



Public Health
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Champaign-Urbana Public Health District

Background Information

To: FOOD ESTABLISHMENT OWNERS, OPERATORS, PERSONS IN CHARGE, EMPLOYEES,
AND THE GENERAL PUBLIC

From: ^{SR}JIM ROBERTS, DIRECTOR OF ENVIRONMENTAL HEALTH

Subject: PROPOSED RETAIL FOOD PROGRAM ORDINANCE AND RETAIL FOOD PROGRAM
ENFORCEMENT POLICY FOR THE CHAMPAIGN-URBANA PUBLIC HEALTH DISTRICT
AND FOR THE CHAMPAIGN COUNTY PUBLIC HEALTH DEPARTMENT

Date: AUGUST 23, 2018

Background

In July 2016, the Illinois Department of Public Health (IDPH) adopted a new Illinois Food Code (Food Code) that incorporated the United States Food and Drug Administration's (FDA) 2013 Model Food Code (Definitions and Chapters 1-7) and a few sections of the former Illinois Food Service Sanitation Code (77 Ill. Adm. Code 750). The Food Code is available at <http://dph.illinois.gov/topics-services/food-safety/retail-food>. IDPH is in the process of adopting FDA's 2017 Model Food Code (the code is updated every 4 years) and expects it to be effective on January 1, 2019. IDPH's implementation due date for adopting and enforcing the new Food Code by local health agencies is also January 1, 2019 (previous due date was July 1, 2018).

In addition to key changes in definitions and food rules that affect food establishments (<http://www.c-uphd.org/food-codes-and-ordinances.html>), there are key changes that affect a local health agency's compliance and enforcement. Rather than trying to extensively modify any existing ordinance and enforcement policy, it was best to propose a new ordinance and enforcement policy. Some key changes include:

- Changing the Food Establishment Inspection Report.
- Eliminating the terms of "critical" and "non-critical" violations.
- Eliminating the rating score or in our jurisdictions, the adjusted score.
- Eliminating enforcement actions triggered by a rating score.

- Using an ordinance and an enforcement policy based on the 2013 FDA Model Food Code rather than from the FDA's 1976 Food Service Sanitation Manual.
- Requiring timely correction for newly defined and assigned "Priority", "Priority Foundation" and "Core" violations.
- Adding some local agency ordinance clarifications/requirements: Change of Ownership (Section 2-5 (E)), Hold Order for Equipment (Section 3-8 (E)), Menu Limitation (Section 3-15), Temporary Food Permit Frequency (Section 4-2 (C)), and Temporary Food Permit Mandatory Education (Section 4-2 (D)).
- Creating a non-score-based, more comprehensive, and progressive enforcement policy (no more adjusted score).

The goals of each health agency's proposed ordinance and enforcement policy are to:

- Incorporate the Illinois Food Code.
- Create an ordinance and enforcement policy modeled from Chapter 8 (Compliance and Enforcement) of the 2013 FDA Model Food Code (<https://www.fda.gov/Food/GuidanceRegulation/RetailFoodProtection/FoodCode/ucm374275.htm>).
- Create a regulatory foundation consistent with Standard #1 of the FDA's Voluntary National Retail Food Regulatory Program Standards (January 2017) (<https://www.fda.gov/downloads/Food/GuidanceRegulation/RetailFoodProtection/ProgramStandards/UCM372416.pdf>).
- Provide for timely correction of Priority and Priority Foundation violations.
- Create a progressive enforcement policy especially for Repeat Violations.

