



The Samuel J. Crumbine  
Consumer Protection Award  
2015 Application Submittal

# Lincoln-Lancaster County Health Department Food Safety Program



  
**INFUSE**  
partnering to enhance food safety

Environmental Public Health Division  
3140 "N" Street  
Lincoln, NE 68510

## Executive Summary

The Lincoln-Lancaster County Health Department (LLCHD) promotes and protects the health of all Lancaster County residents and visitors. Assuring safe food is vital to protecting the public's health, since it impacts each of our 290,000 residents every day. Our Food Safety Program's primary goal is to prevent foodborne illness. The regulatory foundation upon which we have built our program is the 2009 FDA Food Code. Nebraska law requires food inspectors to hold a Registered Environmental Health Specialist certification (REHS), and in addition, the majority of LLCHD's Food Safety Team holds a Certified Professional in Food Safety certification. This is just a small example of LLCHD's focus on staff development and promoting a culture of quality.

The structural framework for our Food Safety Program's quality assurance efforts is FDA's Retail Program Standards, making LLCHD a partner with FDA in creating an Integrated Food Safety System. Our Training and Standardization Coordinator standardizes team members every two years to enhance inspection uniformity. The Food Safety Team conducts inspections using HACCP principles. Focusing on risk factors is aided by our digital inspection system that is based on the CFP/FDA inspection form. We provide staff with high quality tools and resources to support their vital work in the field. Our program is well resourced and 86% self-supported by fees.

LLCHD believes that food manager education combined with field consultative assistance and consistent enforcement is the right formula for achieving behavior change to adopt Active Managerial Controls (AMCs). When enforcement is needed, LLCHD uses a progressive approach, issuing enforcement notices in the field, and taking administrative action as necessary to achieve compliance with the Food Code. These efforts are usually successful in preventing foodborne illness outbreaks. When they are not, our multi-faceted Epi Team quickly investigates and implements control measures to stop further spread of disease. We collaborate with State and Federal officials in multi-jurisdictional outbreaks.

Communicate and collaboration with the food industry and consumers greatly enhances food safety for our community. Our Food Advisory Committee is a major partner in this work. LLCHD is the only jurisdiction in Nebraska requiring food handler training and food manager certification. We were the first agency to provide food inspection reports online. In return, the community acknowledges the need to keep food safe, supporting and trusting the Food Safety Program.

LLCHD evaluates its Food Safety Program's progress in reducing risk factors for foodborne illness. Evaluation ranges from reviewing every field enforcement notice to the Nebraska Department of Agriculture's comprehensive program evaluation every four years. In 2012, analysis of 10 years of inspection data revealed that while total violations decreased, critical violations remained unchanged. As a result of this evaluation, a new strategy of intensive in-person on-site consultation was developed to help poorer performing food establishments to adopt AMCs.

LLCHD enjoys a challenge and three are highlighted in the submittal: Pursuing Compliance with FDA Retail Program Standards, Achieving Safer Food Handling through Training, and Implementing AMCs through Food Safety Consultation.

Submitting this application for the prestigious Samuel J. Crumbine Award has been a goal for our Food Safety Program for many years.

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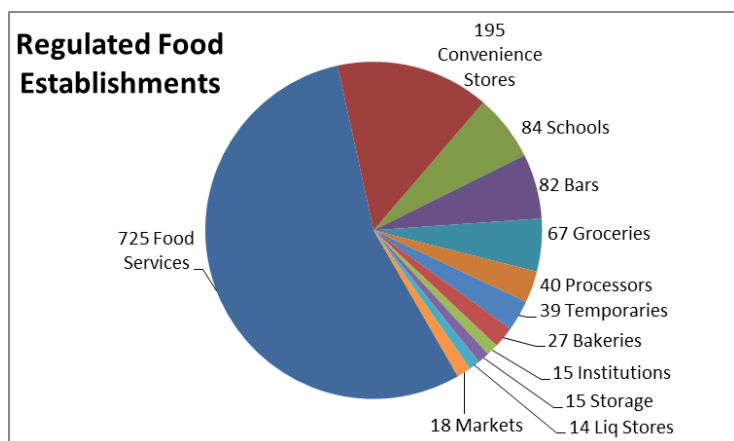
Located in Southeast Nebraska, Lincoln and Lancaster County contain a rich mosaic of households, living in a variety of urban and rural settings. Although 90% of our almost 300,000 people live in Lincoln, all County residents share a common bond and embrace growth that offers new opportunities for

living and working, while conserving our local environmental and cultural resources for future generations. Since the 1980s, Lincoln has been a locus for refugee resettlement, and there are thriving communities of Iraqis, Vietnamese, Sudanese, and Bosnians, to name a few. And, our Hispanic population has almost doubled in the past 20 years. Thus, Lincoln has many ethnic restaurants and retail stores, which add to our diversity. Our libraries, parks, pools, and one of the country’s best trails system attract families and increase neighborhood activity. Lincoln is a great place to live, work and play, and was recently rated in the top ten by Gallup, Forbes, Kiplinger and others.

Lincoln is one community with no suburbs, and the City and County governments work well together, having had a unified Lincoln-Lancaster County Health Department (LLCHD) for almost 70 years. The population is highly educated, with 94% having graduated high school and 36% holding a bachelor’s degree. Lincoln and Lancaster County has one of the lowest unemployment rates in the U.S. (<3%). Lincoln is a “University town”, home of the University of Nebraska – Lincoln (UNL), with over 24,000 students. UNL is located immediately adjacent to Lincoln’s downtown area, making downtown a very active retail and commercial center, with a high density of food establishments of all kinds. Lincoln has made major investments in redeveloping the West Haymarket area, including the Pinnacle Bank Arena, resulting in over two dozen new food establishments in one year.

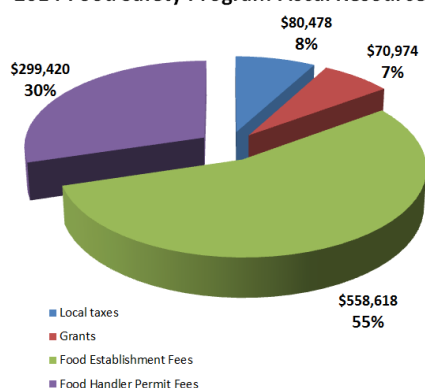
LLCHD contracts with the Nebraska Department of Agriculture (NDA) to conduct all the food establishment inspections in Lancaster County. Food establishments located in Lincoln’s jurisdiction must hold a LLCHD issued permit. About 1150 Lincoln permits are currently issued. The past two years we have had an 11% increase in permits due to a surge in new development in Lincoln. LLCHD inspects an additional 170 food establishments permitted only through

NDA as a retail store, convenience store, or as food storage, processor, or warehouse. LLCHD trained and permitted over 14,000 food handlers and food managers in 2014.





2014 Food Safety Program Fiscal Resources



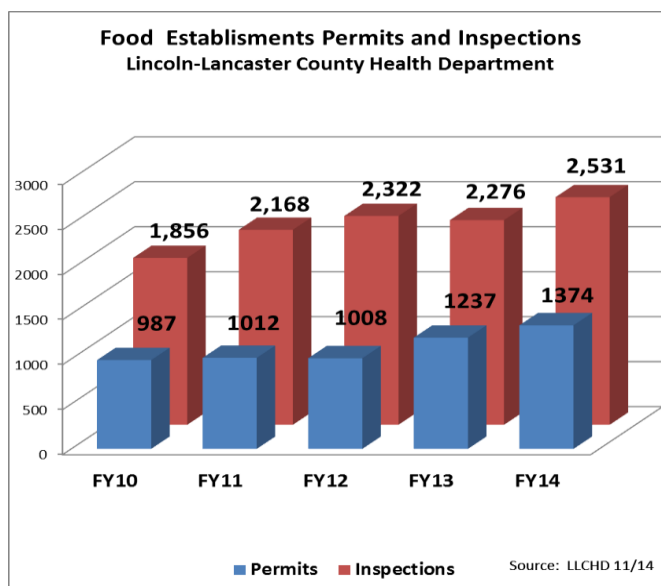
The Food Safety Program budget has grown each of the past six years, with permit fees increasing about 3% each year. Our budget for 2015 is \$1,099,162. Total expenditures in 2014 were \$1,009,491. Revenue sources were 86% fees, 8% taxes, and 7% grants, which funded personnel, equipment, and contractual services. The Food Safety Program is staffed with 10.25 FTE: 7.5 FTE field staff, 1.75 FTE support staff, 1.0 FTE educator, and 1.0 FTE supervisor. Field staff workload is 475 inspections per FTE per year. A surge in food establishments in the last two years has resulted in increased fee

revenue. An additional .25 FTE field staff was added for 2015 to help address this growth.

LLCHD was excited to receive a five year FDA grant totaling \$350,000 in 2012, funding a 0.75 FTE field staff to focus on helping Food Managers implement Active Managerial Controls through onsite consultation. LLCHD is fortunate to have the resources, equipment, administrative support, and industry support needed to run an excellent Food Safety Program.

LLCHD has received small FDA/AFDO grant funds to assist with projects achieving the FDA Program Standards. These funds support staff training. In addition, in 2015 we received a \$20,000 AFDO/FDA grant to update our InspectTab digital inspection system.

LLCHD ensures staff has the right tools and resources to support all of our food safety efforts to reduce foodborne illness. We provide: city vehicles, tablet PCs, IT support, cell phones, a vast array of inspection equipment, and a comfortable office.



### LLCHD Food Safety Program Fees

Permit Type	Fee
Initial Food Establishment Permit	\$510
Annual Food Establishment Permit Renewal	\$350
Addition Facility(ies): bar, catering, temporary, bakery, etc.	\$160 per facility
Single Event Temporary/by Non-profit	\$145/\$70
Annual Temporary/by Non-profit	\$430/\$215
Temporary Event Market for every 1 to 5 vendors	\$160
Farmers' Market	\$85 + \$20/vendor
Reinstatement after suspension	\$260
Food Handler Permit	\$20 for a 2 year permit
Food Protection Manager Permit	\$30 for a 3 year permit



The Lincoln-Lancaster County Health Department's (LLCHD) mission is to "Protect and Promote the Public's Health" and our vision is "A sustainable public health system serving all people to achieve optimal health." Our Food Safety Program's mission is "To protect human health by preventing disease," with our primary goal being "To prevent foodborne illness and deaths from food produced at the retail level."

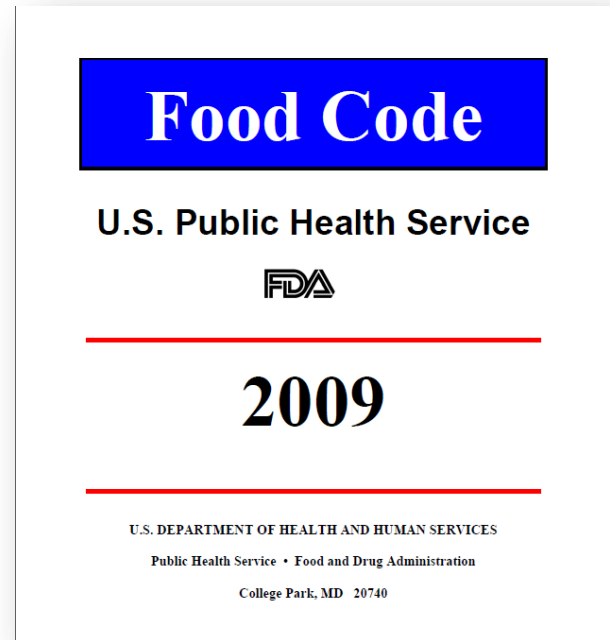
Foodborne illness poses a significant burden of illness to Lincoln and Lancaster County's 297,000 residents. The Centers for Disease Control and Prevention (CDC) estimates that 1 in 6 people contract a foodborne illness each year. If CDC's estimates apply to our community, then approximately 50,000 people contract foodborne illness, 120 would be hospitalized, and 3 would die every year.

LLCHD established a long term "stretch goal" to meet all nine FDA Retail Food Regulatory Program Standards and are guided by the following several specific objectives:

- To continuously improve our food handler and food manager training to meet the needs of the food industry and provide impactful, quality education.
- To ensure that Food Safety Team staff have the right knowledge, skills, and abilities to conduct high quality, uniform inspections using HACCP principles.
- To conduct all inspections within risk-based intervals.
- To partner with Food Protection Managers to implement Active Managerial Controls by:
  - Providing intensive, on-site food safety consultation services to poorer performing food establishments to increase the adoption of Active Managerial Controls and reduce risk factor violations.
  - Actively involving selected Food Protection Managers to develop a "Community Based Social Marketing" strategy to change behavior in our "community" of food establishments, increasing compliance with health and hygiene risk factors.
- To foster communication among the regulators, industry, and consumers, providing educational information on food safety through our Food Advisory Committee and many partnerships.
- To enforce the food code equitably to ensure compliance.
- To evaluate our progress in reducing risk factors most associated with foodborne illness.
- To earn the Samuel J. Crumbine Award.



The regulatory foundation of the Lincoln-Lancaster County Health Department's (LLCHD) Food Safety Program is the 2009 FDA Food Code. The Nebraska Food Code was updated in March of 2012, adopting the vast majority of the 2009 FDA Food Code. Our local ordinance, the Lincoln Food Code, adopted the Nebraska Food Code by reference in October, 2012. The Lincoln Food Code has its own enforcement provisions that authorize the Health Director to take actions to protect the public's health from foodborne illness risks, up to and including the suspension and revocation of food establishment permits. In addition, the Lincoln Food Code has enhanced requirements beyond the Nebraska Food Code, including: requiring training, testing and permitting for Food Protection Managers and Food Handlers, and permitting requirements for schools, farmers' markets, event markets (festivals), and some non-profit establishments. These enhancements increased food safety in Lincoln's food establishments and reduced the risk of foodborne illness. All were supported by our local Board of Health and Food Advisory Committee, and approved by the Lincoln City Council.



LLCHD completed an initial self-assessment of FDA Voluntary National Retail Regulatory Program Standards, Standard 1- Regulatory Foundation, on October 6, 2003. The verifying audit was completed on August 30, 2005. LLCHD completed a second self-assessment of Standard 1 on June 13, 2012, which was audit verified on June 15, 2012. Nebraska is one of the few states that does not prohibit bare hand contact with ready-to-eat foods. LLCHD will no longer meet Standard 1 on our next self-assessment unless the State or local Food Codes are changed to prevent bare hand contact with ready-to-eat foods. In the winter of 2014, our Food Advisory Committee established a workgroup to address this issue, with recommendations expected this spring.

LLCHD is in the process of updating our digital inspection system, InspecTab. When completed by mid-2015, we will implement the new violation terminology from the 2009 FDA Food Code "Priority," "Priority Foundation," and "Core." LLCHD fully supports the change to three categories of violation. Our delay in implementing the new violation categories was primarily due to changing our primary database software and coordinating with the State on development of their digital inspection system. Both have been completed, and our IT staff and Food Safety Team are moving forward "full steam ahead."

All fees in the Lincoln Food Code are established by City Council Resolution. Fees are revised incrementally each year as requested by industry and elected officials.

Well trained staff is a cornerstone of a LLCHD's Food Safety Program. Ensuring that staff have the right knowledge, skills, and abilities increases public health protection from foodborne illness and improves the quality of services provided to the food industry.

Nebraska law requires food inspectors to hold a Registered Environmental Health Specialist (REHS) certification. LLCHD's Food Safety Program Supervisor and seven of our eight Food Safety Team members also hold a Certified Professional in Food Safety (CP-FS) certification.



LLCHD's strategy for training new team members was implemented in 2005. Trainees complete 25 joint inspections, observing and learning from the Training and Standardizing Coordinator (TSC) and other standardized staff, then conduct 25 observed inspections. Trainees complete 40+ hours of FDA ORA-U training courses, and review the Food Code and policies. Once approved by the TSC, the new Food Safety Team member conducts independent inspections and is standardized after six months in the field. Since adopting the FDA Standard 2 protocols, we believe our Team members are definitely more fully prepared to enter the field as competent, confident, productive food safety inspectors. Our self-assessment of FDA Program Standard 2 was completed on August 2009 and verified on June 2010.

Food Safety Team members are expected to pursue training on their own as well as attend specific trainings. Recent Team trainings included: the annual Nebraska Food Safety Task Force Conference, the FDA Southwest Regional Seminar, and the Nebraska Environmental Health Association's Annual Conference. Food Safety Team members attend all FDA trainings offered in Nebraska and some in nearby states. Recent trainings included: Conducting Risk Based Inspections, Foodborne Illness Investigation, Special Processes, and a Sushi workshop. Food Safety Team members share their knowledge and competencies with others. For example, in the last two years, Team members who attended FDA training on Sushi and Special Processes held seminars for the rest of the Team.

The Program Supervisor is actively involved in the Conference for Food Protection (CFP) and the Division Manager serves on the Council for Improving Foodborne Outbreak Response. These national commitments help LLCHD stay at the forefront of current issues and training opportunities.

Two Food Safety Team members have completed the CDC's Environmental Health in Emergency Response training, better preparing us to prevent foodborne outbreaks in disaster situations. Numerous online trainings and webinars are promoted. Team members attended trainings on diversity, dealing with difficult people, and managing conflict. Our Retail Food Safety Consultant attended Dr. McKenzie-Mohr's Community Based Social Marketing course. This prepared him to work successfully with Food Protection Managers to cause behavior change and implement AMCs.

Annual performance evaluations identify areas for professional development for each Team member. Finally, as part of our Department accreditation process, LLCHD will be assessing staff competencies and crafting a workforce development plan. Our goal is to be a continuous learning organization.



LLCHD's Food Safety Team conducts inspections using HACCP principles, focusing on risk factors. Each inspection is used as an opportunity to encourage Food Protection Managers to implement Active Managerial Controls. LLCHD was audit verified as meeting Standard 3 Inspection Program Based on HACCP Principles in June 2014, based on our risk factor based inspection report form, policies for inspection, risk base inspection intervals, variance requirements, and HACCP plan review policy.

In 2005, LLCHD developed a digital inspection system, InspecTab, based on the CFP/FDA recommended risk factor inspection form. The software guides inspectors to conduct inspections based on HACCP principles and focus on risk factors associated with foodborne illness. Reports are printed in the field and identify: all violations by risk factor, type of violation, repeat violations, inspector observations, the Food Code section text, and a "correct by" date. LLCHD is updating InspecTab and will implement the violation terms Priority, Priority Foundation, and Core in 2015. The updated InspecTab will separate violations for meat, produce, seafood, and deli departments within a retail store inspection, allowing data to be used in risk factor studies.

Correction of out-of-control risk factors is promoted through Active Managerial Control. We believe that Food Protection Manager education combined with field consultative assistance and consistent enforcement is the right formula for achieving behavior change to adopt AMCs.

### **Food Manager Education**

Each food establishment preparing Time/Temperature Control for Safety (TCS) foods is required to have an ANSI/CFP certified Food Protection Manager. Food Protection Managers are required to attend LLCHD continuing education classes, which include why AMCs should be adopted and give real-world examples of implementation. The highest level food handler online training was modified in 2014 to include a new module on AMCs.

### **Consultative Assistance**

LLCHD has a .75 FTE Retail Food Safety Consultant whose main responsibility is to provide intensive consultative assistance to food establishments that have had repeat high risk violations. The focus on this assistance is to help the Food Protection Manager implement specific AMCs to eliminate highest risk Critical (Priority) violations. Multiple visits over a period of several months are commonly required to achieve lasting change. On average, these facilities have adopted three AMCs for risk factors most associated with foodborne illness. Regular inspections completed after full implementation have shown fewer violations on these risk factors. This position does not do regulatory food inspections.

### **Enforcement**

Food Enforcement Notices (FEN) are issued for highest risk Critical (Priority) violations. An FEN requires the Food Manager to submit a written Action Plan identifying what has been done to correct the violations and what will be done to prevent reoccurrence of the violations. To ensure that short term corrections have been made, a follow-up inspection is completed within 5 days. To ensure that lasting corrective actions have been made, a full re-inspection is conducted about 30 days later. If the establishment receives two consecutive FENs, the inspection frequency is changed to 90 days.

LLCHD strives to have a culture of quality. The foundation of our Quality Assurance program is FDA’s Retail Program Standards, and we are in verified compliance with seven of the nine Standards.

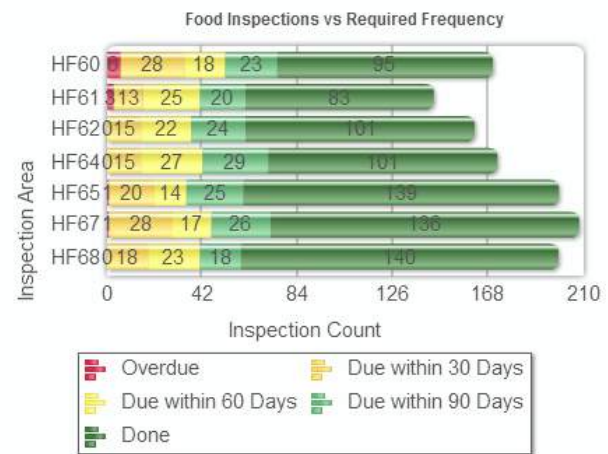
The importance of food safety knowledgeable and well trained staff cannot be overemphasized, but even highly trained staff may not conduct uniform inspections. A formal standardization process is needed to ensure uniformity. The Nebraska Department of Agriculture (NDA) tried to standardize each food inspector every four years, but this goal was seldom met. Recognizing the need to improve the uniformity of our inspections, LLCHD added .25 FTE with the new responsibility of conducting in-field training and standardization of our food inspectors.

Our vision was to standardize each Food Safety Team member biennially on Food Code interpretations, program policies, and compliance/enforcement procedures. NDA supported this and now only standardizes our Training and Standardization Coordinator (TSC) every two years. Our TSC standardizes Team members at least once every two years. The TSC reviews every Food Enforcement Notice to assure consistency with enforcement policies. Enforcement actions are reviewed individually with staff when necessary, and are a standing agenda item for monthly Food Safety Team meetings to ensure uniformity. This strategy greatly enhanced uniformity amongst regulatory staff.

In 2011, LLCHD participated in a CFP pilot project on FDA Standard 4. This assessment found a high percentage of inspections were not conducted within the required risk based interval. Internal Team review determined that this was caused by recent staff turnover and confusion about when inspections were due, making it hard to prioritize work. IT staff developed a new dashboard report that provided staff real-time data on inspection due dates. Once back to full staffing, and armed with a new dashboard tool, the Team set a goal of completing inspections within risk-based inspection intervals. Within a year they achieved that goal and set a new goal – to be two weeks ahead on inspections, so that staff vacations or illnesses would not result in falling behind. In May of 2013, LLCHD completed the self-assessment of Standard 4 – Uniform Inspection Program, with verification in June 2013.

DIF002 - Food Inspection Frequency Monitor

(Click Inspection Area Bar for Detail)



In a similar effort to ensure uniformity in new and remodeled facility plan reviews, LLCHD added a .25 FTE to be the Plan Review Coordinator. This position transformed our plan review process, increasing consistency in interpretations and enhancing our relationship with the Building and Safety Department.

LLCHD’s digital inspection system, InspecTab, provides data that is used by IT staff to develop dashboards and reports used by Food Team members and Management to analyze and evaluate the Food Safety Program. Specific reports are used to assist in staff and program performance evaluation, and the quality improvement processes.

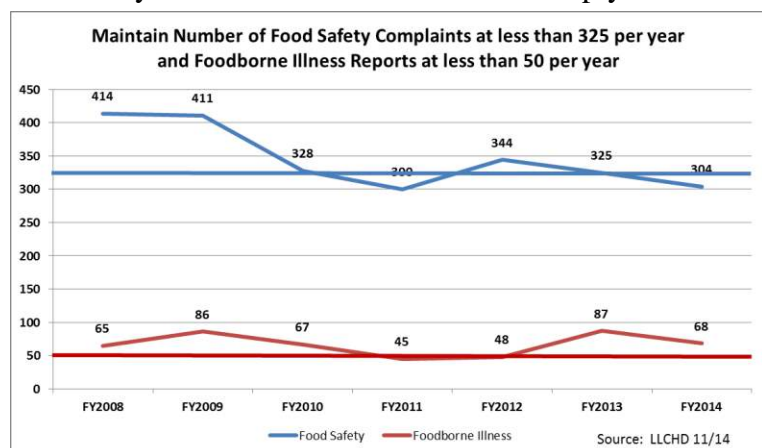
## Part II: Baseline and Program Assessment – Foodborne Illness Response

LLCHD's Food Safety Program's primary goal is to prevent foodborne illness, which poses a significant burden of illness in Lincoln and Lancaster County (population 290,000). Applying CDC estimates to our community, each year approximately 50,000 people contract foodborne illness, 120 are hospitalized and 3 die. LLCHD prioritizes foodborne illness investigations and has used the FDA recommended Epidemiological (EPI) Team approach for over a decade. LLCHD investigates all possible foodborne illness complaints received and, when an outbreak occurs, engages our multi-divisional EPI Team. LLCHD staff have attended training in foodborne illness investigations (FDA, CSTE, NEHA), and CDC's Environmental Health Training in Emergency Response. LLCHD staff also participated in the development of CIFOR's *Guidelines for Foodborne Disease Outbreak Response*.

LLCHD completed a self-assessment of FDA Retail Program Standard 5 in April 2010 and was audit verified in August 2010. CIFOR's *Guidelines for Foodborne Disease Outbreak Response* was used as a resource to update foodborne illness complaint investigation and outbreak response policies. This was a collaborative effort with our Communicable Disease Program, and relationships with the Nebraska Public Health Lab and the Nebraska Department of Agriculture Lab were renewed and reaffirmed. All food complaints are entered into a digital database, allowing daily, real-time trend analysis. Clarifying responsibilities, strengthening relationships, and ensuring that agreements were in place has allowed LLCHD to investigate foodborne illness reports and outbreaks quickly and aggressively. Recent investigations include involvement in a nation-wide outbreak of *Cyclospora* from salads in 2013 and a regional outbreak of *Salmonella* from sprouts in 2010.

Employing new technology has sped up investigations, led to rapid identification of the causes of outbreaks, and reduced secondary transmission of illnesses. An example of this was a recent investigation of an outbreak of gastroenteritis following a large group gathering. In less than 8 hours from the initial report, the EPI Team had: conducted interviews, obtained contact information, collected a stool specimen, conducted a thorough environmental assessment at the facility, implemented control measures at the facility, and emailed an online questionnaire to attendees. By the next morning, the lab report had been received as had 60 survey responses. Within 24 hours initial survey analysis was completed, further guiding the investigation. Interventions were successful in preventing a subsequent outbreak from the same facility. Had this outbreak occurred five years ago, it is likely that a second major outbreak and many secondary transmissions may have occurred. The work to comply with Standard 5 has definitely paid off in terms of increased public health protection.

The City of Lincoln uses outcome based budgeting to set funding priorities. One of the Mayor's budget indicators is foodborne illness complaint reports. This has increased the visibility of our Food Safety Program and provided opportunities to communicate with elected officials and our community about food safety.



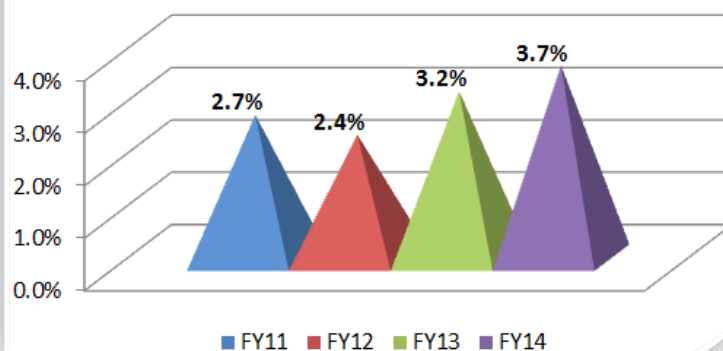
## Part II: Baseline and Program Assessment – Compliance and Enforcement

When enforcement is needed to gain compliance with the Lincoln Food Code, LLCHD uses a progressive approach. Enforcement tools available to Food Safety Team members include a Notice of Violation (NOV) and a Food Enforcement Notice (FEN) issued as a Warning or an Immediate Suspension. Staff are trained on, and guided by, our Board of Health enforcement policy. Administrative actions include: Administrative Meeting, Permit Suspension, and Permit Revocation.

An NOV may be issued when lower risk Critical (PF) violations are identified. A Plan of Action must be submitted within 5 days addressing how future violations will be prevented. Of 2749 inspections in 2014, 351 (13%) resulted in an NOV, most for less than 100% compliance with food handler permits. An NOV typically leads to timely correction of risk factor violations and ongoing compliance.

