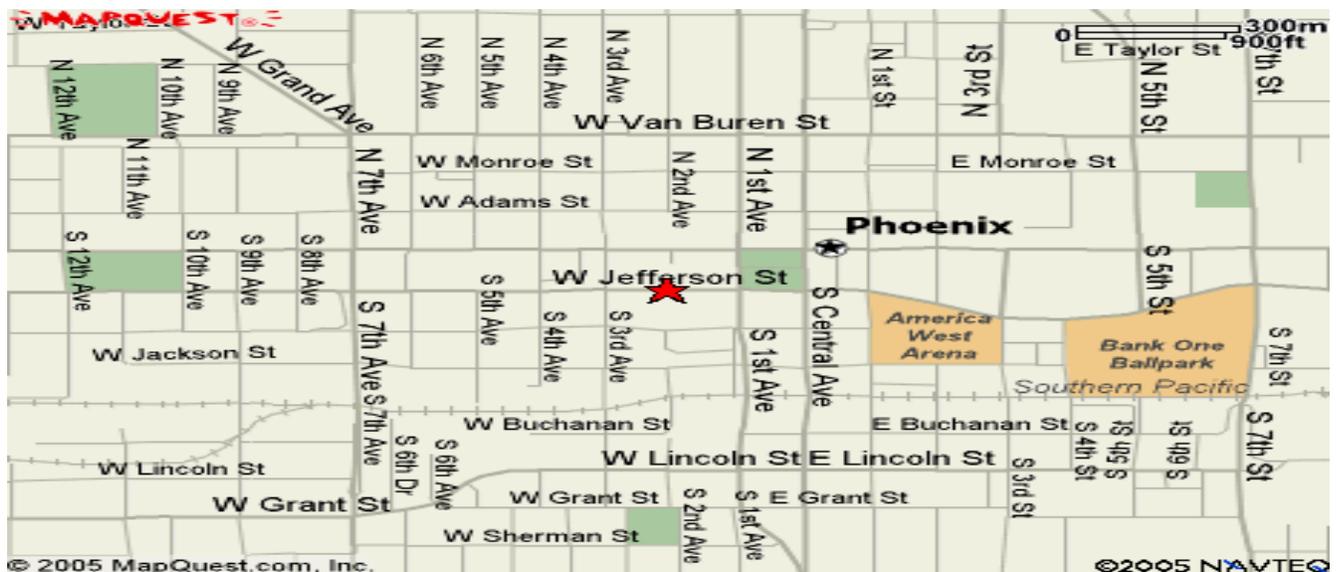
**Monday,**

**2:00 pm to 4:00 pm,**

**Board of Supervisors**

**Auditorium**

Maricopa County Board of Supervisors Auditorium is located at 205 W. Jefferson in downtown Phoenix. This is just East of the 301 W. Jefferson building.



Maricopa County  
Environmental Services  
Department

Visit us at:

[www.maricopa.gov/envsvc/](http://www.maricopa.gov/envsvc/)



Phone: 602-506-6616

Fax: 602-506-6862

## Dessert... FYI



### Follow Environmental Services Department on Twitter!

As of February 2010, Maricopa County Environmental Services Department is now on Twitter!

This dynamic resource will be beneficial to keeping the industry and our community in general informed when environmental health related issues need to be made public immediately, such as food recalls.

Follow us at [www.twitter.com/MCEnviro](http://www.twitter.com/MCEnviro).

And don't forget to visit our Food Recalls website for current updates on recalls that may affect Maricopa County:

[www.maricopa.gov/EnvSvc/AboutUs/QC/FoodRecalls.aspx](http://www.maricopa.gov/EnvSvc/AboutUs/QC/FoodRecalls.aspx)



### Food Service Worker

#### Testing Information

- The fee is \$16.00 cash –please have exact change. Now, we also take Master Card and Visa credit cards. No checks accepted.
- Food service worker licenses and renewals are obtained by reading a booklet and taking a test. Booklets are available for study at the test locations before taking the test or on our website at <http://www.maricopa.gov/envsvc/fdwkr.asp>.
- Testing is conducted at four locations Monday through Friday from 9:00am to 11:30am and from 1:00pm to 4:30pm. No testing is done on holidays. Offices are least busy in the mornings.
- For additional information and office locations, please call: 602-506-2960.