An FEN is issued for Critical (Priority) violations which pose high risk for foodborne illness, such as cooking or holding temperatures, improper cooling, unsafe food source, or pest infestations. A Plan of Action is required. To verify compliance, a follow-up inspection is conducted within 5 days and a regular inspection is conducted within 30 days. If two consecutive FENs are issued, the inspection interval is reduced to 90 days for at least 12 months. FENs were issued in 3.7% of inspections (101 of 2749) in 2014. This was higher than past years due to changes in our food handler permit enforcement policy. FENs usually result in compliance, but if not, then administrative actions are taken.

**Percent of Inspections Resulting in a Food Enforcement Notice**



### Food Establishment Inspection Viewer

Latest Rating: Below Average 3 Year Avg. Rating: Below Average [Click Here](#)

[Back to Search Results](#) [Back to Search Input](#)

Click Inspection Date for Violation Descriptions.

Inspection Date	Purpose	Criticals	Non-Criticals	Enforcement issued
12/9/2014	Regular...1	3	11	None
9/10/2014	Regular...1	8	15	Notice of Violation
6/10/2014	Regular...1	3	7	None
3/10/2014	Regular...1	2	10	None
1/14/2014	Follow-up...2	4	4	None
12/10/2013	Regular...1	7	11	Food Enforcement Notice

FENs are public record and are published in the *Lincoln Journal-Star* newspaper. All inspection results, including FENs, are available to the public via the LLCHD Food Inspection Viewer website.

The Food Safety Program Supervisor has the discretion to call an Administrative Meeting with any food establishment to discuss the

importance of compliance and the consequences of non-compliance. The final level of enforcement is an Administrative Hearing to suspend or revoke a permit. The effectiveness of LLCHD's progressive enforcement approach is revealed by the fact that only two permits were suspended in 2014.

LLCHD will complete the initial self-assessment for FDA Program Standard 6 in May, 2015. An AFDO grant has been approved for \$2,000 to complete this work.



## Part II: Baseline and Program Assessment – Fostering Communication

LLCHD has fostered communication and information exchange among the regulators, industry, and consumers, providing educational information on food safety through our Food Advisory Committee (FAC), many partnerships, and through training and direct communication with Food Managers and Food Handlers. Our Food Advisory Committee includes members from regulated industry, academia, local food advocates, and public spirited consumers. They guide our Food Safety Program, providing wise counsel, encouraging collaboration, and advocating for safe food.



LLCHD has partnered with the University of Nebraska Extension in Lancaster County Extension for many years to educate our community on food safety. Extension's mission is to

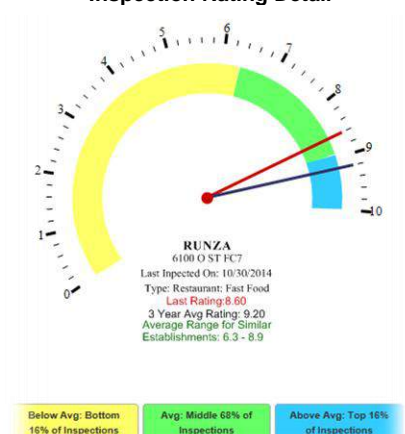
develop and deliver educational programs benefiting individuals, families, businesses, and communities. Together through our collaboration, we developed several consumer materials, including multi-lingual hand washing posters, handouts, and PowerPoints. We have received emails from literally all over the world praising our hand washing posters and materials as some of the best on the web. As evidence of their popularity:

- There have been 340,569 downloads of the hand washing materials and posters since 2010.
- Googling “free hand washing posters” brings up our materials on the first page of your search, just below CDC. And, the USDA links to this poster from its website.
- As of December 2014, there were 138 links from Pinterest to the poster webpage.

Partnering with the University of Nebraska Food Science and Distance Learning Departments, in 2009 we launched an online food handler training and permitting program for 3 types of permits. Over 80% of food handlers train online. More than 60,000 permits were issued in 5 years. The educational impact that training this many people has on food safety in our community at large has not been measured, but we believe it is huge!

We could fill pages on our: Food Protection Manager renewal classes, quarterly newsletters, Food Manager Memos, Board of Health “Excellence in Food Sanitation” award, participation in the Nebraska Food Safety Task Force, website, etc. Suffice it to say, LLCHD believes that Standard 7 is the most important Standard for our Food Safety Program. Communicating, educating, collaborating, and asking for input greatly enhanced food safety in our community and has made it easier to attain other FDA Standards. In return, the community has the knowledge needed to keep food safe and the trust in the Food Safety Program to support it. LLCHD's first self-assessment of Standard 7 – Industry and Community Relations was completed in 2002 and verified in 2004. Our second was completed and verified in May 2012.

LLCHD Food Inspection Viewer  
Inspection Rating Detail



## Part II: Baseline and Program Assessment – Providing Program Resources

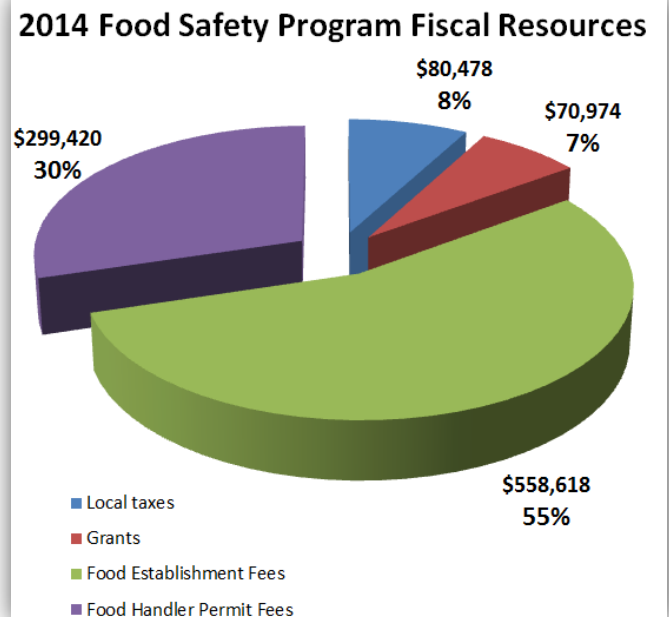
The Food Safety Program budget has grown slowly each of the past six years, with permit fees increasing about 3% each year. Total expenditures in 2014 were \$1,009,491. Revenue sources were 86% fees, 8% local taxes, and 7% grants, which funded personnel, equipment, contractual services, rent, etc. The Food Safety Program has 10.25 FTE: 7.5 FTE field staff, 1.75 FTE support staff, 1 educator, and 1 supervisor. Field staff workload is 475 inspections per FTE per year. We've seen a surge in new food establishments, issuing 1374 permits in 2014, exceeding 2013 by over 100 permits. An additional .25 FTE field staff was added for 2015 to help address this growth. LLCHD was excited to receive a five year FDA grant totaling \$350,000 in 2012. This grant allowed us to hire a 0.75 FTE field staff to provide onsite consultation to Food Managers, helping them implement Active Managerial Controls. LLCHD is very fortunate to have the resources, equipment, administrative support, and local food industry support needed to run an excellent Food Safety Program.

LLCHD has applied for and received FDA and AFDO grant funds to assist with projects achieving the FDA Program Standards. These funds go directly to the Food Safety Program, supporting staff training and active participation at the national level in the Conference for Food Protection.

LLCHD believes that staff needs the right tools and resources to support all of our food safety efforts to reduce foodborne illness. Resources include:

- High end tablet PCs for conducting digital inspections and portable printers for providing crystal clear, color inspection reports to Food Managers in the field;
- Excellent internal IT support for InspecTab, our electronic inspection system, digital dashboards used every day for work planning, multiple report functions for focusing on highest risk establishments and risk factor violations;
- City vehicles; and
- A vast array of inspection equipment, such as: cell phones, digital cameras, thermo-pens, metal stem thermometers, test strips, maximum holding thermometers, lab coats, winter coats, flashlights, gloves, and public safety vests, and steel-toed boots for food truck wrecks and fire response.

We have an almost paperless office, with all inspection records and permits in digital files. Our digital system includes the ability to create applications, form letters, and specific reports, which is a significant asset to the program.



## Part II: Baseline and Program Assessment – Program Evaluation

Using FDA’s procedures, the Nebraska Department of Agriculture (NDA) conducted Food Establishment Sanitation Evaluations of LLCHD’s Food Safety Program in 2013 and 2009. The 2013 evaluation recommended stronger inspection emphasis on safe food temperatures, clean food contact surfaces, and proper toxic storage. We take NDA evaluations seriously and the Food Safety Team develops plans of action addressing NDA recommendations that are reviewed by our Health Director, Food Advisory Committee, and Board of Health. One way to evaluate LLCHD’s success in reducing foodborne illness risk factors is to compare program evaluation results with the other two local food safety programs evaluated by NDA. While this data was encouraging, we are not satisfied with the persistent number of critical violations found in the recent evaluations.

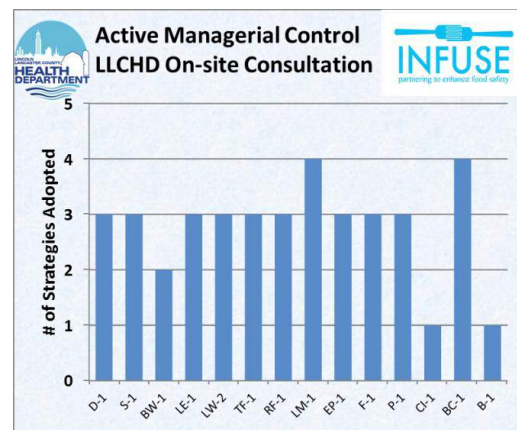
In 2012, LLCHD analyzed our food inspection data between 2001 and 2011, which revealed that while total violations decreased by 22%, critical (priority) violations (CVs) remained stable. Reviewing data from 2012 found that 87 inspections had 5 or more CVs, many of which were for risk factors posing the greatest risk of foodborne illness. These risk factors violations were discussed in our monthly Food Team meetings. We concluded that a new strategy was needed to address these poor performers and to achieve a higher level of food safety in our community. Staff reviewed work across the country on implementing Active Managerial Controls (AMCs). While some success was reported, results were limited in scope and duration. LLCHD believed that more sustainable results could be achieved by using a proven community health education model for behavior change: intensive on-site consultation.

LLCHD implemented a Retail Food Safety Consultation Service named “INFUSE”, the focus of which is to improve compliance in food establishments with the highest number of high risk violations. A Retail Food Safety Consultant provides intensive on-site consultation to guide Food Managers in implementing AMCs to prevent foodborne illness risk factor violations and ensure lasting compliance. So far 39 AMCs have been adopted in 14 historically poor performing food establishments.

Regulatory inspections since consultation have found an average of less than 1 violation of targeted risk factors most associated with foodborne illness per inspection.

LLCHD uses many methods to evaluate our progress on reducing risk factor violations. These include: using Crystal Reports specifically developed to review Team and individual issuance of enforcement notices for violation for CVs, discussing specific risk factor violations in monthly team meetings, using Logi Analytics analysis grids to identify facilities with the highest number of risk factor violations, and increasing the inspection frequency for facilities with repeat risk factor violations. LLCHD completed the initial self-assessment of FDA Program Standard 9 in May 2004 and it was audit verified in July 2004. LLCHD is updating our digital inspection system, InspecTab, to facilitate our future risk factor studies.

Local Jurisdictions	LLCHD	Local 1	Local 2
Average Critical Violations	3.28	4.1	5.8
Average Non- Critical Violations	6.34	10.8	11.0



## Part III: Challenges, Objectives, Measurements and Achievements

### Challenge 1: Pursuing Compliance with FDA Program Standards

The year was 2001. Our Food Safety Program Supervisor, Joyce Jensen, recently learned about FDA's new strategy to improve retail food protection programs and reduce foodborne illness. It was called the *FDA Voluntary National Retail Food Regulatory Program Standards*, a comprehensive quality assurance strategy that Joyce believed could transform our Food Safety Program into one of excellence. The Program Standards were an ideal fit with our Department's custom of establishing program vision, mission, and goals. Joyce convinced her supervisors and the Food Advisory Committee that pursuing the FDA Retail Program Standards would help meet our Department's mission of "Promoting and Protecting the Public's Health", reduce foodborne illness, and improve the quality of service provided to the retail food industry.



LLCHD set a "Stretch Goal" to meet all nine Standards, initially envisioning a five year process. We started with Standard 7 – Industry and Community Relations. We believed that fostering communication and building trusting relationships with industry, the public and elected officials was the basis for program success. Once we began the self-assessment work, we realized we had been naïve and had underestimated how time consuming the self-

assessment process would be. Heavy workloads prevented us from working on more than one standard at a time. Challenges faced included: an austere economy; staff turnover; learning new software and hardware; hiring new staff; and building capacity to standardize staff, conduct outbreak investigations, and enhance plan reviews. Despite these barriers we persevered toward the goal. In fact, we are almost there - LLCHD has achieved audit verified compliance with 7 of the 9 Standards, with one more expected in 2015.

Achieving compliance with the Standards required leadership, commitment, and hard work. Each improvement made and each policy updated provided the Food Safety Team with a stronger foundation for its important work. In turn, the annual reports to the Food Advisory Committee and the Board of Health have held us accountable for continuing work toward our goal.

Staff benefited from improvements made as a result of work on the Standards, including: a digital inspection system, InspecTab, based on the CFP/FDA risk factor form; improved field reports; a focus on staff training; and ensuring staff had the tools needed to provide high quality services. Several Team members have had the opportunity to work on a standard self-assessment. The Team also has benefitted from training funded by the small grants received from FDA/AFDO for work on the Standards.

The FDA Program Standards has served as the foundation for a comprehensive strategy for LLCHD's Food Safety Program to achieve our primary goal of preventing and reducing foodborne illnesses. By pressing forward to obtain and maintain compliance with the Standards, LLCHD became a full partner in FDA's vision of an Integrated Food Safety System.



## Part III: Challenges, Objectives, Measurements and Achievements

### Challenge 2: Achieving Safer Food Handling through Training

The goal of LLCHD food handler training is to improve food safety knowledge and practice to reduce foodborne illness. In 2008 staff proposed to update the food handler training curricula to make it specific to job tasks. After much discussion, our Food Advisory Committee (FAC), decided on four types of training: Serve/Clean for wait staff, Prep/Cook for preparing TCS foods, Restricted/Shift manager for the person in charge, and Food Protection Manager. During these discussions, two FAC members, Dr. John Rupnow and Dr. Harshavardhan Thippareddi, both University of Nebraska-Lincoln

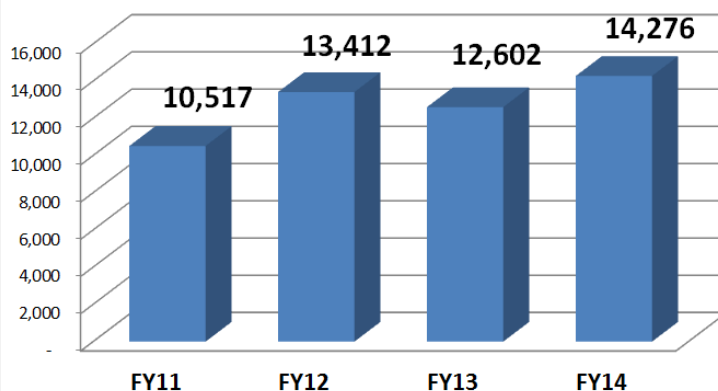


(UNL) Food Science professors, made a bold proposal. They urged LLCHD and the FAC to work with the UNL Food Science and Distance/Online Education Departments to create a modular, interactive, online training program. Some FAC member suggested that good online training was better than in-person training at changing work practices. Online training would help LLCHD handle the growing number of food handlers without adding staff, and, by making training available 24/7, it would better serve industry. Finally, they offered to cover the up-front costs for developing the online training if we could pay them back over a period of time.

The prospect of co-developing an online training and permitting program with UNL's Food Science Department and our food industry partners, with the support and expertise of the UNL Distance and Online Education Department, was too tantalizing to pass up. However, it was not without challenges, which included: developing the "story boards" that served as the basis for the modular, interactive training segments; shooting video in operating restaurants to visually demonstrate key practices; negotiating the contract between UNL and the City of Lincoln; providing access to online permit records; and developing fee collection mechanisms with City IT staff. We overcame each challenge and launched the online training program in December 2009.

Over 80% of local food handlers now receive their training online. This freed up time for our Food Handler Coordinator to update renewal classes for our Food Protection Managers to focus on Active Managerial Controls. Another measure of the impact is inspection data results. Recent Nebraska Department of Agriculture evaluations of local food safety programs found fewer critical and non-critical violations in our jurisdiction compared to other local programs. We believe this is due in part to being the only jurisdiction with mandatory food handler training and Food Protection Manager Certification.

**Food Handler Permits Issued**  
Lincoln-Lancaster County Health Department



## Part III: Challenges, Objectives, Measurements and Achievements

### Challenge 3: Implementing AMC's through Food Safety Consultation

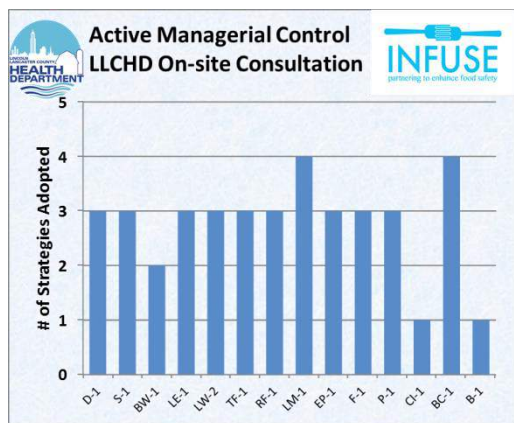
LLCHD retail food inspection trend data over several years revealed that violations of key risk factors for foodborne illness had stabilized and a subset of establishments continued to have significantly higher numbers of critical (priority) violations. We concluded that despite the fact that LLCHD's Food Safety Program was built upon FDA's Retail Program Standards, we had hit a barrier to protecting the public's health from foodborne illness and a new approach was needed.

Food safety experts agree that high risk violations can be reduced by implementing Active Managerial Controls (AMCs). The question was, "Could AMCs be instituted in the poorest performing facilities?" LLCHD believed a proven community health education model of intensive in-person consultative field intervention could be successfully applied in retail food establishments to achieve sustainable behavior change. LLCHD had successfully implemented this model in our Child Care Health Consultant service, resulting in reduced illnesses and the elimination of community-wide enteric disease outbreaks.



Our first challenge was resources. Not having adequate local resources, LLCHD wrote and submitted a grant to FDA in 2012 that proposed to implement a Retail Food Safety Consultation Service. The Retail Food Safety Consultant would provide intensive on-site consultation to Food Protection Managers in the poorest performing retail food establishments, with the goal of causing the implementation of AMCs for

FDA's "Five Key Risk Factors" for foodborne illness.



We knew that changing behavior in Food Managers in poorly operating facilities would be hard, and we have experienced many challenges including: entrenched poor food safety practices, lack of fiscal and staff resources, high turnover, operating in survival mode, and lack of interest in policies, logs, and documentation. Most of these have been overcome through LLCHD's Retail Food Safety Consultant building relationships with the Food Managers, being helpful, persistent, consistent, and flexible. We have learned that while

providing resources (e.g. logs, thermocouples, and visual cooling guides) is important, consulting with them on how to use them is more important. Helping the Food Managers create a culture of food safety in their establishment through social norming and social diffusion techniques, and emphasizing the most important food safety risks have been successful strategies. To date, 39 AMCs have been adopted in 14 historically poor performing food establishments. Regulatory inspections conducted after the intensive consultations have found an average of less than 1 violation of risk factors most associated with foodborne illness per inspection. Unexpected outcomes included: increased trust by food establishments that had impending enforcement actions, identifying and eliminating practices that present considerable food safety risk that would not be identified in a typical inspection, and food managers accepting that food safety is as vital to their success as food quality.

To give a sense of where we are headed in the future, it is appropriate to first take a look back. In 1999, LLCHD conducted a community-based health planning process which culminated with the publication of *Healthy People 2010, Health Objectives for the Year 2010* for Lincoln and Lancaster County Nebraska. Stakeholders set measureable goals and made 18 recommendations on reducing foodborne illness, including:

- Implement a risk-based digital inspections system,
- Promote ongoing education for food managers,
- Develop a foodborne disease surveillance program, and
- Maintain a proactive group of stakeholders to address future food protection problems.

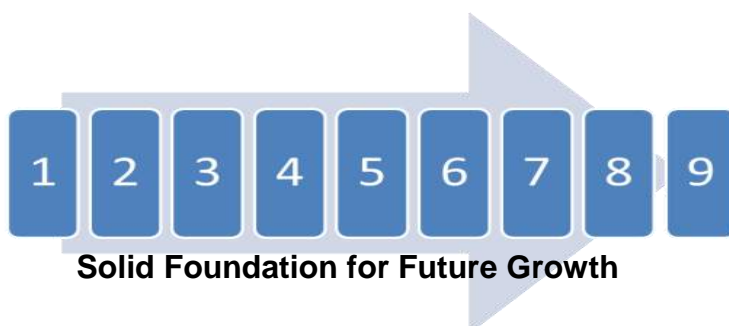
By 2010, 15 of 18 recommendations had been met, mostly due to our enrollment in the FDA Retail Program Standards in 2001 and our ongoing pursuit of complying with all nine standards.

So, where is our Food Safety Program headed in the future? LLCHD is updating our Strategic Plan and readying for national accreditation. We have developed short term SMART objectives, and are now developing objectives for 2018 and 2020. Our Food Safety Program strategies will be integrated into each of the five Strategic Directions identified in the plan:

- Improving Public Health - Reducing the risk of foodborne illness
- Developing Staff & Fostering Relationships - Creating specific staff development plans
- Promoting the Value of Public Health; Increasing Food Safety Program visibility and its value by promoting our updated website, online access to inspections and ratings, increasing local media releases on food safety
- Enhancing Collaboration & Partnerships; Actively engage our Food Advisory Committee
- Focusing on Quality & Efficiency; train all Food Team members specifically in quality improvement methods and tools, simplify processes, seek more consumer input

The connection between the FDA Retail Food Standards and the Public Health Accreditation Board domains has been clearly delineated and bodes well for our Department's accreditation efforts.

Over the next two years, LLCHD will be evaluating the effectiveness of our FDA grant funded Retail Food Safety Consultant services and the Food Managers for Excellence Task Force behavior change strategies. Initial assessments indicate that the consultation services have resulted in Food Managers implementing Active Managerial Controls resulting in fewer risk factor violations. If this success continues, we will need to strategize how to resource this ground breaking work.



Finally, LLCHD remains steadfast in our goal to attain and maintain compliance with all nine FDA Retail Program Standards. We have met seven of nine Standards as of today, with one more scheduled for completion in mid-2015. We are developing plans to reassess each standard every five

years and to conduct an annual risk factor study to provide data to establish education, consultative assistance, and enforcement goals for the Food Safety Program.

## **Contact Information**

**Judith A. Halstead, MS, Health Director**

### **Submitter:**

**Scott E. Holmes, MPH, REHS, Environmental Public Health Division Manager**

**Joyce Jensen, REHS, CP-FS, Environmental Health Supervisor**

### **Organization:**

**Lincoln-Lancaster County Health Department**

**Environmental Public Health Division**

**3140 N Street**

**Lincoln NE USA 68510**

**Phone:** 402-441-8033

**E-mail:** [sholmes@lincoln.ne.gov](mailto:sholmes@lincoln.ne.gov) ; [jjensen@lincoln.ne.gov](mailto:jjensen@lincoln.ne.gov)

**Website:** [www.lincoln.ne.gov](http://www.lincoln.ne.gov) keyword search “food”

### **Permission:**

**Lincoln-Lancaster County Health Department grants permission to the Foodservice Packing Institute to use this entry on its website located at [www.crumbineaward.com](http://www.crumbineaward.com) should it be selected as a winning entry.**

### **Acknowledgement:**

**This application could not have been prepared without a team of people working to compile and review the information needed. The support of the Environmental Public Health Staff and the Health Department Administration was greatly appreciated.**

### **Contributors:**

**Scott E. Holmes, MPH, REHS, Environmental Public Health Division Manager**

**Joyce Jensen, REHS, CP-FS, Environmental Health Supervisor**

**Renae Rief, Senior Environmental Health Educator**





**Pete Ricketts**  
Governor

## STATE OF NEBRASKA

**Department of Agriculture**  
**Greg Ibach**  
Director

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January 27, 2015

To the Samuel J. Crumbine Award Committee

My name is Tom Jensen and I am the Chief Administrator for the Nebraska Department of Agriculture (NDA). I wish to provide this letter in support of Lincoln Lancaster County Health Department's application for the Samuel J. Crumbine Award for Excellence in Food Protection.

Our agency has worked with the Lincoln Lancaster County Health Department (LLCHD) for many years, through an annual Memorandum of Agreement. LLCHD continues to show success and excellence in providing outstanding food protection services on the local level. LLCHD demonstrates continuing achievement in environmental health Food Protection by:

- Submitting Food Safety Program evaluations to NDA every four years, and utilizes the State evaluation to improve program quality.
- Actively worked with NDA to implement FDA Voluntary Retail Food Regulatory Program Standards. NDA has provided the verification auditing of the standards, and LLCHD has achieved verified compliance with 7 of the 9 Standards.
- Maintaining a progressive, internal standardization official to standardize each field staff member, and does so every two years.
- Conducting inspections using risk-based inspection intervals that are more stringent than those required by NDA.
- Actively participates in NDA, FDA, and other training for Food Safety Team staff.
- Being the only jurisdiction in Nebraska with mandatory Food Handler and Food Protection Manager Permit requirements.
- Utilizing an effective, progressive enforcement approach issuing "Notices of Violation Reports," "Food Enforcement Notice Reports," and "Suspensions," and requiring establishments to submit Plan of Action when enforcement notice has been issued.
- Developing and maintaining extensive written policies and procedures.
- Conducting not only an initial inspection to open a facility, but also a 30-day, after-opening inspection for all new establishments,
- Facilitating an active Food Advisory Committee which includes industry, academia, and public spirited citizens.

Page Two  
January 27, 2015

Lincoln Lancaster County Health Department continues to develop methods to help improve and protect public health in the community. The Nebraska Department of Agriculture is pleased to recommend LLCHD for this award.

Sincerely,

DEPARTMENT OF AGRICULTURE

A handwritten signature in dark ink, appearing to read "T. L. Jensen", is written over a faint horizontal line.

Thomas L. Jensen  
Chief Administrator

LLCHD RecomLtr\_012715.docx



DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

Southwest Regional Office  
4040 N. Central Expressway  
Suite 900  
Dallas, Texas 75204

Telephone: 214-253-4901

February 5, 2015

Crumbine Award Jury  
229 North Street, N. E.  
Leesburg, VA 22075

Dear Jury Members:

I am very pleased to write this letter in support of the Lincoln-Lancaster County Nebraska Health Department's application for the Crumbine Award. Lincoln-Lancaster County has had a strong history of innovation and pro-active programs for many years. They were one of the first agencies to enroll in the Voluntary National Retail Food Program Standards when the Standards began in 2001. Since that time, they have completed seven of the nine Standards and have passed audits on all seven. They are currently working to complete the final two Standards. They have applied for and received funds from the U. S. Food and Drug Administration (FDA) each year funds were available for development of the Standards.

Lincoln-Lancaster County has been very involved with the Conference for Food Protection. The Conference is composed of state, local and federal agencies with retail food regulatory program responsibilities and representatives from industry and consumer groups. The Conference meets biannually to consider issues involving retail food such as recommendations to federal agencies regarding the FDA Food Code or the Retail Food Program Standards. The Environmental Health Supervisor has been a member of Council II for several years and served as the Chair of the Food Protection Manager Certification Committee. The active involvement of agencies like Lincoln-Lancaster is very important to the Conference. They play a leading role in representing the concerns of other local agencies in the FDA Southwest Region and throughout the country.

Lincoln-Lancaster County has long had a very active program of training and education of food service employees and food service managers. Their program is well developed and addresses issues such as accessibility to the training, different levels of training, languages and consistent enforcement. Food manager certification was only recently included in the FDA Food Code.

In 2012, Lincoln-Lancaster County received one of the few five year renewable grants from FDA for a total of \$350,000 for the project entitled: *"Reducing Foodborne Illness Risk*



*Factors in Retail Food Establishments through an Innovative Behavior Change Model Focused on Implementing Active Managerial Controls.*" This is an impressive undertaking and should help agencies to learn to help managers to influence safe food handling behaviors in food establishments without the need for regulatory actions.

In recognition of the outstanding commitment to the health of the residence and visitors of Lancaster County, it is my honor to recommend the Lincoln-Lancaster County, Nebraska Health Department for Samuel J. Crumbine Award for Excellence in Food Protection.

Best Regards,

A handwritten signature in black ink, reading "Cynthia C. Kunkel". The signature is fluid and cursive, with the first name "Cynthia" and last name "Kunkel" clearly legible.

Cynthia C. Kunkel, R.S., M.P.H.  
Captain, U.S. Public Health Service  
FDA Regional Food Specialist  
11510 W. 80<sup>th</sup> Street  
Lenexa, KS 66214



## NEBRASKA RESTAURANT ASSOCIATION

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Michael Alesio  
Director Emeritus

### Executive Director

Jim Partington

February 4, 2015

### Samuel J. Crumbine Award Nomination

The Lincoln-Lancaster County Health Department's Food Safety Program has developed an active Food Advisory Committee which includes representation from the regulated industry, academia and public spirited citizens. LLCHD Staff personnel have developed an excellent working relationship with the industry they regulate through open dialogue, participation in policy review and ordinance changes, and collaboration to achieve our common goal of food borne illness prevention.

Department personnel are cooperative and always willing to meet with or work with the Nebraska Restaurant Association and other stakeholders on emerging or controversial issues. Significant efforts have been made to provide for uniform food safety inspections in Lincoln and Lancaster County through standardizing staff and assuring staff are well trained in food inspection procedures and policies.

LLCHD Staff makes a concerted effort to communicate with Food Protection Managers and Restaurant owners on a regular basis through quarterly mailings (Food Talk) and Manager Memos. Effective lines of communication are available and used to notify the food industry when food borne communicable disease outbreaks are occurring in the community and special attention is directed to key preventive action.

LLCHD staff members work closely with the Food Advisory Committee on all enforcement policies, gathering feedback and listening carefully to input from industry. They utilize an effective, progressive enforcement approach issuing "Notices of Violation Reports", "Food Enforcement Notice Reports" and "Suspensions" and requiring establishments to submit a Plan of Action when enforcement notice has been issued.

The Nebraska Restaurant Association staff and our members appreciate the sincere and diligent effort of the LLCHD staff to be fair and even handed in the enforcement of regulations and their willingness to consider input from our industry in policy development.

This cooperative, mutually supportive approach to regulatory enforcement has provided excellent and continually improving standards for food safety in our community.

The Lincoln Lancaster County Health Department is innovative, diligent and effective in pursuing the common goal of food safety and our Association believes that they are most deserving of this prestigious award and recommend their selection.

  
James W. Partington  
Executive Director



February 3, 2015

To the Crumbine Award Committee:

I am writing this letter to express my support for the Lincoln-Lancaster County Health Department Food Safety Program in their application for the Sameul J. Crumbine Award in recognition of the quality of their work for Food Safety in our community. I have partnered with Joyce Jensen, Program Supervisor, for approximately 15 years. During that time, I served two separate times on the Food Advisory Committee. Also, Joyce and I collaborated on several consumer education projects, some of which have had world-wide usage.

As a member of the Food Advisory Committee, I was always impressed by Joyce's extensive preparation for each meeting and prompt and thorough follow-up. The committee had to make some difficult decisions regarding inspections, qualifications for different levels of food handlers, etc. for which there were often quite diverse opinions. Joyce displayed an amazing ability to bring everyone to a satisfactory consensus and move forward the quality of the Food Safety Program.

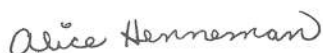
Together through our collaboration, we developed several consumer materials, including handwashing posters, handouts, and PowerPoints. We have been told by people from all over the world the handwashing posters and materials are some of the best on the web. As an example of their popularity:

- There have been 340,569 downloads of the handwashing materials and posters since 2010.
- Googling "free handwashing posters" brings up our materials first in the world. Bing places them in the top three.
- As of the end of December 2014, there were 138 links from Pinterest to the webpage displaying the posters.
- A sample comment from a user, *"Your materials are accurate and eye catching."*

We translated handwashing posters so they contained both English and Spanish directions. The US Department of Agriculture links to this poster from its website.

Joyce is one of the hardest working, dedicated and creative people I have ever had the opportunity to work with. I highly recommend the Lincoln Food Safety Program for the Crumbine Award.

Sincerely,

A handwritten signature in cursive script that reads 'Alice Henneman'.

Alice Henneman, MS, RDN  
University of Nebraska-Extension in Lancaster County  
444 Cherrycreek Road • Suite A • Lincoln, NE 68528  
(402) 441-7180 / ahenneman1@unl.edu



Feb. 3, 2015

The Crumbine Award  
c/o Foodservice Packaging Institute  
7700 Leesburg Pike, Suite 421  
Falls Church, VA 22043

To Whom It May Concern:

I am pleased to write a letter of support for Lincoln Lancaster County Health Department (LLCHD) for the Crumbine Award. I am a professor of food safety microbiology at the University of Nebraska, where I have conducted research, taught, and worked in extension to the food processing and food service industries for 25 years. I believe that Lincoln is truly one of the safest places to eat, and that this is due to the relationship LLCHD as developed with the food service community. Clearly the primary roles of the health departments are regulatory and enforcement. However, LLCHD believes they have the additional responsibility of providing information and training, and strive to become a partner with those entrusted with the preparation and serving of safe food.

Everyone who works in a food establishment in Lincoln-Lancaster County is required to have food safety training. For many years, the training was conducted via face-to-face classes. Six years ago the University of Nebraska and LLHCD partnered on a project to make the training available via the web. While there are many distance programs available on the web, virtually all of them have only a single curriculum and do not have differentiated training for employees having different responsibilities. As an example, we do not feel that the employees charged with only serving customers need to know the various safe food cooking temperatures or that individuals assigned to clearing dishes need to know the details of HACCP programs. For these reasons we developed three different levels of training:

1. Clean-Serve for wait staff and cleaning crews
2. Prep-Cook for those who handle potentially hazardous food and
3. Restrict Manager for those having supervisory responsibilities.

After completing the training and passing an exam, the individual is issued a permit, which is valid for 2 years. More than 10,000 food service workers receive their training through this program each year. For individuals who are not computer literate, have learning disabilities or limited fluency in English, individual accommodations are made to enable them to acquire the food safety knowledge necessary to perform their duties.

In addition, each establishment must have one person that has an ANSI/CFP Food Protection Manager Certification. Although many communities require comparable manager training, LLCHD recognizes that people forget the principles they once learned, and appropriately require these managers attend a permit renewal course every 3 years. Having taught the manager renewal courses for the LLCHD and reading participants reviews, I can testify that I am unable

to recall any instance where a manager has criticized our health department. Rather attendees feel free to ask questions about issues in their establishments, and make suggestions to improve the LLCHD programs without fear of becoming the subject of excessive scrutiny. They know that LLCHD inspectors will provide the help they need and that the administrators will give consideration to their suggestions.

Clearly, the relationship LLCHD has with our food service community is a successful partnership, and I feel strongly that their efforts should be recognized through your award program.

Sincerely,

A handwritten signature in purple ink, appearing to read "John Rupnow", is positioned above the printed name.

John Rupnow, Professor





---

February 13, 2015

TO: The Crumbine Award Committee

My name is Anthony Messineo and I am President of the largest privately held Pizza Restaurant chain in the State of Nebraska

The name of the company is Val Limited d/b/a Valentino's Pizza which was established in 1957. We currently operate twenty-one corporate restaurants in the Lincoln and Omaha area and are a franchisor of an additional seventeen units primarily in the State of Nebraska.

I possess a unique overview of the Lincoln Lancaster County Health Department because early in my career I was an actual store level manager and had direct experience with the Health Department from an operating restaurant's perspective.

Currently, as President of Valentino's and former board member of the LLCHD, I understand first-hand the exceptional culture that was developed decades ago and has been perpetuated under the leadership of an exceptional, qualified management team and staff into what it represents today.

It is that very culture of the Lincoln-Lancaster County Health Department's Food Safety Program that does the following, to-wit:

Focuses on the public health first and foremost and considers food establishment owners and operators as partners in protecting the public's health.

Provides direct assistance to food establishments like Valentino's on how to implement Active Managerial Controls and how to respond to foodborne outbreak complaints.

Recognizes the importance of education in assuring food safety.

Works well with regulated industry, assuring fairness in inspections and regulatory actions.

Seeks and listens to industry input in policies and regulation changes.

Assures uniform inspections in Lincoln and Lancaster County through standardizing staff and assuring staff are well trained in food inspections.

And finally, notifies the food industry when communicable disease outbreaks are occurring in the community which could also be transmitted through food and advocates special attention to key preventive actions.

I can attest that this is the focus of the department.

In conclusion, without any hesitation or reservation, I believe the Lincoln Lancaster County Health Department is the best managed, finest operated Health Department in existence today.

Sincerely,

**VALENTINO'S PIZZA**



Anthony O. Messineo, Jr.  
President

AOM:sb

## Appendix A – LLCHD Food Safety Program Timeline

### LLCHD Food Safety Program Timeline

#### *Significant Historic Events:*

<b>May 1996</b>	<b>Implemented Food Manager certification requirement</b>
<b>August 2001</b>	<b>Enrolled in FDA National Voluntary National Retail Food Regulatory Program Standards</b>
<b>September 2002</b>	<b>Increased Food Team staff by .5 FTE for staff standardization and training, food establishment plan review, and technical assistance to industry</b>
<b>July 2003</b>	<b>Implemented CFP Risk Factor inspection report format</b>
<b>September 2005</b>	<b>Developed and implemented InspecTab, digital inspection system</b>

#### *Significant events in the past 6 years:*

<b>April 2009</b>	<b>Revised Lincoln Food Code revising Food Handler Permit requirements</b>
<b>December 2009</b>	<b>Implemented online Food Handler training and permitting</b>
<b>June 2010</b>	<b>Verification audit confirming compliance with Standard 2</b>
<b>March 2011</b>	<b>Implemented electronic “dashboard” for field staff</b>
<b>May 2011</b>	<b>Participated in CFP pilot project for Standard 4 assessment tools</b>
<b>May 2012</b>	<b>Verification audit confirming continued compliance with Standard 7</b>
<b>June 2012</b>	<b>Verification audit confirming continued compliance with Standard 1</b>
<b>September 2012</b>	<b>Received a five year grant for \$350,000 from FDA for on-site consultation on AMCs</b>
<b>November 2012</b>	<b>Launched online food inspection report website</b>
<b>June 2013</b>	<b>Verification audit confirming compliance with Standard 4</b>
<b>June 2014</b>	<b>Verification audit confirming continued compliance with Standard 3</b>
<b>June 2014</b>	<b>Launched online statistically based rating system for food inspections</b>
<b>November 2014</b>	<b>AFDO/FDA grant of \$20,000 received to update InspecTab</b>

### FDA Voluntary National Retail Food Regulatory Program Standards Report for Lincoln Lancaster County Health Department October 2014

#### **Standard 1 - Regulatory Foundation**

Initial Assessment Compliance: 10/6/2003; Audit Verified: 8/30/2005;

Second Assessment Compliance: 6/13/2012; Audit Verified: 6/15/2012

LLCHD remains in compliance with this standard, meeting 10 of 11 risk factor regulations. The FDA risk factor regulation that is not met in Nebraska is “no bare hand contact of ready to eat foods.” Upon a third assessment due in 2017, without meeting 11 of 11 risk factors, LLCHD will no longer meet Standard 1. When the FDA Food Code for no bare hand contact for ready to eat foods is adopted by Lincoln or the State, establishments would still have the option to use bare hand contact of ready to eat foods if they have a HACCP plan (Active Managerial Control Plan) approved that identifies their policies that would protect the food from contamination during preparation.

The latest Nebraska Food Code was effective March 12, 2012, and adopts the majority of the FDA 2009 Food Code. The State delayed implementation of the violation terminology in the 2009 FDA Food Code until a digital inspection system was in place.

LLCHD is planning to make needed revision to our electronic inspection program or use the new State electronic inspection program if/when it is available. This will allow us to implement the NE Food Code as adopted in 2012.

#### **Standard 2 - Trained Regulatory Staff**

Initial Assessment Compliance: 8/26/2009; Audit Verified: 6/10/2010

The training process for new staff, as outlined in Standard 2, was implemented in 2005. This includes completing 25 joint visits observing and learning from the Food Team Training and Standardizing Coordinator or other standardized team members, followed by 25 independent inspections that the trainee conducts while being observed by the Standardized Team member. Trainees work through the 36 required ORA-U training courses during this time. After trainees conduct inspections for a minimum of six months, they are standardized by the Training and Standardization Coordinator.

Staff have received and recorded training in accordance to Policy 222.05 - Food Safety Program Staff Training. This policy identifies the training for field staff and establishes a record keeping system for all training. The record system includes individual training records and an annual review by the Food Program Training and Standardization Coordinator. Staff training in 2013/14 included the Nebraska Food Safety Task Force Conference, FDA Risk Based Inspection Training, and the Nebraska Environmental Health Association’s Annual Conference. In addition, LLCHD applied for and received an AFDO – FDA grant of \$2,000 to cover expenses for three staff to the FDA SW Regional Workshop/Seminar in Kansas City, MO September 24 – 26, 2014.



### **Standard 3 - Inspection Program Based on HACCP Principles**

Initial Assessment Compliance: 2/17/2007; Audit Verified: 9/15/2008

Second Assessment Compliance: 5/16/2014; Audit Verified: 6/17/2014

LLCHD meets Standard 3 based on LLCHD's inspection report form, inspection policies, inspection intervals based on risk, food code variance requests policy, and HACCP plan review policy. Three policies were revised in the process to provide program documentation required by the Standard 3 self-evaluation. The second self-assessment of this Standard was completed in May 2014, and the verifying audit was completed by George Hanssen, REHS with the NE Department of Agriculture, in June 2014. LLCHD applied for and received a \$2,000 AFDO/FDA grant to complete the Standard 3 second self-assessment and verifying audit.

LLCHD has been using a digital inspection reporting system, "InspecTab," since Fall 2005. This system uses the risk factor form, provides additional information such as verifying food manager and food handler permit compliance has the ability to attach photos of violations, and maintains inspection data for reports. LLCHD inspection report data is sent electronically to the Nebraska Department of Agriculture.

LLCHD had planned to implement the new violation terminology of Priority, Priority Foundation, and Core designations replacing the terms of Critical and Non-critical. This has not been completed as the NDA postponed implementation while they created and implemented their digital inspection program. LLCHD will decide this year whether to use NDA's system or update InspecTab.

### **Standard 4 - Uniform Inspection Program**

Initial Assessment Compliance: 5/1/2013; Audit Verified: 6/20/2013

The Training and Standardization Coordinator standardizes each member of the Food Safety field staff on inspection procedures and interpretations in accordance with LLCHD policy and NDA contract. The Training and Standardization Coordinator is standardized by NDA. In the Fiscal Year 2014 two Environmental Health Specialists were Standardized.

### **Standard 5 – Foodborne Illness and Defense Preparedness and Response**

Initial Assessment Compliance: 4/6/2010; Audit Verified: 8/26/2010

LLCHD continues to investigate all complaints and outbreaks associated with a foodborne illness. The FDA recommended Epidemiological (EPI) Team approach has been used by LLCHD since the early 1990s.

Accomplishing compliance with Standard 5 the Food Safety Program has improved our surveillance process to review records for possible trends in food or establishments relative to foodborne illness. Guidance was provided by the Council to Improve Foodborne Outbreak Response (CIFOR) *Guidelines for Foodborne Disease Outbreak Response* published in 2010.

## Appendix B – 2014 Annual FDA Standards Report

Since February 2013, the lead EPI Environmental Health Specialist work was assigned to the Food Safety Consultant who has previous work experience in Epidemiology. This has proved to be a good fit for our program needs.

### **Standard 6 Compliance and Enforcement**

Initial Assessment Compliance: Partial; Audit Verified: No

This standard requires policies for enforcement activities. Current LLCHD policies meet Standard 6 requirements. LLCHD has enough inspection history of using the risk factor inspection form to do the required verification to meet this standard. The Food Safety Program requires a “Plan of Action” form to be submitted by the establishment operator whenever a Notice of Violation or Food Enforcement Notice has been issued.

The goals for 2013-2014 are to revise the Food Enforcement Policy to incorporate a new Plan of Action form. In addition, LLCHD’s Food Safety Consultant will assist lower performing establishments receiving Food Enforcement Notices with implementing active managerial controls such as developing and implementing policies and procedures to prevent reoccurrence of risk factor violations. This consultation work is funded by a five year FDA grant awarded to LLCHD.

LLCHD is planning to apply for a \$2,000 AFDO-FDA grant to complete the self-assessment and audit of this Standard by June 2015.

### **Standard 7 – Industry and Community Relations**

Initial Assessment Compliance: 8/19/2002; Audit Verified: 7/30/2004

Second Assessment Compliance: 5/30/2012; Audit Verified: 5/31/2012

LLCHD continues to exceed requirements for Standard 7. Compliance includes having a Board of Health, a Board of Health appointed Food Advisory Committee, ongoing consumer education projects with the Lancaster County Extension, Food Manager and Food Handler Permit requirements, Food Protection Manager renewal classes, quarterly *Food Talk* newsletters to food managers, Food Manager Memos providing important local information, a Board of Health annual award for “Excellence in Food Sanitation,” and an LLCHD Food Safety Program website.

The Food Advisory Committee provides input and guidance on Food Safety Program policies, the NDA Evaluation Reports, and the Annual Standards Report.

A major project this past year was implementing upgrades to the on-line food handler training program to add an improved food handler testing process. Approximately 80% of food handlers choose to get their permits online. The online course is a more convenient option to obtain a food handler permit.

Each year there are six Food Protection Manager Permit Renewal Classes presented by the Food Handler Education Coordinator, Dr. Phil Rooney. These classes are very well received by food protection managers as a review of important food safety issues and updates. Food handler classes continue to be offered with one Prep/Cook class each week, a monthly Serve/Clean class, a monthly Restricted Shift Manager class, and a monthly Spanish Prep/Cook class.

## Appendix B – 2014 Annual FDA Standards Report

The LLCHD Food Safety Program web page was updated to provide the public with food establishment inspection report information and meet demands for the public information requests. The design of the website was reviewed by the Food Advisory Committee. Each open establishment is statistically rated as above average (top 16%), average (Middle 68%) and below average (bottom 16%) for the most recent inspection and all inspections completed in the past 3 years. Averages are calculated based on FDA establishment categories (i.e. fast food, full service, large retail store, small retail store, bar, school, etc.). Specific violations and enforcement notice details are provided.

The goal for 2014-2015 is to restructure LLCHD's Food Safety Program Website to reflect the new City format.

### **Standard 8 – Program Support and Resources**

Initial Assessment Compliance: Partial; Audit Verified: No

FDA Standard 8 recommends that each full time equivalent have a workload of “280 to 320” inspections per year. The term “inspection” includes routine inspections, re-inspections, complaint investigations, compliance follow up inspections, risk assessment reviews, process reviews, and other direct establishment contact time such as on-site training. The estimated workload for LLCHD's food inspectors per full time equivalent is approximately 475 inspections per year. There has been significant growth in food establishments throughout our community and especially in the newly developed West Haymarket area which includes Lincoln's new Pinnacle Bank Arena. There are currently 1374 food establishments in Lancaster County.

Annual permit fee adjustments are made near the start of the City's Fiscal Year. A Food Establishment Permit renewal fee was increased approximately 3% this year. The establishment fees and food handler/manager fees collected fund approximately 80% of the total direct Food Safety Program costs.

All food establishment and food handler and manager permit information is maintained in digital files. Since January 2013, LLCHD has used a new data system, Accela Automation. Inspection report information is downloaded from InspecTab, and additional information is scanned into the file, eliminating paper files. This digital system includes the creation of documents such as applications, form letters, and reports. The efficiency and accuracy of the food permit records, as well as the ability to generate reports from file data, has made a significant improvement to the program.

In 2012, LLCHD received a five-year grant for \$70,000 each year to establish a food safety consultant (0.75 FTE) to assist the poorest performing food establishments to improve their active managerial control resulting in improved food code compliance and increased food safety.

### **Standard 9 - Program Assessment**

Initial Assessment Compliance: 5/11/2004; Audit Verified: 7/30/2004

The baseline inspection survey was completed in June 2003. This survey report was used to determine areas of greatest non-compliance so that education and consultative work could focus in these areas. To

## Appendix B – 2014 Annual FDA Standards Report

complete a survey using our electronic inspection data, we have modified the establishment information in our files to match the FDA categories required for the survey. LLCHD will create a report(s) to query for the inspection information needed for this survey report. The survey findings will be used to evaluate improvements in food safety compliance by the regulated industry and identify areas for future improvements.

In October 2013 the NDA Evaluation and Standardizing Officers completed 50 evaluation inspections in Lincoln. As part of the evaluation requirements, LLCHD completed a questionnaire providing information about our program and how it functions. In April 2014, LLCHD received the evaluation report on the Food Safety Program. LLCHD has analyzed this report and created a Plan of Action to address areas of improvement.

### Summary

LLCHD signed up for the FDA Standards in August 2001. In August 2002, Standard 7 was the only standard LLCHD met. LLCHD now meets Standards 1, 2, 3, 4, 5, 7, and 9. FDA and the Conference for Food Protection continue to support the Program Standards. LLCHD Board of Health has indicated their goal is for the Food Safety Program to meet all nine Program Standards. LLCHD continues to work on improvements within every Standard. A goal for 2015 will be to complete the initial self-assessment and audit for Standard 6 and to complete the second assessment survey and audit for Standard 9. The Standards provide direction and goals for the Food Safety Program that enhanced our vision for safe food in Lincoln and Lancaster County, Nebraska.



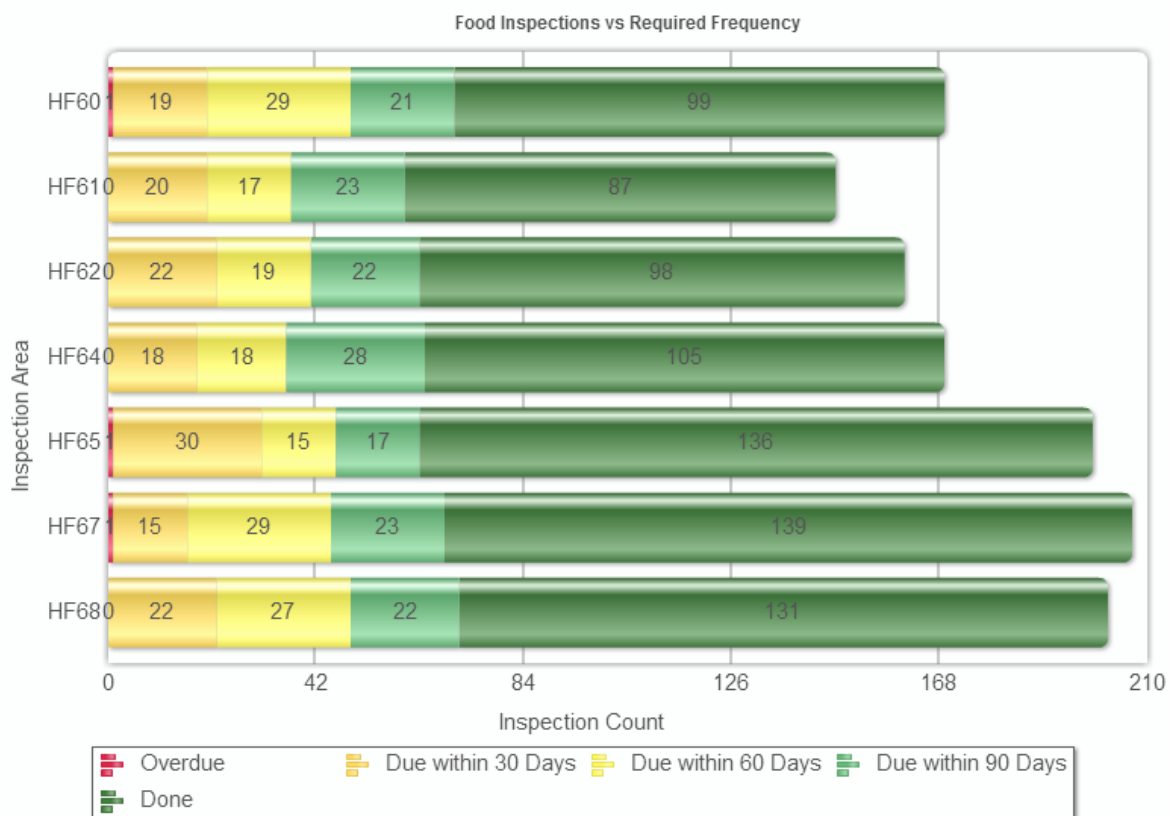
## Appendix C – Dashboard Examples

### LLCHD Intranet Dashboard

The Lincoln-Lancaster County Health Department (LLCHD) has an Intranet accessible to all staff. Environmental Public Health Division Information Technology staff used **Logi Analytics** software to develop dashboards, which are generated “real-time” from live data. Most of the charts allow “drilling down” directly to the actual database record itself, by simply clicking on the chart. Numerous dashboard charts and tables are available to Food Safety Team members. Below are examples of a few of the dashboard charts/tables, with a short description for how it is commonly used by both Food Safety Team members and management staff.

DIF002 - Food Inspection Frequency Monitor

(Click Inspection Area Bar for Detail)



Lincoln Lancaster Co Health Dept. 2/16/2015 8:28:00 AM Source = FI030D Export 8:50AM Daily (InspecTab and AA)

The chart above (DIF002) visually depicts how many inspections are overdue (red) or due within various time frames. Inspection frequency is risk based and our goal is to have 100% of inspections conducted within risk based intervals. Food Safety Team members use this chart to prioritize and plan their work each day. Simply clicking on the bar allows the Food Safety Team member to get a tabular list (see below) of facilities that are due for inspection.

## Appendix C – Dashboard Examples

DIF004 - 1 Overdue Inspections for Area 'HF65' as of 2015-02-16

Crit	Non	RL	Freg	InspecTab	Over	Sub	APD No	Estab Name	Data
0	1	3	180	8/15/2014	5	City	HF21036440	COUNTRY PINES - CITY - 6305 W ADAMS ST LINCOLN, NE 68524-8839	2/16/2015

DIF004- 30 Inspections Due within 30 Days for Area 'HF65' as of 2015-02-16

Crit	Non	RL	Freg	InspecTab	Days Since	Due In	Sub	APD No	Estab Name	Data
2	3	4	180	8/20/2014	180	0	City	HF21038181	EGG ROLL KING - CITY - 2515 N 11TH LINCOLN, NE 68521	2/16/2015
0	6	3	180	8/21/2014	179	1	City	HF21043699	FAZOLI'S #1799 - CITY - 5012 N 27TH ST LINCOLN, NE 68521	2/16/2015
2	7	2	270	5/27/2014	265	5	City	HF21045042	SUBWAY - 2501 NW 12TH ST LINCOLN, NE 68521	2/16/2015
0	3	3	180	8/26/2014	174	6	City	HF21030745	LPS - ARNOLD ELEMENTARY SCHOOL - CITY - 5000 MIKE SCHOLL ST LINCOLN, NE 68524	2/16/2015
5	8	3	180	8/27/2014	173	7	City	HF21625143	DA VINCI'S #10 - CITY - 2650 SUPERIOR ST LINCOLN, NE 68521-4118	2/16/2015
0	2	3	180	8/28/2014	172	8	City	HF21030749	LPS - WEST LINCOLN ELEMENTARY SCHOOL - CITY - 630 W DAWES AVE LINCOLN, NE 68521	2/16/2015
2	6	2	270	5/30/2014	262	8	City	HF21034388	HIGHLANDS GOLF COURSE - CITY - 5501 NW 12TH ST LINCOLN, NE 68521	2/16/2015
0	4	2	270	5/30/2014	262	8	City	HF21035345	KWIK SHOP #619 - CITY - 2302 CORNHUSKER HWY LINCOLN, NE 68521	2/16/2015
3	11	4	180	8/29/2014	171	9	City	HF21044460	NOWHERE BAR AND GRILL (THE) - CITY - 2050 CORNHUSKER HWY LINCOLN, NE 68521	2/16/2015
0	1	1	365	3/3/2014	350	15	State Only	HF20046546	LINCOLN MART - 2619 HOLDREGE ST LINCOLN, NE 68503	2/16/2015
0	1	3	180	9/4/2014	165	15	City	HF21030716	LPS - CLINTON ELEMENTARY SCHOOL - CITY - 1520 N 29 ST LINCOLN, NE 68503	2/16/2015
0	0	4	180	9/5/2014	164	16	City	HF21030747	LPS - CAMPBELL ELEMENTARY SCHOOL - CITY - 2200 DODGE ST LINCOLN, NE 68521-1250	2/16/2015
3	1	1	365	3/6/2014	347	18	State Only	HF20046545	VINA MARKET I - 611 N 27TH ST #4 LINCOLN, NE 68503	2/16/2015
0	0	1	365	3/6/2014	347	18	City	HFE047746	HUSKER VARIETY STORE - CITY - 2803 NW 48TH ST #200 LINCOLN, NE 68524	2/16/2015
5	9	4	180	9/8/2014	161	19	City	HF21043696	LUCKIES LOUNGE & GRILL - 1101 W BOND CIR LINCOLN, NE 68521	2/16/2015
1	0	3	180	9/9/2014	160	20	City	HF21033253	NORTH AMERICAN MARTYRS SCHOOL - CITY - 1101 ISAAC DR LINCOLN, NE 68521-5313	2/16/2015
3	6	2	270	6/11/2014	250	20	City	HF21042805	ALNAHRAIN - CITY - 2230 R ST LINCOLN, NE 68503-2936	2/16/2015
0	0	3	180	9/10/2014	159	21	City	HF20042827	LPS - KOOSER ELEMENTARY SCHOOL - CITY - 7301 N 13TH ST LINCOLN, NE 68521	2/16/2015
1	3	3	180	9/11/2014	158	22	City	HF21033249	SACRED HEART SCHOOL - CITY - 540 N 31ST ST LINCOLN, NE 68503	2/16/2015
1	5	4	180	9/11/2014	158	22	City	HF21034672	PHO NGUYEN - CITY - 611 N 27TH ST LINCOLN, NE 68503-3102	2/16/2015
0	1	3	180	9/12/2014	157	23	City	HF21030719	LPS - HARTLEY ELEMENTARY SCHOOL - CITY - 730 N 33 ST LINCOLN, NE 68503	2/16/2015
2	3	1	365	3/13/2014	340	25	City	HF20628487	WALGREENS #4753 - CITY - 1404 SUPERIOR ST LINCOLN, NE 68521-1945	2/16/2015
0	1	2	270	6/16/2014	245	25	City	HF21602461	AIR HOST RESTAURANT & LOUNGE - 2400 W ADAMS ST LINCOLN, NE 68524	2/16/2015
1	3	3	180	9/15/2014	154	26	City	HF21030744	LPS - GOODRICH MIDDLE SCHOOL - CITY - 4600 LEWIS AVE LINCOLN, NE 68521	2/16/2015
2	6	4	180	9/15/2014	154	26	City	HF21045870	LITTLE CHOPSTIX CHINESE RESTAURANT - CITY - 4715 W ADAMS #105 LINCOLN, NE 68524	2/16/2015
0	2	3	180	9/17/2014	152	28	State Only	HFE048269	PAWNEE MARINA - STATE ONLY - 3805 NW 105TH ST LINCOLN, NE 68524	2/16/2015
0	1	3	180	9/18/2014	151	29	City	HF21030746	LPS - FREDSTROM ELEMENTARY SCHOOL - CITY - 5700 NW 10TH ST LINCOLN, NE 68521	2/16/2015
2	1	4	180	9/18/2014	151	29	City	HF21039263	MARKETPLACE IGA - 4646 W HUNTINGTON AVE LINCOLN, NE 68524	2/16/2015
4	6	4	180	9/18/2014	151	29	City	HF21042021	GOLDEN CORRAL - CITY - 3940 N 26TH ST LINCOLN, NE 68521	2/16/2015
0	2	3	180	9/19/2014	150	30	City	HF21030748	LPS - BELMONT ELEMENTARY SCHOOL - CITY - 3425 N 14TH ST LINCOLN, NE 68521	2/16/2015

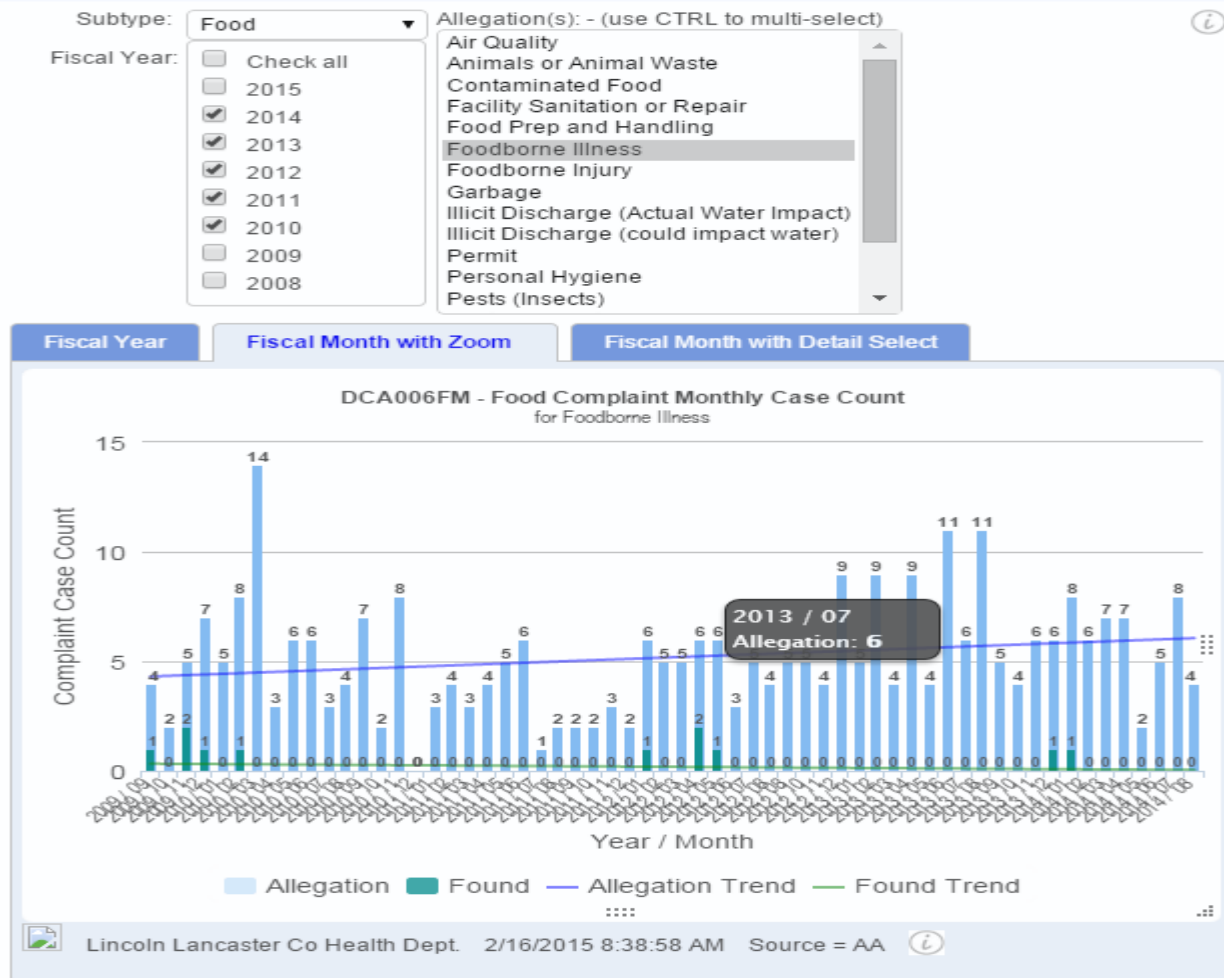
## Appendix C – Dashboard Examples



DCA006 is a highly versatile chart for complaints of all kinds. In this case, foodborne illness complaints were selected for the fiscal years 2010 to 2014. See below for an example of the same dashboard, but with “Monthly with Zoom” selected, followed by the data from the database for a particular month. The last column in this table provides a detailed description of the complaint. This has been redacted due to confidentiality.

## Appendix C – Dashboard Examples

DCA006 - Complaint - ALL- Case Counts for Chosen Allegations by Fiscal Year and Month



CA005C Food Complaint Case Allegation Detail for 7 / 2014 with Foodborne Illness Allegations

RecordID	ATTRIBUTE VALUE	Status	Open Date	Closed Date	Mitigated Date	B1_PER_SUB_TYPE	Location	Assigned To	Created By
HC14001287	Foodborne Illness	Closed	7/7/2014	07/07/2014		Food	6055 O ST	BDAVY	STRYON
HC14001288	Foodborne Illness	Closed	7/7/2014	07/18/2014		Food	20140707_PHAT_JACKS_FBI_COMPLAINT	BDAVY	JENGLISH
HC14001298	Foodborne Illness	Closed	7/8/2014	07/14/2014		Food	20140708_GRISANTIS_COMPLAINT_FBI	BDAVY	JENGLISH
HC14001396	Foodborne Illness	Closed	7/15/2014	07/18/2014		Food	1317 N 10TH ST	BDAVY	STRYON
HC14001400	Foodborne Illness	Closed	7/16/2014	07/18/2014		Food	20140716_RUNZA_84TH_HWY2_COMPLAINT	BDAVY	JENGLISH
HC14001438	Foodborne Illness	Closed	7/21/2014	07/22/2014		Food	20140721_LANCEVENTCTR_COMPLAINT	BDAVY	JENGLISH
HC14001521	Foodborne Illness	Closed	7/31/2014	07/31/2014		Food	20140731_RUSSS_1709_WASHINGTONST_COMPLAINT	BDAVY	JENGLISH
HC14001526	Foodborne Illness	Closed	7/31/2014	09/10/2014		Food	20140731_MCDONALDS_N_66_COMPLAINT	BDAVY	JENGLISH

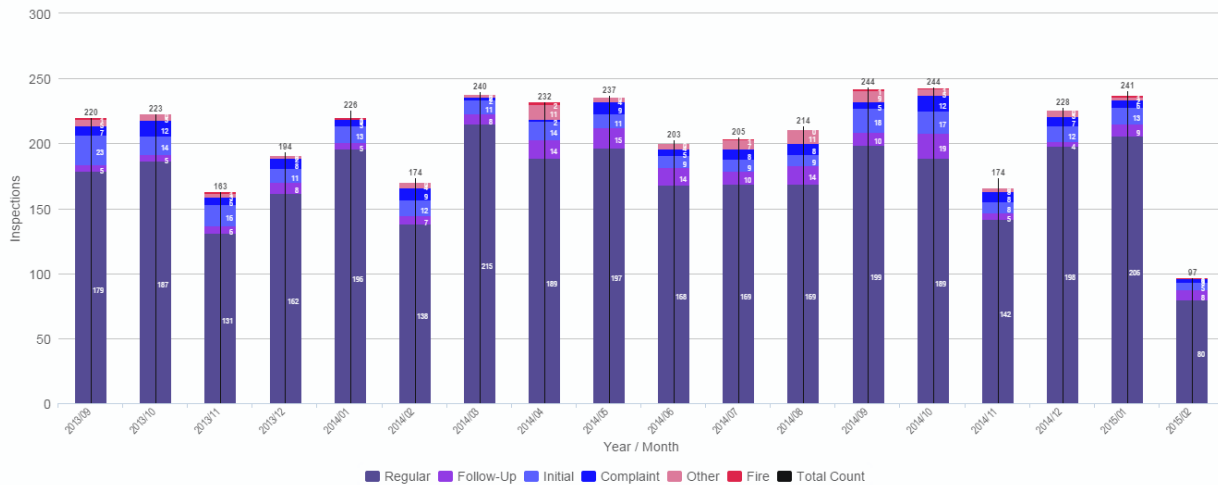


## Appendix C – Dashboard Examples

DIF007 - Food Establishment Inspection Purposes by Month

Fiscal Year  
☐ Check all ☐ 2009 ☐ 2011 ☐ 2013 ☒ 2015  
☐ 2008 ☐ 2010 ☐ 2012 ☒ 2014

DIF007 - Food Inspection Purpose Counts for FY 2014, 2015

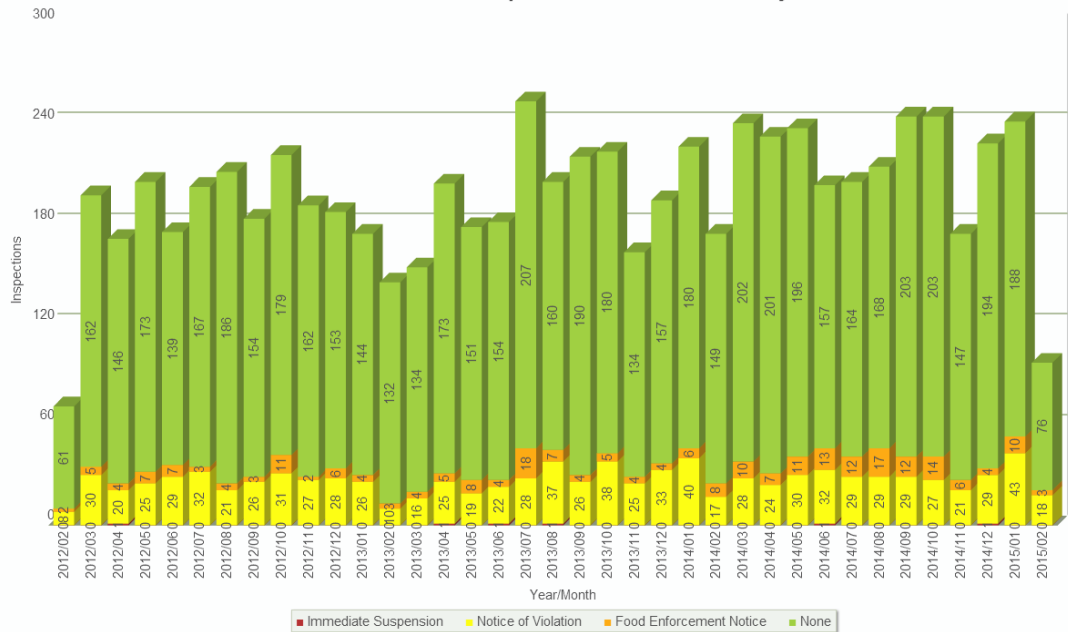


Lincoln Lancaster Co Health Dept. 2/16/2015 8:28:00 AM Source = InspeTab

DIF007 is used by the Food Safety Program Supervisor or Division Manager to monitor inspections at any point of time, and can provide data by month (as shown above), by fiscal quarter, or by fiscal year. Immediate access to current data makes providing data upon requests easy. In addition, this chart is used for planning, budget and reporting purposes.

DIF006 - Food Establishment Inspections - Notice Levels by Month

Food Establishment Inspections - Notice Levels by Month

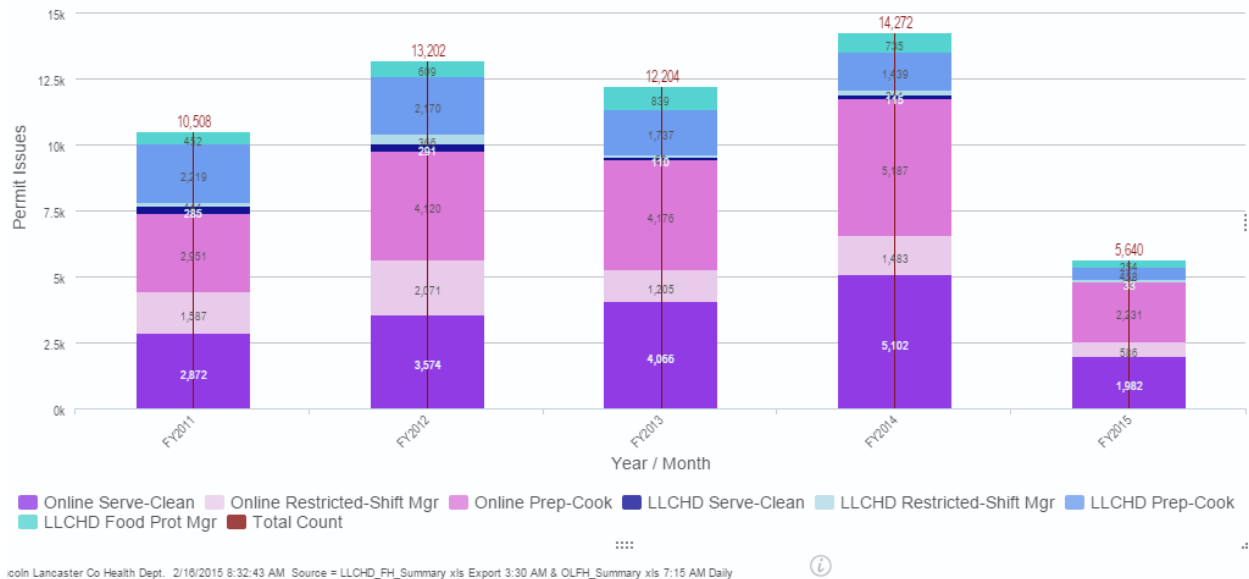


Lincoln Lancaster Co Health Dept. 2/16/2015 8:28:00 AM Source = InspeTab

DIF006 provides a graphical display of inspections and enforcement actions, allowing easy monitoring over time.

## Appendix C – Dashboard Examples

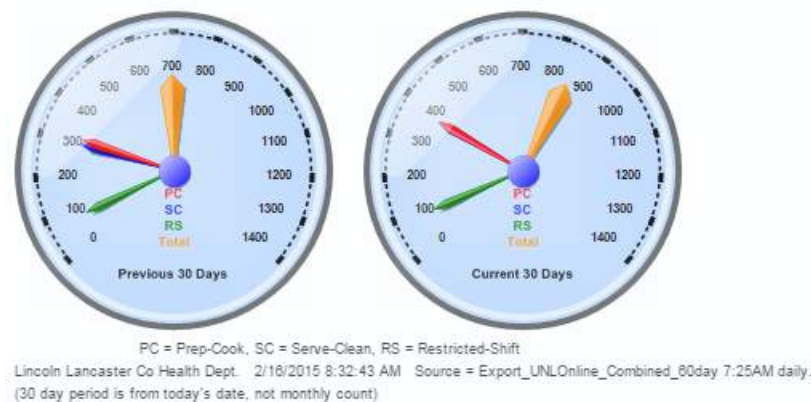
DPFH004 - Permit - Combined Food Handler/Manager LLCHD / UNL Online Permit Issues By Fiscal Period



DPFH004 is typically used for annual data reporting and budget projections. The use of colors for each Food Handler Permit type provides a quick visual depiction of trends for any or all permit types.

DPFH007 - Permit - Food Handler UNL Online Permit 30 Day Issue Count

DPFH007 - UNL Online Food Handler Permit - 30 Day Issue Count



DPFH007 is a gauge or dial chart that shows the number of food handler permits that have been issued through our online training and permitting system. One gauge gives data for the previous 30 days and the other for the most recent 30 day period. This real-time data is regularly viewed by management staff, and provides actual permitting activity. Any drop in activity can quickly be identified, which could signify a problem with the online program or simply a normal drop of permitting activity, such as around holidays.

The dashboard system has improved efficiency and effectiveness in our Food Safety Program.

## Appendix D – Infuse: Food Safety Consultation Services

<b>Progress Report</b>			<b>1. Date submitted :</b> January 31, 2015
<b>2. Grant No.</b> 5U18FD004661-03	<b>3. Project Period</b> 09/12/2012- 06/30/2017	<b>4. Budget Period</b> 07/01/2014- 06/30/2015	<b>5. Dates covered by this report</b> 07/01/2014 – 12/31/2014
<b>6. Project Title:</b> Retail Food Safety Consultation Service: Applying Behavior Change Models to Increase the Implementation of Active Managerial Controls in Retail Food Establishments			
<b>7. Grantee Name and Address</b> City of Lincoln Lincoln-Lancaster County Health Department 3140 N Street Lincoln, NE 68510		<b>8. P.I Name, phone and e-mail</b> Scott Holmes 402-441-8019 sholmes@lincoln.ne.gov	

### Mid-Year Progress Report

#### **1. Detailed progress report on the grantee meeting the project milestones identified in the proposal.**

##### **Retail Food Safety Consultant Intensive On-site Intervention**

- *The first half of the Year 3 consultation activities resulted in 100 technical assistance and consultation visits.*
- *A total of eight food establishments went through the AMC-based intervention with food safety consultants Ben Davy and Andrea Bethke.*
- *These eight establishments saw a combined total uptake of 19 AMC tools implemented in their regular establishment policy and practice.*
- *Contact was initiated with an addition nine establishments, several of which will likely enroll in 2015*

The Retail Food Safety Consultation Program has developed a set of Statuses that indicate where the Retail Food establishments are in the program: Invitation, Intervention, Suspension, Maintenance, and Non-Responsive.

Invitation: LLCHD has work with 17 food establishments. During Q1-Q2 of Y3, eight establishments have enrolled in the program.

Intervention: The number of consultation visits dedicated to each facility varies, typically ranging from 5-10 visits depending on the establishment's need, level of interest and willingness to implement recommended strategies. The consultation process begins with a two-fold assessment visit. The first component is an evaluation of the establishment's inspection history to identify the repetitive issues. The second aspect is the AMC Assessment Survey that is administered to one or more staff to assess their perceived level of utilization with AMC practices. The following 2-5 visits focus on the individual components of AMC, with each consultation session working through an individual AMC Risk Factor each week. The main objective is to build, reinforce, or deepen specific knowledge of the Key Risk Factors and arrive at strategies that could improve their food safety behavior for each RF. Following the AMC-focused portion of the consultation, a mock inspection is conducted; particularly focusing in on the AMC components covered during the consultation visits. The establishment is provided with an in-depth report of the mock inspection that highlights the FDA violations observed, and how these violations are related to the AMC Risk Factors. The report includes recommended strategies to prevent observed violations.

During the Intervention phase, the Food Safety Consultant documents each visit, and charts the AMC tools implemented by the establishment to address the Risk Factors covered. Implementation of some level of AMC

## Appendix D – Infuse: Food Safety Consultation Services

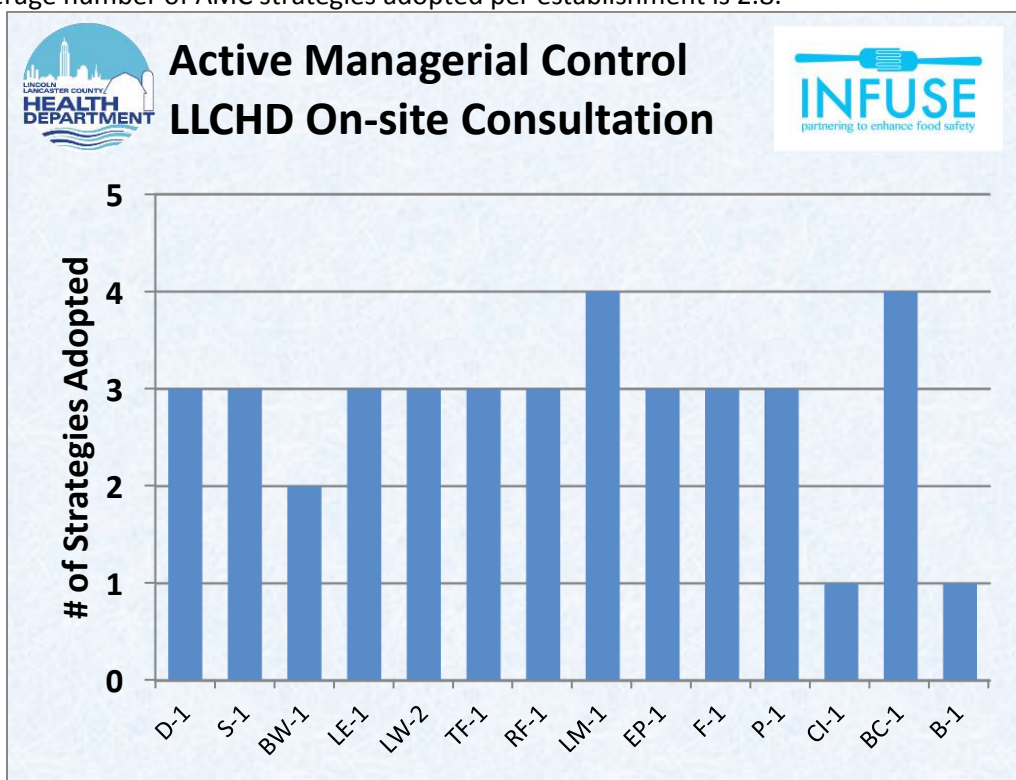
tools is required for ongoing enrollment in the program. The stated program goal is not to just provide them with knowledge and education, but to see a change in the establishment's food safety practices.

There are a number of resources that LLCHD provides during consultation to support an AMC approach, including logs, development of SOPs, illness exclusion forms. A number of log are used: holding log, cooling log, cooking, reheating log, receiving log, employee illness log, time as a control log, sanitizer log. Employee Illness Agreement (FDA "Form 1-A Conditional Employee or Food Employee", "Form 1-B Conditional Employee or Food Employee Reporting Agreement") are being used to help managers with the "Poor Personal Hygiene" Risk Factor. "No Bare Hand Contact" policies are assessed at the establishment.

**Suspension:** After working through the AMC RF portion of the consultation and an establishment has not indicated a willingness to adapt any of the AMC RF strategies provided, the consultation process is suspended. To date, only one establishment has been suspended from the consultation process for lack of accommodation.

**Maintenance:** Following completion of the "Intervention Phase" of the consultation process, the establishment moves into the "Maintenance Phase" where intermittent contact is used to monitor the implementation of the AMC practices implemented. Establishments complete the AMC Assessment Survey for a second time after completing the "Intervention Phase", and a third ministration 6-12 months after the second ministration.

**Table 2** illustrates the number of AMC strategies adopted by each establishment through the consultation work. The average number of AMC strategies adopted per establishment is 2.8.



### **Restricted Shift Manager Level Online Training Program:**

- Final edits of AMC portion of the Restricted Shift Manager Online Food Handler Training
- Implementation of updated Restricted Shift Manager Online Food Handler Training

During the fall of 2013, an audit was conducted of the Restricted Shift Manager level online training program, which is used by the LLCHD for food handler training and permitting. This training was developed and



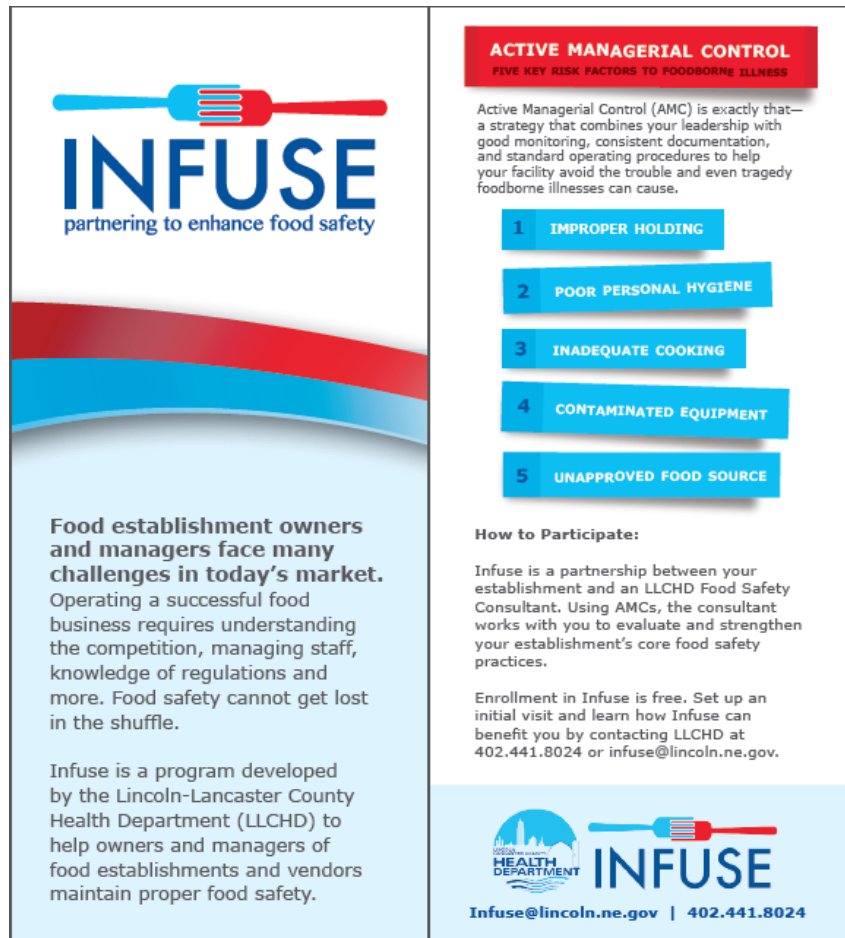
## Appendix D – Infuse: Food Safety Consultation Services

administered by the University of Nebraska-Lincoln for LLCHD permitting. The Restricted Shift Manager was augmented to include a specific section focused on AMC. This process included the Food Safety Consultant providing specific resources, materials, and practical examples of AMC for the training script writer, and participating in the subsequent editing of the newly minted script and the associated test question for the training. During Q1 & Q2 of Y3 the final edits were made to the AMC portion of the food handler training. The new version of the online training was fully implemented in October 2014. In 2014, 1470 persons went through the Restricted Shift Manager training course, and 1259 individuals went through the online training.

### **Retail Food Safety Consultation**

**Program Branding:** After completing the initial branding phase for the program, work continued Y3 with graphic designer Kristin McKoun. During this time a brochure was developed for the Food Safety Consultation using the *Infuse* brand that was developed for the program. This brochure is a very helpful tool to provide to establishments during the recruitment phase to get them a descriptor of the program while they are considering enrollment.

Following the development of the Infuse brochure, development of AMC-based tools to use in the consultation program began. These resources are the principal AMC tools given to enrolled programs to implement. Additionally, LLCHD is in the process of updating its webpage, and these Infuse documents will be housed online to serve as a resource beyond the reach of the Infuse Food Safety Consultation Program.



The brochure is titled "INFUSE" with the tagline "partnering to enhance food safety". It features a graphic of a blue and red fork. The main text states: "Food establishment owners and managers face many challenges in today's market. Operating a successful food business requires understanding the competition, managing staff, knowledge of regulations and more. Food safety cannot get lost in the shuffle." Below this, it says: "Infuse is a program developed by the Lincoln-Lancaster County Health Department (LLCHD) to help owners and managers of food establishments and vendors maintain proper food safety." On the right side, there is a red box titled "ACTIVE MANAGERIAL CONTROL" with the subtitle "FIVE KEY RISK FACTORS TO FOODBORNE ILLNESS". Below this, there is a list of five factors: 1. IMPROPER HOLDING, 2. POOR PERSONAL HYGIENE, 3. INADEQUATE COOKING, 4. CONTAMINATED EQUIPMENT, and 5. UNAPPROVED FOOD SOURCE. Below the list, it says "How to Participate:" and "Infuse is a partnership between your establishment and an LLCHD Food Safety Consultant. Using AMCs, the consultant works with you to evaluate and strengthen your establishment's core food safety practices." At the bottom, it says "Enrollment in Infuse is free. Set up an initial visit and learn how Infuse can benefit you by contacting LLCHD at 402.441.8024 or [infuse@lincoln.ne.gov](mailto:infuse@lincoln.ne.gov)." The bottom right corner features the LLCHD logo and the text "Infuse@lincoln.ne.gov | 402.441.8024".

### **Food Managers for Excellence Taskforce:**

- Three taskforce meetings were conducted between 7/1/14-12/31/14
- Barriers & Benefits to proper handwashing were identified
- Intercept survey of Barriers & Benefits conducted at 3 additional facilities among food handling staff
- Began handwashing strategy development work

The Food Managers for Excellence Taskforce was assembled and launched in Q2 of Y2. Food managers from a variety of restaurants and institutional settings across the city were nominated by the Food Safety staff and the LLCHD's Food Advisory Committee comprised of industry representatives. Initially, 15 food managers accepted

## Appendix D – Infuse: Food Safety Consultation Services

invitations to participate on the Taskforce, over time 4 have withdrawn their participation. The Taskforce initially met on a monthly basis during March-June 2014, and in August 2014 switched to a bimonthly meeting.

The two year goal for the Taskforce is to work through a complete cycle of the Community Based Social Marketing (CBSM) approach to behavior change. The steps are to select a specific food safety behavior to address, conduct barrier and benefit research, develop a strategy for behavioral change, pilot the strategy, and roll the strategy out to the community. Subsequent iterations of the taskforce can assess the CBSM-based process, and seek community-level impact of other food safety behaviors to address. The Taskforce will seek to produce a strategy to address the barriers and benefits of a specific food safety behavior.

The Taskforce worked through the process of selecting a specific food safety behavior, honing in on handwashing in June of 2014. Subsequent meeting in the summer and fall of 2014 focus on elucidating existing barriers to food staff that keep them from practicing proper handwashing; the benefits (motivators) to proper handwashing were also identified. A literature review served as the basis for the group to the barriers and benefits already identified. A short two question intercept survey was done voluntarily by three of the group's food managers at their establishments/organizations to seek any barriers and benefits to proper handwashing that might surface locally in addition to those from the literature; no substantively different items were identified in this effort.

The last meeting in Q2 began the process of brainstorming strategy ideas to address the barriers and benefits of proper handwashing. This process will carry on into Q3/4 in 2015. The aim is to begin piloting the strategy over the summer and then seek to implement it across the Lincoln.

### **2. Status report on the hiring and training of food program personnel.**

Personnel hiring remain static during Y2, but in Y3 Ms. Andrea Bethke was hired at 0.25 FTE to assist the Retail Food Safety Consultation program as a food safety consultant. This position was to utilize carryover funds from Y2 to augment the work in the Food Safety Consultation program. However, shortly after her addition as a Food Safety Consultant budgetary approval made provision for her position to move from 0.75 FTE to 1.0 FTE, necessitating a reallocation of the 0.25 FTE work on this grant. She was able to work with two establishments during this time to implement AMC practices in their operations.

Y3 staff training included attending the FDA Risk Based Inspection Course, NEHA Annual Conference, and the CDC Disaster Epidemiology Training. These trainings each contributed to better equip staff to achieve the grant objectives.

### **3. Status report on the operational readiness of equipment, supplies, software, and other purchases using cooperative agreement funds.**

LLCHD has used the funds primarily for personnel, rent and indirect. Additional funding was used to pay for the Retail Food Safety Consultation Program branding developed by a graphic designer and training staff. *Refer to Appendix A for FDA Grant Budget for Retail Food Safety Consultation (RFSC) Program.*

### **4. Certification of current appropriation funding levels for the retail food regulatory program.**

The Lincoln-Lancaster County Health Department (LLCHD) Disease Prevention Section budget includes Food Safety, Child Care and Body Art Programs, and falls under the Environmental Health Division, which falls under

## Appendix D – Infuse: Food Safety Consultation Services

the Lincoln Lancaster County Health Department. The Food Safety Program represents approximately 85% of all costs in the Disease Prevention Section. The Lincoln City Council approves the Lincoln-Lancaster County Health Department, and the Environmental Health Division budgets. **Appendix B** is the Lincoln City Council Adopted Budget for the entire Environmental Health Division. **Appendix C** is the Disease Prevention section of the Environmental Health Division, and includes historical information and the Budgeted funding for FY 2014-15 in the amount of \$1,099,962. This FDA grant award does not replace any current funding that the City of Lincoln receives from any other sources. Online Lincoln City Council approved budget: <http://lincoln.ne.gov/city/finance/budget/pdf/health14-16.pdf>. **Refer to Appendix B for City of Lincoln FY 2014/2015 Budget.**

**5. A strategic plan that accurately reflects when specific objectives and tasks have been, or will be, completed and/or implemented and when new objectives and tasks are identified to advance conformance with the Retail Program Standards. The strategic plan should include timeframes, responsible personnel, and other required resources.**

The overarching goal of the project is to reduce foodborne illness originating from regulated retail food establishments. The expected outcome of this work will be fewer illnesses, hospitalizations and deaths due to foodborne illness. The chart below provides a tentative list of specific objectives, activities, timelines, performance measures, milestones and responsible personnel.

Objectives	Actions/Responsible Personnel	YR	Q1	Q2	Q3	Q4
Strengthen Active Managerial Controls (AMC) of food safety at the retail level through an innovative two-part behavior change intervention strategy to increase compliance with FDA's "Five Key Foodborne Illness Risk Factors": food from unsafe sources; poor personal hygiene; inadequate cooking; improper holding of food	1. July 2014 continue roll-out of Retail Food Safety Consultant Services (intensive on-site interventions) high-risk food establishment focused on implementing AMC's for FDA's Five Key Risk Factors for foodborne illness. The program will seek to work with 20-25 new facilities in Year 3. <i>The first half of the Y3 consultation activities resulted in 100 technical assistance and consultation visits. A total of eight food establishments went through the AMC-based intervention with food safety consultants Ben Davy and Andrea Bethke. Contact was initiated with an addition nine establishments, several of which will likely enroll in 2015.</i> (Ben Davy and Andrea Bethke, Responsible Personnel)	3	X	X	X	X
	2. July 2014 continue the Food Managers for Excellence Taskforce work. The Taskforce will work through the adapted Community-Based Social Marketing model for behavior change to develop a strategy to achieve behavior change for a specific food safety behavior. <i>Three taskforce meetings were conducted between 7/1/14-12/31/14. Barriers &amp; Benefits to proper handwashing were identified. Intercept survey of Barriers &amp; Benefits conducted at 3 addition facilities among food handling staff. The start of handwashing strategy development work.</i> (Ben Davy and Renae Rief, Responsible Personnel)	3	X	X	X	X
	3. July 2014, continue to work with Graphic Designer on developing branded resources for use in the Infuse Consultation work. These resources will be both original and adapted documents and tools for use in the consultation program. <i>INFUSE partnering to enhance food safety brochure was developed and distributed.</i> (Ben Davy, Responsible Personnel)	3	X	X	X	X
	4. Follow-up evaluation of the retail food establishments participating Retail Food Safety Consultant Services (intensive on-site	3	x	X	X	X

## Appendix D – Infuse: Food Safety Consultation Services

(time and temperature); and contaminated food surfaces and equipment.	interventions) to identify the actual implementation of AMCs on the Five Key Risk Factors. This evaluation tool replaced the “annual on-site assessments” proposed in the initial grant proposal. <i>Eight participating establishments saw a combined total uptake of 19 AMC tools implemented in their regular establishment policy and practice.</i> <i>(Ben Davy, Responsible Personnel)</i>					
	7. Collaborate with UNL Food Science, Food Advisory Committee, Food Handler Coordinator, and Retail Food Safety Consultant to revise mandatory LLCHD Food Protection Manager continuing education courses to increase focus on implementing AMCs for the “Five Key Foodborne Illness Risk Factors”. <i>Final edits of AMC portion of the Restricted Shift Manager Online Food Handler Training. Implementation of updated Restricted Shift Manager Online Food Handler Training.</i> <i>(Ben Davy, Phil Rooney and Joyce Jensen, Responsible Personnel)</i>	3	X	X		
	8. Teach revised Food Protection Manager course. <i>(Phil Rooney, Responsible Personnel)</i>	3	X	X	X	X
	9. Standard 5 will receive second self-assessment and audit-verification. <i>(Ben Davy and Joyce Jensen, Responsible Personnel)</i>					X

6.



## Appendix D – Infuse: Food Safety Consultation Services

### **Description of program improvements in achieving conformance with the Retail Program Standards and promoting more effective control of foodborne illness risk factors in.**

With Food Safety Program strategic planning and improvement in mind, LLCHD enrolled in the FDA's Retail Program Standards in 2001. LLCHD involved the Board of Health, Food Advisory Committee, and Food Safety Program staff in setting priorities and developing a work plan to move forward on the Standards. Since then, LLCHD has actively pursued compliance with the Retail Program Standards. Each year, progress on advancing conformance with the Retail Program Standards is reported to our Food Advisory Committee and Board of Health, new priorities are established, and work plans are developed for the coming year. This transparent, highly accountable approach has proven very successful and LLCHD has been verified (audited) to be in compliance with Standards 1, 2, 3, 5, 7, and 9. LLCHD is one of only a few retail food regulatory programs to have achieved such a level of verified compliance. LLCHD completed our second program self-assessment in June 2010. LLCHD completed the Standard 4 initial self-assessment in May 2013 and was audit verified on 20 June 2013. LLCHD will pursue Standard 6 during Y3 of this grant. Standard 5 will receive a self-assessment and audit verification in 2015, following the completion of Standard 6. LLCHD's persistent work on the Standards resulted in 15 of the original 18 stakeholder recommendations in the Healthy People planning process being met by 2010. LLCHD has shown a long-term commitment to achieving compliance with the Standards, improving retail food safety, and decreasing the risk of foodborne illness in our community. The Retail Program Standards serve as the foundation for a comprehensive, strategic approach for LLCHD's Food Safety Program with the primary goal of preventing and reducing foodborne illnesses.

### **7. Cooperative agreement project point of contact (including mailing address, telephone number, and email address) and designation of key personnel working on project.**

Staff Name	Title	Address	Telephone	Email	Project Role
Scott Holmes	Division Manager	3140 N St Lincoln, NE 68510	402-441-8019	sholmes@lincoln.ne.gov	Project Direction
Renae Rief	Senior Environmental Health Educator	3140 N St Lincoln, NE 68510	402-441-4602	rrief@lincoln.ne.gov	Project Supervision
Ben Davy	Environmental Health Specialist II	3140 N St Lincoln, NE 68510	402-441-8024	bdavy@lincoln.ne.gov	Project Development and Implementation
Joyce Jensen	Environmental Health Supervisor	3140 N St Lincoln, NE 68510	402-441-8033	jjensen@lincoln.ne.gov	Project Direction
Phil Rooney	Environmental Health Educator II	3140 N St Lincoln, NE 68510	402-441-6222	prooney@lincoln.ne.gov	Food Managers Training Assistance
Andrea Bethke	Environmental Health Specialist I	3140 N St Lincoln, NE 68510	402-441-8074	abethke@lincoln.ne.gov	Adjunct Food Safety Consultant

## Appendix D – Infuse: Food Safety Consultation Services

8. **Estimated unobligated balance, funds expended, and funds remaining on this project.** LLCHD has used the funds primarily for personnel, rent and indirect. Additional funding was used to cover the cost of the program branding, resource development, and staff training. A total of \$45,543.97 has been expended in this grant reporting period with a balance of \$44,847.55 to spend down. Future expenditures will go to personnel, rent, indirect and marketing agency. ***Refer to Appendix A for FDA Grant Budget for Retail Food Safety Consultation (RFSC) Program.***

9. **Any pending issues, concerns, or challenges encountered in accomplishing the planned work. Provide corrective actions and proposed solutions. Identify any additional support that can be provided by FDA.**

The program currently perceives no issue that would keep the program from accomplishing the goals and objectives for Y3.

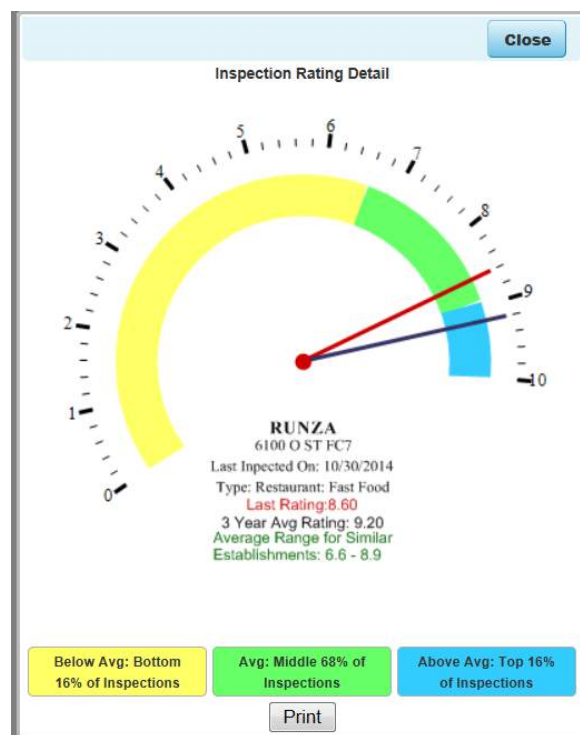
## Appendix E – LLCHD Online Food Establishment Inspection Viewer

### LLCHD Online Food Establishment Inspection Viewer and Rating System

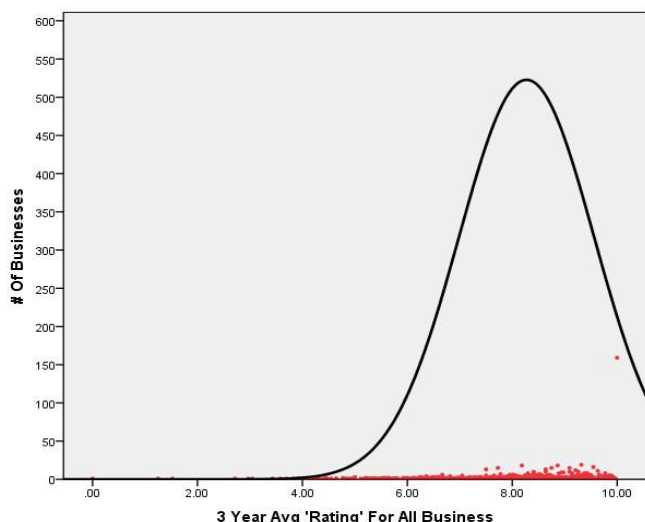
Access to regulatory food inspection data is a common public expectation. However, interestingly, the FDA Retail Standards do not specifically address this, nor provide guidance on how to provide such information to the public.

LLCHD's Food Safety Program wanted to create a fair rating system for food establishment inspections that was based on statistics. We turned to our Epidemiology staff and they developed several concepts. Once we had a working model, the Division Manager and Food Team worked closely with our Food Advisory Committee to develop an online food establishment inspection rating system that was acceptable and publicly useful. The centerpiece of our unique rating system is a simple gauge chart that compares the rating of any selected food establishment to the ratings for all similar facilities. Check it out online at:

<http://lincoln.ne.gov/city/health/envirom/food-inspections/>



The Food Advisory Committee advocated for simplicity and settled on three rating levels. The “Average” rating represents the middle 68% of inspections (less than 1 Standard Deviation (SD) from the average). The “Above Average” rating represents the top 16% of inspections (1 SD or more above the average). The “Below Average” rating represents the bottom 16% of inspections (1 SD or more below the average). Colors were chosen to visually represent these three levels.



When a specific food establishment is selected, two “needles” appear on the gauge, showing the rating for the most recent regular inspection and the three year average rating. These are shown against the background gauge chart that depicts ratings for all similar food establishments. By similar, we mean that fast food is compared to fast food, full service to full service, etc. The gauge provides both a rating for a point in time and for the average over three years. The inspection data is updated every 24 hours. Only regular inspections are used to calculating the ratings.

## Appendix E – LLCHD Online Food Establishment Inspection Viewer

At the core of our rating system is the statistic known as the Z-score. The Z-score was chosen to normalize the data, since the vast majority of food establishments have few violations, which results in a “skewed” distribution curve.

Violations are weighted using 2 for critical and 1 for non-critical. The Z-score is then calculated using the following formula:

$$\text{Z score} = \frac{\text{Weighted Points} - \text{Avg Of Weighted Points}}{\text{Std.DEV of Weighted Points}}$$

A simple rating scale of 0-10 was chosen. The rating value is calculated using the following formula :

$$\text{Rating Value} = \frac{(\text{CZs})_b - (\text{MiZs})_t}{(\text{MxZs})_t - (\text{MiZs})_t} \times 10$$

where the current Z-Score = (CZs)<sub>b</sub>, the Industry Specific Minimum Z-score = (MiZs)<sub>t</sub>, and the Industry Specific Maximum Z-score = (MxZs)<sub>t</sub>.

While the calculations are complex, the results are simple and understandable, as depicted in the gauge chart above. Below are screen shots from our Food Inspection Viewer website.

The screen shot below is the first page of the LLCHD website. By simply typing in a few of the first letters of a food establishment, a drop down “pick list” is generated. A person can then select a food establishment and click on Search.

CITY OF LINCOLN NEBRASKA Environmental Public Health LANCASTER COUNTY NEBRASKA

lincoln.ne.gov > Health > Environmental Public Health > Food Inspections

Desktop Mobile

### Food Establishment Inspection Viewer

Welcome to the Lincoln-Lancaster County Health Department food establishment inspection web page. This site provides information regarding establishment inspections, definitions, and violations cited with short violation descriptions.

Please remember that any inspection report is a "snapshot" of the day and time of the inspection. On any given day, an establishment could have more or fewer violations than noted here. Thus, the inspection results may not be representative of the overall food safety of an establishment. Also, at the time of the inspection, violations are recorded but are often corrected on-the-spot prior to the inspector leaving the establishment.

All enforcement actions (Notices of Violation, Food Enforcement Notices) can be appealed. During the appeal process, the original enforcement notice will not be listed until a final determination has been made.

The Health Department has created three ratings based on statistical analysis of recent inspection results. 16% are above average, 68% are average, and 16% are below average. For more information on the rating system, [Click Here](#).

Below Average Average Above Average

To view Food Inspection results, enter part of the business name:

Please do not use apostrophe(') in your search criteria

Search

Lincoln Lancaster County Health Department 2/16/2015 8:46:51 AM

[Feedback/Comment](#)

In this case, the search was for “Runza”, a very popular, local fast food chain. The next page shows the results for this search.



# Appendix E – LLCHD Online Food Establishment Inspection Viewer

## Food Establishment Inspection Viewer

[Back to Search Input](#)

Click on a Business Name to view a list of inspections.

Business Name	Address (click for map)	Latest Rating	3 Year Ave Rating	Rating Detail
<a href="#">RUNZA</a>	<a href="#">13220 CALLUM DR 1</a>	Average	Average	<a href="#">Click Here</a>
<a href="#">RUNZA</a>	<a href="#">8330 NORTHWOODS DR</a>	Above Average	Above Average	<a href="#">Click Here</a>
<a href="#">RUNZA</a>	<a href="#">3955 RANDOLPH ST</a>	Above Average	Average	<a href="#">Click Here</a>
<a href="#">RUNZA</a>	<a href="#">1501 N 56TH ST</a>	Below Average	Average	<a href="#">Click Here</a>
<a href="#">RUNZA</a>	<a href="#">8550 ANDERMATT DR 8</a>	Average	Average	<a href="#">Click Here</a>
<a href="#">RUNZA</a>	<a href="#">6100 O ST FC7</a>	Average	Above Average	<a href="#">Click Here</a>
<a href="#">RUNZA</a>	<a href="#">610 WO ST</a>	Average	Average	<a href="#">Click Here</a>
<a href="#">RUNZA</a>	<a href="#">3800 YANKEE HILL RD</a>	Average	Average	<a href="#">Click Here</a>
<a href="#">RUNZA</a>	<a href="#">2501 N 11TH ST</a>	Average	Average	<a href="#">Click Here</a>
<a href="#">RUNZA</a>	<a href="#">4322 S 33RD ST</a>	Average	Average	<a href="#">Click Here</a>
<a href="#">RUNZA</a>	<a href="#">937 S 13TH ST</a>	Average	Average	<a href="#">Click Here</a>
<a href="#">RUNZA</a>	<a href="#">7001 VAN DORN ST</a>	Below Average	Average	<a href="#">Click Here</a>
<a href="#">RUNZA</a>	<a href="#">4610 N 27TH ST</a>	Above Average	Above Average	<a href="#">Click Here</a>
<a href="#">RUNZA</a>	<a href="#">5310 S 56 ST 6</a>	Above Average	Above Average	<a href="#">Click Here</a>
<a href="#">RUNZA</a>	<a href="#">7131 S 27TH ST</a>	Average	Average	<a href="#">Click Here</a>
<a href="#">RUNZA</a>	<a href="#">4901 O ST 2</a>	Average	Average	<a href="#">Click Here</a>

[Print](#)

[Frequently Asked Questions](#)

Lincoln Lancaster County Health Department. 2/16/2015 8:48:20 AM

[Feedback/Comment](#)

### FOOD SAFETY PROGRAM

Phone: 402-441-6280

Fax: 402-441-6206

Joyce Jensen, Supervisor, REHS, CP-FS

All the restaurants with the name Runza are listed and are easily compared to one another based on their most recent rating and three year average rating. Next, we clicked on the specific Runza restaurant we were interested in and the following page is generated.

## Food Establishment Inspection Viewer

**RUNZA**

[6100 O ST FC7](#)

Facility Type(s):

Restaurant

Latest Rating	3 Year Avg. Rating	Rating Detail
Average	Above Average	<a href="#">Click Here</a>

[Back to Search Results](#)

[Back to Search Input](#)

Click Inspection Date for Violation Descriptions.

Inspection Date	Purpose	Criticals	Non-Criticals	Enforcement Issued
10/30/2014	Regular....1	1	3	None
5/7/2014	Regular....1	0	3	None
11/15/2013	Regular....1	0	3	None
7/18/2013	Regular....1	1	1	None
12/4/2012	Regular....1	0	1	None
6/1/2012	Regular....1	0	2	None

All enforcement actions (Notices of Violation, Food Enforcement Notices) can be appealed. During the appeal process, the original enforcement notice will be listed until a final determination has been made.

Inspections shown are for current ownership. If an establishment has changed ownership recently, no inspections, or only one or two, may be in this list.

Definitions and FAQ's

[Definitions](#)

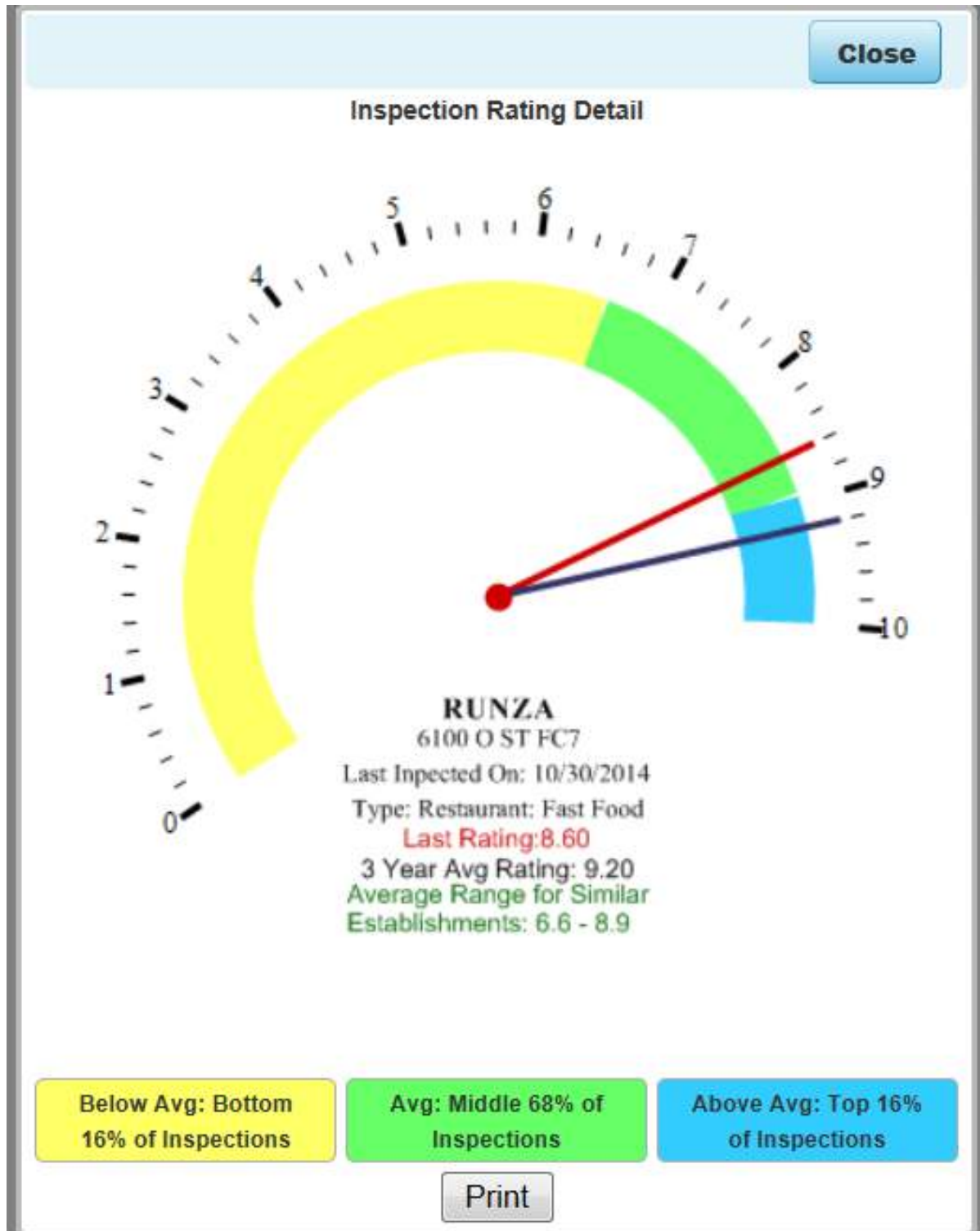
[Frequently Asked Questions](#)

[Print](#)

Lincoln Lancaster County Health Department. 2/16/2015 8:50:01 AM

[Feedback/Comment](#)

This screen shows both the ratings for this facility, as well as the number of violations in recent inspections and any enforcement notices. Since we would like to see how this Runza restaurant compares to other like facilities, we then clicked on the “Click Here” for the Rating Detail. The rating detail gauge chart then pops up.



We see that the three year average for this Runza Restaurant falls in the Above Average range, and the most recent inspection was on the high end of Average. After viewing this, we closed this chart. Since we wanted a description of the violations for the last inspection on 10/30/2014, we clicked on that inspection date and the next screen appeared.

## Food Establishment Inspection Viewer

### Inspection Details

**RUNZA**

[6100 O ST FC7](#)

Inspection Date: 10/30/2014

[Back to Reports List](#)

[Back to Search Results](#)

[Back to Search Input](#)

Critical	Repeat	Corrected	Violation Description
✓			Employee roster listing foodhandler permits not current. Many employees on the list that no longer work at this location. Update the list.
			Employee shoes & jackets stored on food storage racks. Store clothing/coats/purses in a designated area.
	✓		Hair restraints not utilized on all employees preparing foods. Provide and utilize effective hair restraints.
	✓		Gasket on front area cooler needs to be replaced.

Please remember that any inspection report is a "snapshot" of the day and time of the inspection. On any given day, an establishment could have more or fewer violations than noted here. Thus, the inspection results may not be representative of the overall food safety of an establishment. Also, at the time of the inspection, violations are recorded but are often corrected on-the-spot prior to the inspector leaving the establishment.

#### Definitions and FAQ's

[Definitions](#)

[Frequently Asked Questions](#)

[Print](#)

Lincoln Lancaster County Health Department. 2/16/2015 8:51:33 AM

[Feedback/Comment](#)

Deciding we needed more information to understand this, we clicked on the Frequently Asked Questions, resulting in the following.



## Appendix E – LLCHD Online Food Establishment Inspection Viewer

**Frequently Asked Questions**

Close

**What do Below Average, Average, and Above Average mean?**  
**Below Average:** The inspection score(s) are in the bottom 16% of similar types of food establishments.  
**Average:** The inspection score(s) are in the middle 68% of similar types of food establishments.  
**Above Average:** The inspection score(s) are in the top 16% of similar types of food establishments.

**What is the "3 Year Avg Rating"?**  
The "3 Year Avg Rating" is the average for all regular inspections completed within the past three years. If an establishment has not been open for at least three years, the average will only include the regular inspections that have been completed since opening. At times, this may be only one regular inspection, so the three year average rating and the last rating will be the same.

**How were the ranges (Above Average, Average, Below Average) for the ratings determined?**  
Each violation is given a value - critical item violations count as 2 points, non-critical violations are 1 point. All violations are added up so that each inspection has a point total. A range for the average of all inspections is then calculated. The range is based on a statistical measure of "one standard deviation", which puts 68% of all inspections into the average category, 16% of the inspections in the below the average category, and 16% in the above the average category.

**How are different kinds of food establishments compared to each other?**  
Food establishments are compared to each other based on the facility "type." Thus, restaurants are compared to restaurants, grocery stores to grocery stores, bakeries to bakeries, etc. However, please keep in mind that there is great diversity in food establishments, especially in the restaurant category. Restaurants have been broken down into three sub-categories (Full-Service, Fast Food and Other), but at times there is overlap. Grocery stores and retail markets have been broken down into two sub-categories (Large Grocery/Super Markets and Grocery/Market). A Large Grocery/Super Market is a store that has at least three facility types, such as retail market, deli, and restaurant. A Grocery/Market is a store that only has one or two facility types.

**Does the number of "facilities" matter?**  
Some full service restaurants and grocery stores have multiple kinds of food facilities. For example, a large grocery store may have a retail market, bakery, deli, full-service restaurant and catering. The inspection results are for all facilities combined. Thus, this may result in more violations being identified and the rating may be influenced by the number of facilities.

**Is it safe to eat at food establishments rated Below Average?**  
Below average means that the inspection score was in the bottom 16% of similar types of food establishments. This does not mean that it is unsafe to eat there. However, it may mean that recent inspections at this food establishment identified more violations that could lead to foodborne illness, such as food not being held at safe temperatures, poor personal hygiene, or not having food handlers trained in safe food handling. It may also mean that more violations of basic sanitation and cleanliness were identified at this food establishment compared to similar food establishments. Some studies have found that more critical item violations may be correlated with a the risk of getting sick from a particular food establishment. The choice is yours where you eat.

Print

We also provided additional links to Food Establishment Inspection Questions on the website.

LLCHD did a "soft launch" of the new rating system in June of 2014, assuring the system operated correctly, and asking for feedback from our Food Advisory Committee and food industry partners. So far, feedback has been quite positive, and we have made a few changes based on their input. One of our goals for 2015 is to promote the site more broadly to the general public.



**Lincoln-Lancaster County Health Department  
Environmental Public Health Division  
Food Establishment Inspections – Questions and Answers  
November 8, 2012**

### **What is a Food Establishment?**

The Lincoln Food Code defines a food establishment as an operation that stores, prepares, packages, serves, vends (sells), or otherwise provides food for human consumption. Food establishments include restaurants, bakeries, caterers, coffee shops, delis and bars, just to name a few. For a complete description, click on this link <http://www.lincoln.ne.gov/city/attorn/lmc/ti08/ch820.pdf> and go to definitions.

### **How often are Food Establishments inspected?**

Food establishments are regularly inspected about every six, nine or twelve months, depending on the types of foods they prepare, who they serve, and their past inspection results. Establishments that cook and prepare raw foods pose the highest risk and are inspected more often. If an establishment has a history of many critical item violations it will be inspected more often. This is called risk based inspection – higher risk means more frequent inspections.

### **Who does Food Establishment inspections?**

Lincoln-Lancaster County Health Department employs Environmental Health Specialists that conduct all local food establishment inspections. Each of these staff has a minimum of a bachelor's degree in science and extensive training in food safety, conducting inspections, and foodborne illness prevention and investigation. Lincoln food inspectors are trained in accordance with U.S. Food and Drug Administration (FDA) guidance and standards to ensure uniform and consistent inspections. All staff are licensed in the State of Nebraska as Registered Environmental Health Specialists and most hold a special nationally recognized certification for food inspectors; Certified Professional – Food Safety.

### **Are some violations more important than others?**

There are two main categories of violations: Critical and Non-Critical. Critical violations have an increased risk of causing foodborne illnesses. Common critical item violations are: lack of food handler permits, food temperatures (not keeping food hot or cold), lack of sanitizer, insect or rodent problems, and lack of hand washing. Non-critical violations do not pose a significant risk of causing a foodborne illness, but may contribute to conditions that could lead to a foodborne illness. Examples of non-critical violations would include: dirty floors or walls, cracks in door seals or damaged screens that would allow insects or rodents to come in, or sanitation problems.

### **What is the Food Code?**

The State of Nebraska has adopted the 2009 FDA Food Code, with a few changes. Lincoln has adopted the Nebraska Food Code via ordinance (LMC 8.20 Lincoln Food Code), and has its own enforcement authorities. In addition, Lincoln requires both food managers and food handlers to be trained in food safety and sanitation, and requires them to have a local permit. The FDA Food Code is about two hundred pages long, not including annexes and guidance documents. Thus, hundreds of specific items can be marked as violations.

### **What do inspectors look for during an inspection?**

Inspectors check to make sure that foods are prepared safely, protected from contamination, and held at correct temperatures to reduce the risk of foodborne illness. They observe hygienic practices, such as hand washing before handling food. Inspectors also look for areas that are not clean, ensure that each food handler has a permit, and check equipment and work surfaces to make sure they are easy to clean so that germs cannot grow. They check to make sure dishwashing equipment is working correctly, washing and sanitizing utensils and dishes. Inspectors also make sure any toxic chemicals are properly used and stored away from food, and look for infestations of insects or rodents.

### **How many violations does a typical food establishment have?**

In Lincoln, the average number of critical item violations is less than two. And, about 25% of inspections do not identify a single critical item violation. The most frequent critical item violation is staff working without a food handler permit. The average number of non-critical item violations is less than 5.

### **Do inspectors explain the violations to the owner or manager on duty?**

Often managers or owners walk through their facility with the inspector. This gives the inspector the chance to discuss what they see and educate the manager or owner about the violations and options to correct the violations. Most violations are easily corrected and many are corrected at the time of the inspection or soon afterward. An exit interview is almost always done before the inspector leaves.

### **What happens if inspectors find significant violations in an establishment?**

An inspection might result in a Notice of Violation (NOV), Food Enforcement Notice (FEN), or Suspension or Closure. An NOV indicates that the inspector has found some items that could cause illness or make food unsafe. Often, these items can be corrected quickly or are relatively less serious in nature. An FEN may be issued if serious or repeat violations are found. These violations could pose a significant risk to public health and safety. Suspension or Closure is the most severe action. An establishment may be closed if there are signs of insect or rodent infestation, if an establishment does not have hot water, or if there is a wastewater back up that gets into the food preparation or storage area. They can also be suspended or closed if they have repeat critical item violations or if conditions at the time of inspection present a significant risk to public health. When the problems are corrected and a follow-up inspection reveals that the risk has been removed, the establishment can reopen. Fifty two FENs were issued last year.

### **How many Food Establishments are suspended or closed each year?**

In a typical year, one or two food establishments are suspended or closed by the Health Department for critical violations of the Food Code.

For more information, please call the Lincoln-Lancaster County Health Department Food Safety Program at 402-441-6280.

## Appendix F – Food Establishment Enforcement Policy

POLICY NUMBER: 222.31  
DIVISION: Environmental Public Health  
POLICY TITLE: Food Establishment Enforcement  
AGENCY (ies): Lincoln-Lancaster County Health Department  
AUTHORITY: Board of Health, L.M.C. Chapter 8.20 Lincoln Food Code  
DRAFTED: 05-04-90  
APPROVED: 07-10-90  
REVISED: 05-13-14  
APPROVED: 11-04-14  
STANDARD ADOPTED: 11-04-14

### POLICY STATEMENT:

To ensure the health and safety of the public, staff will follow established procedures in the enforcement of the Lincoln Food Code.

### PROCEDURE:

- I. To determine if a food service establishment meets minimum requirements, the assigned Environmental Health Specialist (EHS) will make unannounced inspections within designated intervals.
- II. All inspections will conform to Policy 222.30 - Routine Food Establishment Inspections.
- III. Outdoor sanitation, air quality, illicit discharge to storm drains, or water/sewer violations not specifically covered by LMC 8.20, will be addressed and enforcement action taken by the inspecting EHS with the assistance from the related program.
- IV. Issuance of a Food Enforcement Notice as a "Warning." (Exhibit 1)
  - A. A Food Enforcement Notice may be issued as a "Warning" if any of the following occur:
    1. On a routine, follow-up, or complaint inspection, a critical item violation or violations are found that pose an immediate and substantial hazard to public health. These critical violations will be required to be corrected immediately.
    2. A pattern of declining sanitation level and an increase in the number of violations over the last three routine inspections has occurred.
    3. A pattern of repeat non-critical item violations related to basic sanitation or cleaning over the last three routine inspections has occurred. A Supervisor's approval is required prior to the issuance of a Food Enforcement Notice for non-critical item violations.
    4. If there is a repeat non-compliance with Food Manager Permit or Food Handler Permit requirements of the Lincoln Food Code 8.20, in accordance with Policy 222.37.
  - D. The time frame allowed for compliance with a Food Enforcement Notice as a "Warning" will not exceed 5 days, except when such notice is for construction repairs or repeated non-critical item violations, in which case it shall not exceed 30 days. Reasonable shorter



## Appendix F – Food Establishment Enforcement Policy

time frames are encouraged. A reinspection will be conducted on the compliance date, or earlier if requested by the establishment or if so directed by a Supervisor, Division Manager, or Health Director. The establishment shall be reinspected at least once within 30 days.

- E. The food manager or establishment owner is required to submit a written plan of action within five (5) days identifying what action will be taken to prevent violation(s) from reoccurring. The EHS shall provide a form (Exhibit 2) for the food manager or owner to use to submit their required plan of action. The EHS will review the written plan and file it in the establishment's file. If the plan is not received, the EHS shall contact the food manager or establishment owner.
  - F. The issuance of the Food Enforcement Notice as a "Warning" shall not preclude the EHS from recommending a suspension or revocation of the Food Establishment Permit to the Division Manager or Health Director.
  - G. The permit holder of a food establishment that has been issued a Food Enforcement Notice as a "Warning" may appeal the inspection findings and subsequent enforcement action within three working days following the inspection. All appeals shall be heard by the Health Director in accordance with Lincoln Food Code 8.20.290 following the filing of a written request.
- V. Issuance of a Food Enforcement Notice as an "Immediate Suspension Notice." (Exhibit 3)
- A. A Food Enforcement Notice will be issued as an "Immediate Suspension Notice" if any of the following occur:
    - 1. On a routine, follow-up, or complaint inspection a food establishment has critical item violations and poor sanitation levels.
    - 2. Conditions are such that an immediate and substantial health hazard exists, including but not limited to, significant food temperature violation, sewage backup in kitchen or food storage area, power outage affecting cooking or refrigeration, flooding, no water service, significant rodent or cockroach infestation, or chemical contamination due to misapplied or illegal pesticides.
    - 3. On a reinspection following a Food Enforcement Notice issued as a "Warning", substantial improvement has not been made, including compliance with Food Manager or Food Handler Permit requirements in accordance with Policy 222.37.
  - B. The Division Manager's or Health Director's approval is required prior to the issuance of an "Immediate Suspension Notice." The date and time of the approval shall be recorded on the Food Enforcement Notice.
  - C. The Food Enforcement Notice shall be issued by the EHS at the time of inspection. The report shall clearly identify and describe the items found to be in violation that must be corrected prior to re-opening.

## Appendix F – Food Establishment Enforcement Policy

- D. The permit holder of a food establishment that has been issued a Food Enforcement Notice as an “Immediate Suspension Notice” may appeal the inspection findings and subsequent enforcement action within three working days following the inspection. All appeals shall be heard by the Health Director in accordance with Lincoln Food Code 8.20.290 following the filing of a written request.
- E. Following the reinspection, any food establishment that receives a Food Enforcement Notice as a “Immediate Suspension Notice” shall be reinspected at least once within 30 days and the establishment’s inspection interval shall be changed per policy 222.38.
- VI. A food establishment permit may be revoked by the Health Director in accordance with Lincoln Municipal Code 8.20 Lincoln Food Code.
- VII. Issuance of “Notification of Violation.” (Exhibit 4)
  - A. A “Notification of Violation” shall be used to notify food managers and establishment owners when critical item violations or conditions that could lead to a serious violation that could result in a foodborne illness or if they are in non-compliance with Food Manager or Food Handler Permit requirements in accordance with Policy 222.37.
  - B. The establishment permit holder or food manager must submit a written plan of action within seven (7) days identifying what actions management will take to prevent the noted violation(s) from reoccurring. The EHS shall provide a form (Exhibit 2) for the food manager or owner to use to submit their required plan of action. The EHS will review the written plan and file it in the establishments file. If a plan is not received, the EHS must contact the permit holder or food manager. If the violation is not corrected on the follow up inspection, or the next routine inspection a Food Enforcement Notice as a “Warning” shall be issued.
- VIII. A digital copy of the Notice of Violation, Food Enforcement Notice, Immediate Suspension Notice, or Revocation Notice of a Food Establishment permit shall be emailed to the Food Team, Supervisor, and Division Manager the same day as issued.

# Appendix F – Food Establishment Enforcement Policy Exhibit 1



Lincoln-Lancaster County Health Department  
Environmental Health Division  
3140 "N" Street  
Lincoln, Nebraska 68510

Time In	Firm I.D.	Inspector Code
2:35 PM	615075	60
Time Out	Facility Codes	Inspection Date
4:50 PM	01A	03/31/2014

FIRM **AMIGOS #034**

OWNER **GROWTH MANAGEMENT CORP**

ADDRESS **6891 A ST**

**LINCOLN NE, 68510**

**FOOD ENFORCEMENT NOTICE**

## FOOD ESTABLISHMENT INSPECTION REPORT

Unless otherwise stated, violations cited in this report shall be corrected within a period not to exceed 10 calendar days for critical items (8-405.11) or 90 days for non-critical items (8-406.11).

PURPOSE	CRITICAL
Regular....1	2
	NONCRITICAL 5

FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS			GOOD RETAIL PRACTICES		
Demonstration of Knowledge			Safe Food and Water		
1	IN COMPLIANCE	Certification by accredited program, compliance with Code, or correct responses	28	IN COMPLIANCE	Pasteurized eggs used where required
Employee Health			29	IN COMPLIANCE	Water and ice from approved source
2	IN COMPLIANCE	Management awareness; policy present	30	IN COMPLIANCE	Variance obtained or specialized processing methods
3	IN COMPLIANCE	Proper use of reporting, restriction exclusion	Food Temperature Control		
Good Hygienic Practices			31	IN COMPLIANCE	Proper cooling methods used; adequate equipment for temperature control
4	IN COMPLIANCE	Proper eating, tasting, drinking, nor tobacco use	32	IN COMPLIANCE	Plant food properly cooked for hot holding
5	IN COMPLIANCE	No discharge from eyes, nose, mouth	33	IN COMPLIANCE	Approved thawing methods used
Preventing Contamination By Hands			34	IN COMPLIANCE	Thermometers provided and accurate
6	NOT OBSERVED	Hands clean properly washed	Food Identification		
7	IN COMPLIANCE	No bare hand contact with ready-to-eat foods or approved alternate method followed	35	IN COMPLIANCE	Food properly labeled; original container
8	IN COMPLIANCE	Adequate handwashing facilities supplied and accessible	Prevention of Food Contamination		
Approved Source			36	IN COMPLIANCE	Insects, rodents, animals not present; no unauthorized persons
9	IN COMPLIANCE	Food obtained from approved source	37	IN COMPLIANCE	Contamination prevented during food preparation, storage, display
10	NOT OBSERVED	Food received at proper temperature	38	IN COMPLIANCE	Personal cleanliness
11	IN COMPLIANCE	Food in good condition, safe, and unadulterated	39	IN COMPLIANCE	Wiping cloths; properly used and stored
12	NOT APPLICABLE	Required records available: shellstock tags, parasite destruction	40	IN COMPLIANCE	Washing fruits and vegetables
Protection from Contamination			Proper Use of Utensils		
13	IN COMPLIANCE	Food separated protected	41	IN COMPLIANCE	In-use utensils; properly stored
14	IN COMPLIANCE	Food-contact surfaces: cleaned sanitized	42	IN COMPLIANCE	Utensils, equipment and linens: properly stored, dried, and handled
15	IN COMPLIANCE	Proper disposition of returned, previously served, reconditioned, unsafe food	43	IN COMPLIANCE	Single-use and single-service articles: properly stored and used
Potentially Hazardous Food Time/Temperature			44	IN COMPLIANCE	Gloves used properly
16	NOT OBSERVED	Proper cooking time and temperature	Utensils, Equipment, and Vending		
17	IN COMPLIANCE	Proper reheating procedures for hot holding	45	OUT OF COMPLIANCE	Food and non-food contact surfaces cleanable, properly designed, constructed, and used
18	OUT OF COMPLIANCE	Proper cooling time and temperatures	46	IN COMPLIANCE	Warewashing facilities: installed, maintained, and used; test strips
19	IN COMPLIANCE	Proper hot holding temperatures	47	OUT OF COMPLIANCE	Non-food contact surfaces clean
20	OUT OF COMPLIANCE	Proper cold holding temperatures	Physical Facilities		
21	IN COMPLIANCE	Proper date marking and disposition	48	IN COMPLIANCE	Hot and cold water available: adequate pressure
22	NOT OBSERVED	Time as a public health control: procedures record	49	IN COMPLIANCE	Plumbing installed; proper backflow devices
Consumer Advisory			50	IN COMPLIANCE	Sewage and waste water properly disposed
23	NOT APPLICABLE	Consumer advisory provided for raw or undercooked foods	51	IN COMPLIANCE	Toilet facilities: properly constructed, supplied, and cleaned
Highly Susceptible Populations			52	IN COMPLIANCE	Garbage and refuse properly disposed: facilities maintained
24	NOT APPLICABLE	Pasteurized foods used; prohibited foods not offered	53	OUT OF COMPLIANCE	Physical facilities installed, maintained, and clean
Chemical			54	IN COMPLIANCE	Adequate ventilation and lighting: designated areas used
25	NOT APPLICABLE	Food additives: approved properly used			
26	IN COMPLIANCE	Toxic substances properly identified, stored, used			
Conformance with Approved Procedures					
27	NOT APPLICABLE	Compliance with variance, specialized process, and HACCP plan			

615075

AMIGOS #034 6891 A ST

Page 1 of 4

# Appendix F – Food Establishment Enforcement Policy Exhibit 1

TEMPERATURE OBSERVATIONS			STAFFING/RECORDS REQUIREMENTS	
FOOD PRODUCT	TEMPERATURE	LOCATION	PIC = Person In Charge during Inspection	
corn salsa	44	breakfast table/rail	PIC Permit Level	Food Protection Manager
pico de gallo	48	breakfast table/rail	Food Handler Permits	Acceptable
black beans	48	breakfast table/rail	Food Handler Data Sheet	Acceptable
pinot beans	50	breakfast table/rail		
steak	48	breakfast table/rail		
chicken & pork	45	breakfast table/rail		
shell eggs	34	breakfast table/cooler		
guacamole	38	Amigos's table/rail		
mexi rice	50	Amigo's table/rail		
SW & fajita chicken	48	Amigos's table/rail		
fish/tacos	38	Amigo's table/cooler		
cheeses, sliced	42	King's table/rail		
fish fillets	32	King's table/cooler		
taco meat	144	steam table		
hamburgers	145	hot holding cabinet		
crispy pintos	29	frier cooler		
milk	38	coffee station/cooler		
diablo sauce	40	salsa bar		
salsa	48	salsa bar		

## FOOD ENFORCEMENT NOTICE

Pursuant to LLCHD Policy 222.31, this is to serve as notice of:


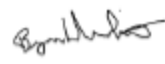
- WARNING** ☒ Failure to immediately correct violations posing an immediate and substantial hazard to public health (checked as critical violations below) will result in action to suspend or revoke your Food Establishment Permit.
- ☒ Failure to correct the violations (other than critical) listed below by the Correction Date listed below will result in action to suspend or revoke your Food Establishment Permit.

VIOLATION DETAIL						
Code	Critical	Repeat	Violation Description	Remarks / Food Code Citation	Corrected	Correct By
3-501.14	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Taco meat found in walk-in cooler not properly cooler. Couple of pans found at 86 and 75 degrees after 3 hours into the cooling process. Ice baths not observed. Cilantro/lime rice was at 55 degrees Fahrenheit. No records of time for cooling process.		<input type="checkbox"/>	04/05/2014
Risk Factor	18		Cooked potentially hazardous food (time/temperature control for safety food) shall be cooled:			
			(1) Within 2 hours from 57°C (135°F) to 21°C (70°F); and			
			(2) Within a total of 6 hours from 57°C (135°F) to 5°C (41°F) or less, or to 7°C (45°F) or less as specified under Subparagraph 3-501.16(A)(2)(b).			



# Appendix F – Food Establishment Enforcement Policy Exhibit 1

VIOLATION DETAIL						
Code	Critical	Repeat	Violation Description	Remarks / Food Code Citation	Corrected	Correct By
3-501.16	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Food in cold holding kept at unsafe temperatures. Time as a "control for safety" not observed (see temperature chart for details).		<input type="checkbox"/>	04/05/2014
Risk Factor	20		Except during preparation, cooking, or cooling or when time is used as the public health control as specified under § 3-501.19, and except as specified under (B) of this section, potentially hazardous food (time/temperature control for safety food) shall be maintained:		<b>NOTICE: Critical Item Violation</b>	
			(2) At a temperature specified in the following:			
			(a) 5°C (41°F) or less; or			
			(b) 7°C (45°F) or between 5°C (41°F) and 7°C (45°F) in existing refrigeration equipment that is not capable of maintaining the food at 5°C (41°F) or less if:			
			(i) The equipment is in place and in use in the food establishment, and			
			(ii) Within 5 years of the regulatory authority's adoption of this Code, the equipment is upgraded or replaced to maintain food at a temperature of 5°C (41°F) or less.			
4-201.11	<input type="checkbox"/>	<input checked="" type="checkbox"/>	"Homestyle" freezers in use. Use previously approved by LLCHD.		<input type="checkbox"/>	04/30/2014
Risk Factor	45		Equipment and utensils shall be designed and constructed to be durable and to retain their characteristic qualities under normal use conditions.			
4-501.11	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Door gaskets in several reach-in coolers were deteriorated. Gasket on small hot holding unit was also deteriorated. One of the friers missing bottom cabinet door.		<input type="checkbox"/>	04/30/2014
Risk Factor	45		Equipment components such as doors, seals, hinges, fasteners, and kick plates shall be kept intact, tight, and adjusted in accordance with manufacturer's specifications.			
4-602.13	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Food residue buildup inside reach-in coolers (breakfast, Amigos and Kings tables). Food residue & grease under the grill. Large amount of grease and food residue inside bottom compartment of friers. Food residue/ice buildup inside "homestyle" freezers.		<input type="checkbox"/>	04/30/2014
Risk Factor	47		Nonfood-contact surfaces of equipment shall be cleaned at a frequency necessary to preclude accumulation of soil residues.			
6-501.11	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Kitchen floor (tiles and grout) deteriorated in several areas.		<input type="checkbox"/>	04/30/2014
Risk Factor	53		The physical facilities shall be maintained in good repair.			
6-501.12	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Some litter accumulated on floor under shelves in dry storage (upstairs). Black residue inside floor drain for rinse sink in coffee station.		<input type="checkbox"/>	04/30/2014
Risk Factor	53		The physical facilities shall be cleaned as often as necessary to keep them clean.			

VIOLATION DETAIL			
Code	Critical Repeat	Violation Description	Remarks / Food Code Citation
			<p><b>ADDITIONAL ACTION REQUIRED:</b> You are hereby ordered to submit a written plan of action within five (5) days that you will implement to assure that items designated "NOTICE: Critical Item Violation" will be prevented in the future. Send to: Food Team Supervisor, LLCHD, 3140 "N" Street, Lincoln, NE 68510.</p> <p>Correction of the above violations does not preclude further actions in accord with Lincoln Municipal Code 8.20 and /or the Nebraska Pure Food Act. You may appeal this Food Enforcement Notice within three (3) working days by filing a written request with the Health Director. The request shall include the specific findings which are being appealed and why the enforcement action taken should be modified. Violations identified on this Notice must be corrected regardless of your decision to appeal.</p>
<b>Remarks:</b>			
<p><b>3399912703312014155314</b></p> <p>Printed 03/31/2014 4:51:48 PM</p>			
		<p>Environmental Health Specialist </p> <p>60 MARITZA LEON, MS, REHS 441-8140</p>	
<input checked="" type="checkbox"/> Follow-up		<p>Received by Person-In Charge </p> <p>WISEHART BENJAMIN M , Manager</p>	

## Appendix F – Food Establishment Enforcement Policy Exhibit 2



Lincoln-Lancaster County Health Department  
3140 N Street  
Lincoln, NE 68510  
(402) 441-6280

FAX: (402) 441-6206

### **ACTION PLAN** **TO PREVENT RECURRING VIOLATIONS**

PLEASE PRINT CLEARLY

Establishment _____	Inspector Name _____	Number _____
Address _____	<i>Food Enforcement Notice (FEN):</i> Complete Action Plan must be submitted to LLCHD within 5 days.	
Phone Number _____	FAX _____	<i>Notice of Violation (NOV):</i> Completed Action Plan must be submitted to LLCHD within 7 days.
Signature of Manager _____	Date _____	
Print Name _____		

A change in management does **not** release the establishment from the terms of this action plan.  
Contact the Lincoln-Lancaster County Health Department in case of a change in management.

**Critical Violation:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**How/When Violation will be Corrected:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**How will Violation be Prevented in the Future (be specific):** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Who is Responsible to Monitoring to Ensure Compliance:** \_\_\_\_\_  
\_\_\_\_\_

Reviewed

☐

Needs Modification

☐

Notes:

Keep a copy at your establishment

Signature of REHS

Date

\_\_\_\_ 1 \_\_\_\_ of \_\_\_\_ pages

PLEASE PRINT CLEARLY

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Critical Violation: \_\_\_\_\_

\_\_\_\_\_

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How/When Violation will be Corrected: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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How will Violation be Prevented in the Future (be specific): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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Who is Responsible to Monitoring to Ensure Compliance: \_\_\_\_\_

\_\_\_\_\_

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Critical Violation: \_\_\_\_\_

\_\_\_\_\_

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How/When Violation will be Corrected: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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How will Violation be Prevented in the Future (be specific): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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Who is Responsible to Monitoring to Ensure Compliance: \_\_\_\_\_

\_\_\_\_\_

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Keep a copy at your establishment

\_\_\_\_\_ of \_\_\_\_\_ pages

# Appendix F – Food Establishment Enforcement Policy Exhibit 3



Lincoln-Lancaster County Health Department  
Environmental Health Division  
3140 "N" Street  
Lincoln, Nebraska 68510

Time In	Firm I.D.	Inspector Code
3:25 PM	025592	67
Time Out	Facility Codes	Inspection Date
6:00 PM	03A, 01A, 12A, 04A	06/11/2014

FIRM **LA MEXICANA MARKET**

OWNER **MORALES ROSAURA**

ADDRESS **1637 P ST**

**LINCOLN NE, 68508**

**IMMEDIATE SUSPENSION NOTICE**

## FOOD ESTABLISHMENT INSPECTION REPORT

Unless otherwise stated, violations cited in this report shall be corrected within a period not to exceed 10 calendar days for critical items (8-405.11) or 90 days for non-critical items (8-406.11).

PURPOSE	CRITICAL	8
Follow-up...2	NONCRITICAL	8

FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS			GOOD RETAIL PRACTICES		
Demonstration of Knowledge			Safe Food and Water		
1	IN COMPLIANCE	Certification by accredited program, compliance with Code, or correct responses	28	IN COMPLIANCE	Pasteurized eggs used where required
Employee Health			29	IN COMPLIANCE	Water and ice from approved source
2	IN COMPLIANCE	Management awareness; policy present	30	IN COMPLIANCE	Variance obtained or specialized processing methods
3	IN COMPLIANCE	Proper use of reporting, restriction, exclusion	Food Temperature Control		
Good Hygienic Practices			31	OUT OF COMPLIANCE	Proper cooling methods used; adequate equipment for temperature control
4	IN COMPLIANCE	Proper eating, tasting, drinking, nor tobacco use	32	IN COMPLIANCE	Plant food properly cooked for hot holding
5	IN COMPLIANCE	No discharge from eyes, nose, mouth	33	IN COMPLIANCE	Approved thawing methods used
Preventing Contamination By Hands			34	IN COMPLIANCE	Thermometers provided and accurate
6	OUT OF COMPLIANCE	Hands clean, properly washed	Food Identification		
7	IN COMPLIANCE	No bare hand contact with ready-to-eat foods or approved alternate method followed	35	IN COMPLIANCE	Food properly labeled; original container
8	IN COMPLIANCE	Adequate handwashing facilities supplied and accessible	Prevention of Food Contamination		
Approved Source			36	OUT OF COMPLIANCE	Insects, rodents, animals not present; no unauthorized persons
9	IN COMPLIANCE	Food obtained from approved source	37	OUT OF COMPLIANCE	Contamination prevented during food preparation, storage, display
10	NOT OBSERVED	Food received at proper temperature	38	IN COMPLIANCE	Personal cleanliness
11	IN COMPLIANCE	Food in good condition, safe, and unadulterated	39	IN COMPLIANCE	Wiping cloths; properly used and stored
12	NOT APPLICABLE	Required records available: shellstock tags, parasite destruction	40	IN COMPLIANCE	Washing fruits and vegetables
Protection from Contamination			Proper Use of Utensils		
13	OUT OF COMPLIANCE	Food separated, protected	41	IN COMPLIANCE	In-use utensils; properly stored
14	OUT OF COMPLIANCE	Food-contact surfaces: cleaned, sanitized	42	IN COMPLIANCE	Utensils, equipment and linens: properly stored, dried, and handled
15	IN COMPLIANCE	Proper disposition of returned, previously served, reconditioned, unsafe food	43	IN COMPLIANCE	Single-use and single-service articles: properly stored and used
Potentially Hazardous Food Time/Temperature			44	IN COMPLIANCE	Gloves used properly
16	NOT OBSERVED	Proper cooking time and temperature	Utensils, Equipment, and Vending		
17	NOT OBSERVED	Proper reheating procedures for hot holding	45	OUT OF COMPLIANCE	Food and non-food contact surfaces cleanable, properly designed, constructed, and used
18	OUT OF COMPLIANCE	Proper cooling time and temperatures	46	IN COMPLIANCE	Warewashing facilities: installed, maintained, and used; test strips
19	OUT OF COMPLIANCE	Proper hot holding temperatures	47	IN COMPLIANCE	Non-food contact surfaces clean
20	IN COMPLIANCE	Proper cold holding temperatures	Physical Facilities		
21	OUT OF COMPLIANCE	Proper date marking and disposition	48	IN COMPLIANCE	Hot and cold water available: adequate pressure
22	NOT APPLICABLE	Time as a public health control; procedures record	49	IN COMPLIANCE	Plumbing installed; proper backflow devices
Consumer Advisory			50	IN COMPLIANCE	Sewage and waste water properly disposed
23	NOT APPLICABLE	Consumer advisory provided for raw or undercooked foods	51	IN COMPLIANCE	Toilet facilities: properly constructed, supplied, and cleaned
Highly Susceptible Populations			52	IN COMPLIANCE	Garbage and refuse properly disposed: facilities maintained
24	NOT APPLICABLE	Pasteurized foods used; prohibited foods not offered	53	OUT OF COMPLIANCE	Physical facilities installed, maintained, and clean
Chemical			54	OUT OF COMPLIANCE	Adequate ventilation and lighting; designated areas used
25	NOT APPLICABLE	Food additives: approved and properly used			
26	IN COMPLIANCE	Toxic substances properly identified, stored, used			
Conformance with Approved Procedures					
27	NOT APPLICABLE	Compliance with variance, specialized process, and HACCP plan			

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# Appendix F – Food Establishment Enforcement Policy Exhibit 3

TEMPERATURE OBSERVATIONS			STAFFING/RECORDS REQUIREMENTS	
FOOD PRODUCT	TEMPERATURE	LOCATION	PIC = Person In Charge during Inspection	
chicken	84	counter	PIC Permit Level	N/A
Beans	144	warmer	Food Handler Permits	Acceptable
tamales	153	stove	Food Handler Data Sheet	Acceptable
Tomatoes	43	rail		
Tomatoes	42	rail		
Chicken	42	reach-in		
Chicken	51	reach-in		
salsa	137	table in butcher area		
Beef	115	steam table		
Beef	119	steam table		
Beef	146	steam table		
Pork	136	steam table		
beef (raw)	35	meatdisplay cooler		
beef	38	meat display cooler		
beef	31	meat display cooler		
salsa	34	cheese display cooler		
salsa	34	cheese display cooler		

## IMMEDIATE SUSPENSION NOTICE

Pursuant to Chapter 8.20 of the Lincoln Municipal Code entitled the Lincoln Food Code, and in accordance with the Food Service Establishment Policy 222.31 adopted by the Lincoln-Lancaster County Board of Health, you are hereby notified that the Food Establishment Permit issued to the food establishment named above is hereby:



**SUSPENDED** as of **Wednesday, June 11, 2014** at **12:00:00 PM**

## Appendix F – Food Establishment Enforcement Policy Exhibit 3

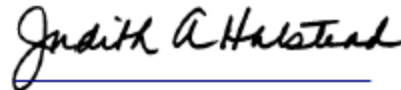
You are ordered to cease all food service operations immediately. Failure to cease operating your food establishment as ordered is a violation of Chapter 8.20.280 and 8.20.300.

Any person whose Food Establishment Permit has been suspended may make application for reinspection for the purpose of reinstatement of such permit. Such application for reinspection shall include a statement signed by the applicant that the conditions causing suspension of the permit have been corrected and a reinstatement fee submitted. Within three (3) days following the day of receipt by the Health Director of such written request for reinspection, the Health Director shall cause such reinspection to be made and if the Health Director shall find that the applicant is in compliance with the requirements of the Ordinance and Regulations pertaining to food establishments, the permit shall be reinstated upon payment of the fee provided by 8.20.170.

Chapter 8.20.290 of the Lincoln Food Code makes provision for appealing this suspension or revocation. Appeals may be made by filing a written request with the Health Director for review of the matter. The request shall include a statement of the action or decision of the Health Director which is being appealed and why the same should be rescinded or modified. The Health Director has the discretion to hold an administrative conference to review the decision with the aggrieved party prior to a formal hearing on the appeal.

All hearings on appeals will be heard by the Health Director within three (3) days following the filing of the written request unless a later date is agreed upon by the appellate and the Health Director. Final decisions of the Health Director may be appealed to District Court.

Violations leading to this action have been documented and provided to this food establishment via this notice.



*Judith A. Halstead, MS, Health Director*

VIOLATION DETAIL				
Code	Critical Repeat	Violation Description	Remarks / Food Code Citation	Corrected Correct By
2-301.14	<input checked="" type="checkbox"/> <input type="checkbox"/>	Employee observed handling raw chicken, wiping hands on apron, then proceeding to don gloves without washing hands. Stopped by inspector and instructed to wash hands.		<input checked="" type="checkbox"/> CORRECTED NOTICE: Critical Item Violation
Risk Factor	6	Food employees shall clean their hands and exposed portions of their arms as specified under § 2-301.12 immediately before engaging in food preparation including working with exposed food, clean equipment and utensils, and unwrapped single-service and single-use articles and:  When switching between working with raw food and working with ready-to-eat food;		

# Appendix F – Food Establishment Enforcement Policy Exhibit 3

VIOLATION DETAIL					
Code	Critical	Repeat	Violation Description	Remarks / Food Code Citation	Corrected Correct By
3-302.11	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Chorizo observed over salsa in meat cooler. Store below.</b>		<input type="checkbox"/> 06/16/2014
Risk Factor 13			Food shall be protected from cross contamination by: (1) Separating raw animal foods during storage, preparation, holding, and display from: (a) Raw ready-to-eat food including other raw animal food such as fish for sushi or molluscan shellfish, or other raw ready-to-eat food such as vegetables, and (b) Cooked ready-to-eat food; (2) Except when combined as ingredients, separating types of raw animal foods from each other such as beef, fish, lamb, pork, and poultry during storage, preparation, holding, and display by: (a) Using separate equipment for each type, or (b) Arranging each type of food in equipment so that cross contamination of one type with another is prevented, and (c) Preparing each type of food at different times or in separate areas; (3) Cleaning equipment and utensils as specified under § 4-802.11(A) and sanitizing as specified under § 4-703.11; (4) Except as specified under Subparagraph 3-501.15 (B)(2) and in ¶ (B) of this section, storing the food in packages, covered containers, or wrappings; (5) Cleaning hermetically sealed containers of food of visible soil before opening; (6) Protecting food containers that are received packaged together in a case or overwrap from cuts when the case or overwrap is opened; (7) Storing damaged, spoiled, or recalled food being held in the food establishment as specified under § 6-404.11; and (8) Separating fruits and vegetables, before they are washed as specified under § 3-302.15 from ready-to-eat food.	<b>NOTICE: Critical Item Violation</b>	
4-601.11	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Slicers observed with meat residues. Increase cleaning frequency.</b>		<input type="checkbox"/> 06/16/2014
Risk Factor 14			Equipment food-contact surfaces and utensils shall be clean to sight and touch.	<b>NOTICE: Critical Item Violation</b>	
4-703.11	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Dish machine not reaching sanitizing temps. Only temping out around 150 degrees after multiple runs. Install booster heater or change to chemical sanitizing machine.</b>		<input type="checkbox"/> 06/16/2014
Risk Factor 14			After being cleaned, equipment food-contact surfaces and utensils shall be sanitized in: Hot water mechanical operations by being cycled through equipment that is set up as specified under §§ 4-501.15, 4-501.112, and 4-501.113 and achieving a utensil surface temperature of 71°C (160°F) as measured by an irreversible registering temperature indicator; or	<b>NOTICE: Critical Item Violation</b>	
3-501.14	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Chicken observed cooling on counter, found at 84 degrees. Had been cooling for the past 4 hours. Discarded.</b>		<input checked="" type="checkbox"/> CORRECTED
Risk Factor 18			Cooked potentially hazardous food (time/temperature control for safety food) shall be cooled:  (1) Within 2 hours from 57°C (135°F) to 21°C (70°F); and (2) Within a total of 6 hours from 57°C (135°F) to 5°C (41°F) or less, or to 7°C (45°F) or less as specified under Subparagraph 3-501.16(A)(2)(b).	<b>NOTICE: Critical Item Violation</b>	
3-501.16	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Beef found at 114 and 119 degrees on hot table. Had been on table for nearly 4 hours. Discarded.</b>		<input checked="" type="checkbox"/> CORRECTED
Risk Factor 19			Except during preparation, cooking, or cooling or when time is used as the public health control as specified under § 3-501.19, and except as specified under (B) of this section, potentially hazardous food (time/temperature control for safety food) shall be maintained:  (1) At 57°C (135°F) or above, except that roasts cooked to a temperature and for a time specified in 3-401.11(B) or reheated as specified in 3-403.11(E) may be held at a temperature of 54°C (130°F) or above; or	<b>NOTICE: Critical Item Violation</b>	

# Appendix F – Food Establishment Enforcement Policy Exhibit 3

VIOLATION DETAIL					
Code	Critical Repeat	Violation Description	Remarks / Food Code Citation	Corrected	Correct By
81-2,272.24	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	Item date marked 05/31 in walk-in cooler. Regularly check cooler for items that are out of date.		<input type="checkbox"/>	06/16/2014
Risk Factor 21		Except as specified in this section, refrigerated, ready-to-eat, potentially hazardous food (time/temperature control for safety food) prepared and packaged by a food processing plant and held refrigerated at such food establishment, shall be clearly marked, at the time the original container is opened in a food establishment, to indicate the date the food container was opened. The food shall be sold, consumed on the premises, or discarded within:  (a) Seven calendar days or less if the food is held refrigerated at forty-one degrees Fahrenheit (five degrees Celsius) or below; or (b) Four calendar days or less if the food is held refrigerated between forty-five degrees Fahrenheit (seven degrees Celsius) and forty one degrees Fahrenheit (five degrees Celsius).  This subsection does not apply to fermented sausages which retain an original casing or shelf stable salt cured products produced in a federally inspected food processing plant that are not labeled "Keep Refrigerated" or to shelf stable, dry, fermented sausages when the face has been cut, but the remaining portion is whole and intact.		<input type="checkbox"/>	06/16/2014 <b>NOTICE: Critical Item Violation</b>
6-501.111	<input checked="" type="checkbox"/> <input type="checkbox"/>	Numerous roaches observed in kitchen at various stages in cycle. Service had sprayed earlier in day. Receipt was presented during inspection.		<input type="checkbox"/>	06/16/2014
Risk Factor 36		The presence of insects, rodents, and other pests shall be controlled to minimize their presence on the premises by: Using methods, if pests are found, such as trapping devices or other means of pest control as specified under §§ 7-202.12, 7-206.12, and 7-206.13		<input type="checkbox"/>	06/16/2014 <b>NOTICE: Critical Item Violation</b>
3-501.15	<input type="checkbox"/> <input type="checkbox"/>	Salsa observed cooling in a bucket. Chicken found on counter had been cooled in improperly. Shown how to make ice bath and properly.		<input type="checkbox"/>	07/11/2014
Risk Factor 31		Cooling shall be accomplished in accordance with the time and temperature criteria specified under § 3-501.14 by using one or more of the following methods based on the type of food being cooled:  (1) Placing the food in shallow pans; (2) Separating the food into smaller or thinner portions; (3) Using rapid cooling equipment; (4) Stirring the food in a container placed in an ice water bath; (5) Using containers that facilitate heat transfer; (6) Adding ice as an ingredient; or (7) Other effective methods.		<input type="checkbox"/>	
3-305.11	<input type="checkbox"/> <input checked="" type="checkbox"/>	Open bags of product observed. Keep in container to avoid possible contamination and avoid attracting pests.		<input type="checkbox"/>	07/11/2014
Risk Factor 37		Except as specified in ¶¶ (B) and (C) of this section, food shall be protected from contamination by storing the food: (1) In a clean, dry location; (2) Where it is not exposed to splash, dust, or other contamination; and (3) At least 15 cm (6 inches) above the floor.		<input type="checkbox"/>	
4-201.11	<input type="checkbox"/> <input checked="" type="checkbox"/>	Homestyle chest freezer in butcher area. Replace with commercial unit upon failure or change of ownership.		<input type="checkbox"/>	07/11/2014
Risk Factor 45		Equipment and utensils shall be designed and constructed to be durable and to retain their characteristic qualities under normal use conditions.		<input type="checkbox"/>	

## Appendix F – Food Establishment Enforcement Policy Exhibit 3

VIOLATION DETAIL						
Code	Critical	Repeat	Violation Description	Remarks / Food Code Citation	Corrected	Correct By
6-101.11	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Unsealed concrete in kitchen. Ceiling in prep area of kitchen not approved.		<input type="checkbox"/>	07/11/2014
Risk Factor	53		Except as specified in ¶ (B) of this section, materials for indoor floor, wall, and ceiling surfaces under conditions of normal use shall be: (1) Smooth, durable, and easily cleanable for areas where food establishment operations are conducted; (2) Closely woven and easily cleanable carpet for carpeted areas; and (3) Nonabsorbent for areas subject to moisture such as food preparation areas, walk-in refrigerators, warewashing areas, toilet rooms, mobile food establishment servicing areas, and areas subject to flushing or spray cleaning methods.			
6-501.11	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Walls pitted and damaged throughout facility. Holes along floor and wall in numerous areas of kitchen. Floor damage in kitchen. Walk-in freezer floor damaged. Counters damaged.		<input type="checkbox"/>	07/11/2014
Risk Factor	53		The physical facilities shall be maintained in good repair.			
6-501.12	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Walls with food splatter. Areas behind equipment with greasy residues. All behind dish area moldy. Drains with residues. Increase cleaning frequency.		<input type="checkbox"/>	07/11/2014
Risk Factor	53		The physical facilities shall be cleaned as often as necessary to keep them clean.			
6-202.11	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Light shields missing in kitchen.		<input type="checkbox"/>	07/11/2014
Risk Factor	54		Except as specified in ¶ (B) of this section, light bulbs shall be shielded, coated, or otherwise shatter-resistant in areas where there is exposed food; clean equipment, utensils, and linens; or unwrapped single-service and single-use articles.			



**ADDITIONAL ACTION REQUIRED:** Under authority given to the Health Director by Lincoln Municipal Code 8.20, you are hereby ordered to submit a written plan of action within five (5) days that you will implement to assure that items designated as "NOTICE: Critical Item Violation" will be prevented in the future. Send to: Food Team Supervisor, LLCHD, 3140 "N" Street, Lincoln, NE 68510.

Correction of the above violations does not preclude further actions in accord with Lincoln Municipal Code 8.20. You may appeal this Food Enforcement Notice within three (3) working days by filing a written request with the Health Director. The request shall include the specific findings which are being appealed and why the enforcement action taken should be modified. Violations identified on this Notice must be corrected regardless of your decision to appeal.

**Remarks:** *Suspension has been issued for repeat critical violations and roach infestation. Critical items must be corrected prior to reopening and a fee of \$250.00 must be paid in full.*

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Environmental Health Specialist

67 ANDREA R. BETHKE, EHS

441-8074

☐ Follow-up

Received by Person-In Charge

Abram Morales , Owner

# Appendix F – Food Establishment Enforcement Policy Exhibit 4



Lincoln-Lancaster County Health Department  
Environmental Health Division  
3140 "N" Street  
Lincoln, Nebraska 68510

Time In	Firm ID	Inspector Code
11:15 AM	043632	67
Time Out	Facility Codes	Inspection Date
1:15 PM	01A, 16A	01/30/2014

FIRM **C BERRY'S**

OWNER **BERRY TECHNICAL SERVICES INC**

ADDRESS **1422 O ST**

**LINCOLN NE 68508**

**NOTICE OF VIOLATION**

## FOOD ESTABLISHMENT INSPECTION REPORT

Unless otherwise stated, violations cited in this report shall be corrected within a period not to exceed 10 calendar days for critical items (8-406.11) or 90 days for non-critical items (8-406.11).

PURPOSE

Regular....1

CRITICAL **4**

NONCRITICAL **5**

FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS		GOOD RETAIL PRACTICES	
<b>Demonstration of Knowledge</b>		<b>Safe Food and Water</b>	
<b>1</b>	<b>IN COMPLIANCE</b> Certification by accredited program, compliance with Code, or correct responses	<b>28</b>	<b>IN COMPLIANCE</b> Pasteurized eggs used where required
<b>Employee Health</b>		<b>29</b>	<b>IN COMPLIANCE</b> Water and ice from approved source
<b>2</b>	<b>IN COMPLIANCE</b> Management awareness; policy present	<b>30</b>	<b>IN COMPLIANCE</b> Variance obtained or specialized processing methods
<b>3</b>	<b>IN COMPLIANCE</b> Proper use of reporting, restriction & exclusion	<b>Food Temperature Control</b>	
<b>Good Hygienic Practices</b>		<b>31</b>	<b>IN COMPLIANCE</b> Proper cooling methods used; adequate equipment for temperature control
<b>4</b>	<b>IN COMPLIANCE</b> Proper eating, tasting, drinking, nor tobacco use	<b>32</b>	<b>IN COMPLIANCE</b> Plant food properly cooked for hot holding
<b>5</b>	<b>IN COMPLIANCE</b> No discharge from eyes, nose, & mouth	<b>33</b>	<b>IN COMPLIANCE</b> Approved thawing methods used
<b>Preventing Contamination By Hands</b>		<b>34</b>	<b>IN COMPLIANCE</b> Thermometers provided and accurate
<b>6</b>	<b>IN COMPLIANCE</b> Hands clean & properly washed	<b>Food Identification</b>	
<b>7</b>	<b>IN COMPLIANCE</b> No bare hand contact w/ ready-to-eat foods or approved alternate method followed	<b>35</b>	<b>IN COMPLIANCE</b> Food properly labeled; original container
<b>8</b>	<b>IN COMPLIANCE</b> Adequate handwashing facilities supplied and accessible	<b>Prevention of Food Contamination</b>	
<b>Approved Source</b>		<b>36</b>	<b>IN COMPLIANCE</b> Insects, rodents, & animals not present; no unauthorized persons
<b>9</b>	<b>IN COMPLIANCE</b> Food obtained from approved source	<b>37</b>	<b>IN COMPLIANCE</b> Contamination prevented during food preparation, storage, & display
<b>10</b>	<b>NOT OBSERVED</b> Food received at proper temperature	<b>38</b>	<b>IN COMPLIANCE</b> Personal cleanliness
<b>11</b>	<b>IN COMPLIANCE</b> Food in good condition, safe, and unadulterated	<b>39</b>	<b>IN COMPLIANCE</b> Wiping cloths; properly used and stored
<b>12</b>	<b>NOT APPLICABLE</b> Required records available: shellstock tags, parasite destruction	<b>40</b>	<b>IN COMPLIANCE</b> Washing fruits and vegetables
<b>Protection from Contamination</b>		<b>Proper Use of Utensils</b>	
<b>13</b>	<b>IN COMPLIANCE</b> Food separated & protected	<b>41</b>	<b>IN COMPLIANCE</b> In-use utensils: properly stored
<b>14</b>	<b>IN COMPLIANCE</b> Food-contact surfaces: cleaned & sanitized	<b>42</b>	<b>IN COMPLIANCE</b> Utensils, equipment and linens: properly stored, dried, and handled
<b>15</b>	<b>IN COMPLIANCE</b> Proper disposition of returned, previously served, reconditioned, & unsafe food	<b>43</b>	<b>IN COMPLIANCE</b> Single-use and single-service articles: properly stored and used
<b>Potentially Hazardous Food Time/Temperature</b>		<b>44</b>	<b>IN COMPLIANCE</b> Gloves used properly
<b>16</b>	<b>IN COMPLIANCE</b> Proper cooking time and temperature	<b>Utensils, Equipment, and Vending</b>	
<b>17</b>	<b>OUT OF COMPLIANCE</b> Proper reheating procedures for hot holding	<b>45</b>	<b>OUT OF COMPLIANCE</b> Food and non-food contact surfaces cleanable, properly designed, constructed, and used
<b>18</b>	<b>NOT OBSERVED</b> Proper cooling time and temperatures	<b>46</b>	<b>IN COMPLIANCE</b> Warewashing facilities: installed, maintained, and used; test strips
<b>19</b>	<b>OUT OF COMPLIANCE</b> Proper hot holding temperatures	<b>47</b>	<b>IN COMPLIANCE</b> Non-food contact surfaces clean
<b>20</b>	<b>IN COMPLIANCE</b> Proper cold holding temperatures	<b>Physical Facilities</b>	
<b>21</b>	<b>IN COMPLIANCE</b> Proper date marking and disposition	<b>48</b>	<b>IN COMPLIANCE</b> Hot and cold water available: adequate pressure
<b>22</b>	<b>NOT APPLICABLE</b> Time as a public health control: procedures & record	<b>49</b>	<b>IN COMPLIANCE</b> Plumbing installed; proper backflow devices
<b>Consumer Advisory</b>		<b>50</b>	<b>IN COMPLIANCE</b> Sewage and waste water properly disposed
<b>23</b>	<b>NOT APPLICABLE</b> Consumer advisory provided for raw or undercooked foods	<b>51</b>	<b>IN COMPLIANCE</b> Toilet facilities: properly constructed, supplied, and cleaned
<b>Highly Susceptible Populations</b>		<b>52</b>	<b>IN COMPLIANCE</b> Garbage and refuse properly disposed: facilities maintained
<b>24</b>	<b>NOT APPLICABLE</b> Pasteurized foods used; prohibited foods not offered	<b>53</b>	<b>OUT OF COMPLIANCE</b> Physical facilities installed, maintained, and clean
<b>Chemical</b>		<b>54</b>	<b>IN COMPLIANCE</b> Adequate ventilation and lighting: designated areas used
<b>25</b>	<b>NOT APPLICABLE</b> Food additives: approved & properly used		
<b>26</b>	<b>OUT OF COMPLIANCE</b> Toxic substances properly identified, stored, and used		
<b>Conformance with Approved Procedures</b>			
<b>27</b>	<b>NOT APPLICABLE</b> Compliance with variance, specialized process, and HACCP plan		

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1422 O ST

Page 1 of 3

# Appendix F – Food Establishment Enforcement Policy Exhibit 4

TEMPERATURE OBSERVATIONS			STAFFING/RECORDS REQUIREMENTS	
FOOD PRODUCT	TEMPERATURE	LOCATION	PIC = Person In Charge During Inspection	
Tomatoes	42	rail	PIC Permit Level	Food Protection Manager
Turkey	39	reach-in cooler	Food Handler Permits	Acceptable
Soup	141	steam table	Food Handler Data Shee	Incomplete
baked beans (reheat)	128	steam table		
pulled pork	139	hot holding unit		
mac and cheese	129	hot holding cabinet		
ambient air	12	reach-in freezer		
brisket	147	hot holding cabinet		
roast	176	smoker		
mac and cheese	35	3 door upright		
mac and cheese (reheat)	167	microwave reheat		
mac and cheese reheat	179	microwave reheat		
Sausage	37	3 door upright		
roast	35	1 door upright cooler		

## Notice of Violation

During an inspection of your establishment, significant violations, those most likely to lead to foodborne illness, were identified and have been designated as "Critical" in the following section:

### VIOLATION DETAIL

Code	Critical Repeat	Violation Description Remarks / Food Code Citation	Corrected	Correct By
8.20.190	<input checked="" type="checkbox"/> <input type="checkbox"/>	Food handler roster incomplete. Employees new permit numbers not added to list. New employees not added. Completed by manager and inspector.	<input checked="" type="checkbox"/> 4	CORRECTED
Risk Factor	0	(d) A food permit holder shall maintain an up to date list of all employees working in the food establishment on a form provided or approved by the Health Director. The form shall include the employee's name, date of hire, food handler or food manager permit number and expiration date. The form shall be made available to the Health Director upon request.		NOTICE: Critical Item Violation
3-403.11	<input checked="" type="checkbox"/> <input type="checkbox"/>	Baked beans being reheated on steam table found at 128-138. Reheat on stove not steam table!!	<input type="checkbox"/>	2/4/2014
Risk Factor	17	Except as specified under ¶¶ (B) and (C) and in ¶ (E) of this section, potentially hazardous food that is cooked, cooled, and reheated for hot holding shall be reheated so that all parts of the food reach a temperature of at least 74°C (165° F) for 15 seconds.		NOTICE: Critical Item Violation
3-403.11	<input checked="" type="checkbox"/> <input type="checkbox"/>	Baked beans placed on steam table for reheat not reaching proper temps after 3 hours. Discarded.	<input type="checkbox"/>	2/4/2014
Risk Factor	17	Reheating for hot holding as specified under ¶¶ (A) -(C) of this section shall be done rapidly and the time the food is between the temperature specified under Subparagraph 3-501.16(A)(2) and the temperature specified under ¶¶ (A) - (C) of this section may not exceed 2 hours.		NOTICE: Critical Item Violation
3-501.16	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	Macaroni and cheese found in hot unit at 129 degrees. Had been placed in cabinet a little over an hour. Does discard after 4 hours. If case, use time as control (see notes). Also could have been reheated improperly. Unit found between 132-142 during inspection	<input type="checkbox"/>	2/4/2014
Risk Factor	19	Except during preparation, cooking, or cooling or when time is used as the public health control as specified under § 3-501.19, and except as specified under (B) of this section, potentially hazardous food (time/temperature control for safety food) shall be maintained:  (1) At 57°C (135°F) or above, except that roasts cooked to a temperature and for a time specified in 3-401.11(B) or reheated as specified in 3-403.11(E) may be held at a temperature of 54°C (130°F) or above; or		NOTICE: Critical Item Violation

# Appendix F – Food Establishment Enforcement Policy Exhibit 4

VIOLATION DETAIL					
Code	Critical	Repeat	Violation Description Remarks / Food Code Citation	Corrected	Correct By
7-201.11	<input type="checkbox"/>	<input type="checkbox"/>	Reorganize shelf with single service items so there is more space between employees medical items/other chemicals.	<input type="checkbox"/>	3/1/2014
Risk Factor	28		Poisonous or toxic materials shall be stored so they can not contaminate food, equipment, utensils, linens, and single-service and single-use articles by: Separating the poisonous or toxic materials by spacing or partitioning; (S)		
4-501.11	<input type="checkbox"/>	<input type="checkbox"/>	Seals on 3 door cooler severely ripped. One repaired with glue. Fix to maintain integrity of cooler.	<input type="checkbox"/>	3/1/2014
Risk Factor	45		Equipment components such as doors, seals, hinges, fasteners, and kick plates shall be kept intact, tight, and adjusted in accordance with manufacturer's specifications.		
4-502.11	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Thermometer in hot holding cabinet not accurate. Hot holding unit holding between 133-142 degrees (door being opened repeatedly). Thermometer registering 150 and not moving. Replace.	<input type="checkbox"/>	3/1/2014
Risk Factor	45		Ambient air temperature, water pressure, and water temperature measuring device shall be maintained in good repair and be accurate within the intended range of use.		
4-502.11	<input type="checkbox"/>	<input type="checkbox"/>	Melted and chipped spatulas found. Discarded.	<input checked="" type="checkbox"/>	CORRECTED
Risk Factor	45		Utensils shall be maintained in a state of repair or condition that complies with the requirements specified under Parts 4-1 and 4-2 or shall be discarded.		
6-501.12	<input type="checkbox"/>	<input type="checkbox"/>	Mop sink with an accumulation of residues. Increase cleaning frequency. Otherwise very clean facility.	<input type="checkbox"/>	3/1/2014
Risk Factor	53		The physical facilities shall be cleaned as often as necessary to keep them clean.		

CRITICAL VIOLATIONS checked above must be corrected immediately, unless a specific timeframe of correction is authorized by Lincoln-Lancaster County Health Department.

**ACTION REQUIRED:** You are hereby ordered to submit a written plan of action within seven (7) days that you will implement to assure that items marked as "NOTICE: Critical Item Violation" will be prevented in the future. Send to: Food Team Supervisor, LLCHD, 3140 "N" Street, Lincoln, NE 68510.

Failure to correct these violations may result in action to suspend or revoke your Food Establishment Permit.

You may appeal this Notice of Violation within three (3) working days by filing a written request with the Health Director. The request shall include the specific findings which are being appealed and why the enforcement action taken should be modified.

**Remarks:** Great improvement date marking!! Good cold holding temps. Overall, good job with food handlers. Make sure to keep list up to date. DO NOT take shortcuts when reheating food for service. Heat items for steam table in oven. When heating in microwave make sure to let sit covered for 2 minutes. CHECK temps before you put items on the line to be served! Have holding cabinet checked, but start by replacing thermometer. Regularly check items in hot holding unit to make sure it is working properly. IF not, use time as control. Must have log that states when item was removed from temp control and when it was discarded after four hours. Items must also be marked so staff knows when pulled and when to throw.

2153475101302014121212

Printed 3/3/2015 6:15:30PM

Environmental Health Specialist

67 ANDREA R. BETHKE, EHS

441-8074

☐ Follow-up

Received by Person-In Charge

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Page 3 of 3

## Appendix G – Food Advisory Committee Policy and By-laws

POLICY NUMBER: 222.85  
PAGE: 1 of 4  
Exhibit 1

POLICY NUMBER: 222.85  
DIVISION: Environmental Public Health  
POLICY TITLE: Food Advisory Committee  
AGENCY (ies): Lincoln-Lancaster County Health Department  
AUTHORITY: Board of Health  
DRAFTED: 05-21-92  
APPROVED: 07-14-92  
REVISED: 09-18-2008  
APPROVED: 10-14-2008

### POLICY STATEMENT:

The Food Advisory Committee is established to advise the Lincoln-Lancaster County Board of Health regarding the effective regulation of the food industry as a means to protect the health of the public. Members of the Committee will be appointed by the Board of Health nominations prepared by the Health Director or his/her designee. The Health Director will solicit nominees from the Nebraska Restaurant Association, Nebraska Grocery Industry Association, the general public and any other entity with an interest in the operation of the program. The Committee shall have at least 12 members; eight will represent the industry and four the general public. At no time will the number of industry members exceed the general public representatives by more than six members.

### PROCEDURE:

- I. The members of the committee shall be appointed in accord with Policy 100.30 - Appointments and Functions of the Department Advisory Committee.
- II. The Food Advisory Committee shall meet at least once a year. The Committee shall review the Food Code, program policies, compliance with FDA's Voluntary National Retail Food Regulatory Program Standards, and annual report. Additional meetings may be called by the Health Director, Board of Health, or Committee Chair.
- III. The objectives of the Food Advisory Committee as specified in the committee by-laws (Exhibit 1) are:
  1. Advise the Department about ways to meet and maintain the FDA's Voluntary National Retail Food Regulatory Standards for LLCHD's Food Safety Program.
  2. Assess the degree of compliance with and regulation of the Lincoln Food Code to assure that the health of the public is protected.
  3. Provide guidance regarding objectives for the effective food safety education in Lincoln-Lancaster County.
  4. Review and propose revisions to the Lincoln Food Code and LLCHD food program policies.
  5. Review the annual report of the program to assure the effectiveness of the program.



## **Lincoln Lancaster County Health Department Food Advisory Committee By-laws**

### **Rules**

#### **Article I - Name**

The name of the committee shall be: Food Advisory Committee.

#### **Article II - Objectives**

1. Advise the Department about ways to meet and maintain the FDA's Voluntary National Retail Food Regulatory Program Standards for LLCHD's Food Safety Program.
2. Assess the degree of compliance with and regulation of the Lincoln Food Code to assure that the health of the public is protected.
3. Provide guidance regarding objectives for the effective food safety education in Lincoln-Lancaster County.
4. Review and propose revisions to the Lincoln Food Code and LLCHD food program policies.
5. Review the annual report of the program to assure the effectiveness of the program.

#### **Article III - Membership**

##### **Section 1 - Number**

The membership of this committee shall consist of at least twelve members. The Health Director or his/her designee shall serve as an ex-officio, non-voting member.

##### **Section 2 - Composition**

At least four members shall represent the general public, without conflict of interest. At least eight shall represent regulated establishments. If additional members are added above the minimum, the number of industry representatives over consumer members may not exceed six. The Nebraska Restaurant Association, the Nebraska Grocery Industry Association and the Lincoln Public Schools shall each have a representative on the Committee.

##### **Section 3 - Appointment**

The members of the Food Advisory Committee shall be appointed by the Lincoln-Lancaster County Board of Health. The Health Director or his/her designee shall prepare a slate of nominees from the Nebraska Restaurant Association, Nebraska Grocery Industry Association, any interested organization, and the public.

### **Section 4 - Term of Office**

Except for the industry members from the Nebraska Restaurant Association, the Nebraska Grocery Industry Association, and the Lincoln Public Schools, appointments shall be for four-year terms. The members representing the Nebraska Restaurant Association, the Nebraska Grocery Industry Association, and the Lincoln Public Schools, shall not have a term limit. No other member may serve more than two full consecutive terms. Vacancies occurring through resignation, or for other reasons, shall be filled by the Board of Health. The person so appointed shall hold membership for the unexpired term of the former member. Terms for members shall expire in the month of January.

### **Section 5 - Meetings**

Regular meetings of the Committee shall be held at least once each calendar year in the Health Department at a time agreed upon by the Committee members. Special meetings may be called at any time by the chair or Health Director or his/her designee. Notices of all meetings shall be mailed and posted by the secretary, to the membership and public in accord with the Nebraska Open Meetings Law. In addition, all meetings shall be conducted in conformance with the Nebraska Open Meetings Law. The Minutes of each meeting shall be prepared and filed with the Lincoln-Lancaster County Health Department within 10 days.

### **Section 6 - Quorum**

For regular or special meetings of the Food Advisory Committee, a quorum shall consist of a simple majority of the current voting membership. The affirmation by a simple majority of current members is required for any official action of the committee.

### **Section 7 - Rules of Order**

Roberts' Rule of Order will be used at meetings. By agreement of all members present, business may be conducted by consensus.

### **Section 8 - Presence of Members**

Each member is expected to attend all meetings of the Food Advisory Committee. Upon two consecutive absences, the Chair shall notify the member that a third consecutive absence shall be cause to request resignation of said member's appointment.

## **Article IV - Officers**

### **Section 1 - Number of Officers and Their Duties**

The Officers of the Committee shall include the chair and vice chair. Staff will serve as secretary to the committee, without vote. Their duties shall be such as are usually performed by such Officers, and such other duties as the Committee shall prescribe.

### **Section 2 - Election**

The officers shall be elected by the Committee from a slate previously prepared and submitted by a subcommittee on nominations.

The election of the Officers shall be voted by ballot; a majority of the votes cast shall be necessary to elect.

### **Section 3 - Term of Office**

The term of office shall be two years. All officers shall be eligible for reelection.

## **Article V - Subcommittees**

### **Section 1 - Appointment**

Such subcommittees as the Committee considers necessary shall be appointed by the chair. The chair of all subcommittees shall be members of the parent committee.

## **Article VI - Amendments**

The By-laws may be amended or annulled subject to approval of the Board of Health at any regular meeting by a majority vote of the entire membership, provided notice of the proposed adoption, amendment, or annulment shall have been sent to each member two weeks before such meeting.

Ratified by the Lincoln-Lancaster County Board of Health this 14th day of October, 2008

---

Lisa Peterson, President

## Appendix H – Mayor’s Taking Charge Food Safety Indicator

### Mayor’s “Taking Charge” Performance-Based Budgeting

Performance indicators measure progress toward the City goals. On this page, the City's goals are listed under each outcome area. Clicking a goal brings up a pdf of performance indicator slides for that goal. Each slide shows data regarding the City's progress toward the particular goal. The information is used by the Beutler Administration to evaluate program needs during budget deliberations.

In 2008, the City's eight outcome areas were prioritized in order by Lincoln's citizens who participated in a survey:

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1. Safety & Security
2. Economic Opportunity
3. Healthy & Productive People
4. Livable Neighborhoods
5. Efficient Transportation
6. Environmental Quality
7. Accountable Government
8. Identity Lincoln (what makes Lincoln *special*)

In 2013, an online citizen survey changed the order to:

1. Safety & Security
2. Livable Neighborhoods
3. Economic Opportunity
4. Efficient Transportation
5. Accountable Government
6. Healthy & Productive People
7. Environmental Quality
8. Identity Lincoln (what makes Lincoln *special*)

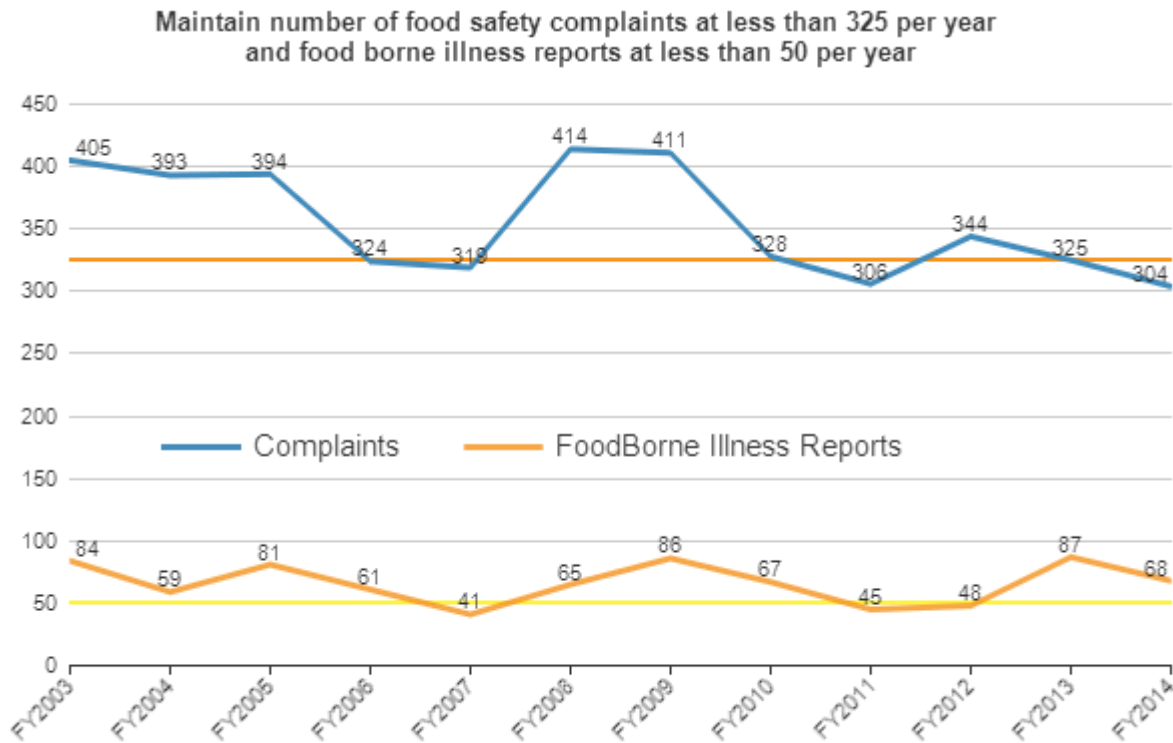
In the 2013 survey, citizens were asked about both the importance of the outcomes and how they would rank the outcomes according to funding need. The two questions resulted in different answers. For instance, citizens felt that in terms of funding need, *Efficient Transportation* was the second most important outcome, but ranked it sixth in overall importance. The Mayor's Office chose to use an average between the two sets of answers to determine the outcome order for the 2014-16 budget cycle.

City staff and private sector participants developed goals for each outcome prioritized in order of importance, with **Goal 1** being the most important to achieving the outcome. See the [Goals & Performance Indicators](#) page.

The work of the City was divided into over 200 programs. Each program was assigned to an outcome area and a goal within that area. Then each program was evaluated by City staff and private sector participants into three **tiers** (1, 2, and 3). **Tier 1** programs are the most important toward meeting the goal. Programs that are listed as **Tier 0** are mandated by either the state or federal governments and must be provided. How the programs were tiered and the results are on the [Mayor's Community Prioritization](#) page.

## Appendix H – Mayor’s Taking Charge Food Safety Indicator

City staff and private sector participants developed 132 **performance indicators** to measure the City's progress toward the 39 goals in the eight outcome areas. Performance indicators can be viewed on the [Goals & Performance Indicators](#) page.



Source: Health Department EQ Goal2 12/3/2014

### About this measure:

The Health Department receives complaints from the public on concerns with sanitation in food establishments and from people that believe they have become ill from eating food. Complaints on foodborne illness are a top priority and are investigated quickly.

### Why this is important:

Safe food is important to everyone. The Health Department Food Safety Program's primary goal is to prevent foodborne illness and deaths from food produced at the retail level. Foodborne illness poses a significant burden of illness. Applying CDC estimates to Lancaster County, each year about 50,000 people contract foodborne illness, 120 are hospitalized and 3 die.

### What is being done:

The Food Safety Program:

- provides food handler training to over 10,000 workers each year;
- permits over 2000 certified Food Protection Manager;
- conducts over 2,300 inspections of about 1,300 permitted food establishments (restaurants, grocery stores, convenience stores, schools, etc.) each year;
- reviews plans for new and remodeled facilities;
- helps managers implement actions to prevent foodborne illness and improve sanitation;
- investigates complaints and foodborne illness outbreaks; and
- takes enforcement actions when violations pose a risk to the public's health.

The Food Safety Program is based on the 2009 FDA Food Code, and is guided by FDA Retail Food Program Standards and the Food Advisory Committee.



Home / News - Lincoln Journal Star Online / Lincoln News / Local Government

# Restaurant inspections to become available on city website

Print Email ☆

November 08, 2012 3:05 pm • By NANCY HICKS | LINCOLN JOURNAL STAR

0

### Going out to eat tonight?

Now you can check online to see if the restaurant has had any serious food safety violations in the past three years.

Mayor Chris Beutler unveiled the new online service during a Thursday news conference.

The link to the restaurant inspection site is available by typing "food inspection" in the search line on the city's home page, [www.lincoln.ne.gov](http://www.lincoln.ne.gov).

Beutler also announced that the Lincoln-Lancaster County Health Department has received a \$350,000, five-year federal grant to reduce food-borne illnesses originating from retail food businesses.

The city will hire a food safety consultant to work with problem businesses and with a newly established task force that will identify barriers that hinder staff from using safe food practices, Beutler said.

The health department will report on its findings, on what works well, to the U.S. Food and Drug Administration. "We hope to be able to show some successful outcomes" and that the models will "help shape the food industry across the United States," said Judy Halstead, director of the health department.

Every year, city environmental health staff inspect about 1,200 businesses that serve food -- restaurants, convenience stores, even Lincoln Public Schools. In a typical year, one or two food establishments are suspended or closed for critical violations of the state food code, and about 50 receive food enforcement notices, which point out more serious violations, according to Scott Holmes, manager of the environmental public health division.

A food enforcement notice is given when a business has critical violations (ones that could cause illness or make food unsafe), or a pattern of declining sanitation, or a repeat of a previous violation, or failure for staff to have food handler and food manager permits.

The online listing allows consumers to determine if a specific restaurant has had a food enforcement notice during the past three years by putting in the restaurant name or a portion of the name.

Inspectors also note noncritical violations on inspection reports, but these reports are not available online.

Critical violations include staff not having food handler permits, not keeping food hot or cold enough, insect or rodent problems and staff not washing hands.

Noncritical violations include things like dirty floors or walls, damaged screens that would allow rodents to come in.

These inspections reflect the conditions in a food business that day. They do not necessarily reflect conditions over time, according to Holmes.

The health department had 344 food safety complaints last year and 48 reports of food-borne illness. The goal, under the federal grant, is to reduce the number of food safety complaints to less than 325 a year and food-borne illness reports to less than 50 a year.

Reach Nancy Hicks at 402-473-7250 or [nhicks@journalstar.com](mailto:nhicks@journalstar.com).

### New parking meters not far off



You'll be seeing the new, smart parking meters

on downtown Lincoln curbs in just a couple of months. They'll be solar powered and accept credi... [Read more](#)

• [City restaurant inspections page](#)

Home / News - Lincoln Journal Star Online / Lincoln News / Local Government

## Health inspector has his list, checking it twice

Recommend 5 Tweet 1 G+1 0 Pin it 1 Share 9 Print Email

November 19, 2012 12:05 am • By NANCY HICKS | LINCOLN JOURNAL STAR

When veteran health inspector Paul Drotzmann walked into The Knolls restaurant kitchen for its semi-annual inspection, he headed right for the hand-washing sink.

He practiced what he preaches. He didn't want to spread any germs. And he wanted to test the temperature of the water, which is supposed to be at least 100 degrees.

Drotzmann carried the tools of his trade in his fanny pack: two thermometers to check the temperature of food on the stove and in the cooler on the buffet table; alcohol swabs to wipe off the thermometers between tests; a sanitizer test kit; and a Sharpie for when someone has failed to put a label on stored food or a bottle.

He had a flashlight on his belt to look under the burners on the stove, behind and under the counters, and into the corners.

Hands washed, Drotzmann started methodically looking over the kitchen, following 103 pages of Food and Drug Administration recommended regulations that are also state law.

During the two-hour inspection, he explained some of the rules.

- \* Every hose must have a check valve so nothing flows back into the city water system.
- \* Soup must reach 165 degrees, but can be reheated at 135 degrees.
- \* Beef on a buffet table must be 130 degrees.
- \* Salads in a cooler must be tightly wrapped and labeled; they can be held for seven days at below 41 degrees, for four days between 41 and 45 degrees.
- \* Dishwashing water must be at 110 degrees.
- \* Location of food is important; for example, chicken cannot be on an upper shelf, where it could drip on pies stored below.
- \* No fruit flies in liquor. Drotzmann checks vermouth because it's their drink of choice.
- \* Ice must be covered.
- \* All staff must have food handlers permits -- even to open a can of beer.



Health Inspector Paul Drotzmann checks the temperature of the food on the buffet Wednesday, Oct. 31, 2012, at The Knolls restaurant in Lincoln.

(1) More Photos

### Check out restaurants' inspection history

A new city website allows consumers to look at individual restaurants by name.

Go to the city's home page, [lincoln.ne.gov](http://lincoln.ne.gov), and type "food inspection" in the main search.

There are reports available for the approximately 150 restaurants that have received Food Enforcement Notices -- indicating more serious problems -- during the past three years.

For the rest, there is a list of the inspection dates. Click on The Knolls, and you will find inspection dates only, including Oct. 31, when a Journal Star reporter and photographer tagged along with inspector Paul Drotzmann.



Earlier: Restaurant inspections to become available online

## Appendix I – News Articles

\* Everything must be off the floor in the cooler and freezer walk-ins. (The Knolls freezer is stuffed. Knolls President George Boosalis often buys meat ahead of the holidays before the prices rise, saving about \$1,000.)

\* Drotzmann looks for lipstick on clean glasses, a lid on the wastebasket in the women's bathroom.

\* Everything must be labeled -- buckets with sanitation solution, plastic-covered leftovers; bottles that contain cleaning products.

\* And everything must be clean.

Drotzmann is picky. He found a few flaws in the Knolls' spotless kitchen and storage areas.

A plastic bottle of degreaser wasn't marked. Drotzmann took out his Sharpie and fixed that problem.

There was a small leak in a pipe under a sink. The plumber already had been called.

A basement storage area has some chipping paint and exposed pipes. No food is stored beneath either. An older building does present special problems, Drotzmann said. New restaurants would not have exposed pipes.

Someone removed a plug at the bottom of an outdoor garbage bin -- a welcome sign for rodents.

The hand sink water in the empty pro shop never gets to 100 degrees.

Drotzmann recorded each problem. They go in his report.

Every food establishment inspection yields some problems, generally at least one "critical violation" and half a dozen less important issues. But Drotzmann saw nothing at The Knolls that would threaten a diner's health, nothing that would get the restaurant a Food Enforcement Notice, or FEN.

"They do a good job here. They have pride in their work," he said.

That isn't the case in every restaurant.

"You name it, I've seen it," he said.

Rodents, cockroaches. Coolers that aren't working. A flooded basement.

He told one cook the soup was too cold.

"Really," the cook replied, then stuck his finger into the soup to check it. Needless to say, the soup was thrown out.

Another time, he asked a cook to take the meat out to the buffet. On his way, the nervous cook accidentally dropped it on the floor.

Every year, about 50 businesses get FENs. One or two get closed down for violations that need correcting immediately.

Typically, a restaurant is closed for one of five reasons, Drotzmann said. It could be an immediate health risk, such as a sewage backup, a rodent infestation, a broken heater, sick help, a manager not having the required food-handling permits.

Drotzmann is one of seven environmental health specialists, health department staff members who inspect the more than 1,200 food establishments in the county.

Most of the inspections are surprise visits, although managers often can guess which month an inspector might show up.

Boosalis, who has managed The Knolls for 46 years, agreed to allow a reporter and photographer tag along, so he knew exactly when the inspector was coming.

This kitchen would be clean anyway, Drotzmann said. It always is.

Restaurants, like The Knolls, that prepare food from scratch, get inspected twice a year. A bar that sells prepared and soft drinks gets inspected once a year.

to become available on city website



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## Appendix I – News Articles

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Restaurants, like The Knolls, that prepare food from scratch, get inspected twice a year. A bar that sells popcorn and soft drinks gets inspected once a year.

"It's pretty hard to get bacteria to survive on popcorn," Drotzmann said.

to become available on city website



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## Appendix I – News Articles

At The Knolls, Boosalis looked at the inspection as a training tool and a validation of his staff.

Drotzmann had ready answers for common questions that came his way.

If a restaurant has passed inspection, it has been deemed safe enough.

"If they are open, they've met minimum standards," he said.

A good rule of thumb in telling how clean a restaurant kitchen is how clean its bathrooms are.

"If the bathrooms are in disarray, it usually means the kitchen is too," he said.

Asked about the cleanest restaurants, Drotzmann had this to say.

Every year, the board of health awards one or two places with a food sanitation excellence award. Winners in the past five years are Texas Roadhouse, Bryan Medical Centers, The Parthenon, Wendy's (all seven stores), Top Hat and Skeeter Barns.

And yes, his kitchen at home is very clean.

His wife, he said, is the stickler.

"You should know better," she tells him. "You're a health inspector."

Reach Nancy Hicks at 402-473-7250 or [nhicks@journalstar.com](mailto:nhicks@journalstar.com).

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## Appendix J – Biographies for Main Contributors

### Biographies for Main Contributors

#### Scott Holmes, REHS, MS

Scott E. Holmes, REHS, MS, has managed the Environmental Public Health Division with the Lincoln-Lancaster County Health Department since 1991. Prior to that, Scott served as the Department's Epidemiologist and worked as a generalist sanitarian for the North Dakota Department of Health. Scott holds a B.S. in Microbiology, Environmental Health from Montana State University (1981) and an M.S. in Environmental Health from the University of Minnesota (1988). Scott currently serves on the Council for Improving Foodborne Outbreak Response (including the Industry Workgroup and the Metrics Workgroup); and the State of Nebraska Board of Environmental Health Specialists. Mr. Holmes was a peer reviewer of CIFOR's *Guidelines for Foodborne Outbreak Response* and a contributor in the development of the *CIFOR Toolkit*. Scott previously served on FDA's Partnership for Food Protection Coordinating Committee (including the Outbreak Workgroup, the Metrics Workgroup, and two FSMA workgroups). Scott also served as the National Environmental Health Association's Technical Advisor for Food Safety and Defense for several years and on Underwriter Laboratories Environmental and Public Health Council for over 10 years. Scott has presented on the topic of food safety and foodborne outbreak response at the Conference for State and Territorial Epidemiologists Education Conference, the National Environmental Health Association Annual Education Conference, and the Nebraska Food Safety Task Force annual conference. Scott is active in the Nebraska Environmental Health Association.

Mr. Holmes has extensive experience in overseeing grant projects, supervising staff, and working with community partners to effect behavior change.

The Lincoln-Lancaster County Health Department serves 290,000 people. The Environmental Public Health Division's programs include: Air Quality, Waste Management, Water Quality, Emergency Response, Land Use Plan Review, Food Safety, Child Care, and Body Art. The Division has 40 staff and operates with a \$4 million budget, 80% of which is fee supported.

#### Joyce Jensen, REHS, CP-FS

Joyce L. Jensen, REHS, CP-FS, is the Environmental Health Supervisor for the Disease Prevention Section in the Environmental Public Health Division of the Lincoln-Lancaster County Health Department (LLCHD). Ms. Jensen's primary responsibility is supervising the Food Safety Food Program, including retail food establishment inspections, permitting, and the food handler/food protection manager permitting program. A smaller amount of her time is spent overseeing the child care center and body art establishment inspection programs. Ms. Jensen supervises two Senior Environmental Health Specialists, five Environmental Health Specialists, one Environmental Educator, and one support staff positions. She reports to Scott E. Holmes, REHS, MS, EPH Division Manager.

Ms. Jensen has a Bachelor of Arts Degree in Zoology from the University of Iowa, 1978. She has worked over 34 years for LLCHD, supervising the Food Safety Program since 1991. She has been an

## Appendix J – Biographies for Main Contributors

REHS since 1989 and a CP-FS since 2005. She has served as a member of the Nebraska State Board of Registered Environmental Health Specialists since 2002.

Ms. Jensen has been working on the FDA Voluntary Retail Food Regulatory Program Standards (Program Standards) since August of 2001 when LLCHD was first enrolled. She has worked with the LLCHD Food Advisory Committee, the Food Safety Team, and the Board of Health to be in compliance with verifying audits on Retail Food Program Standards 1, 2, 3, 4, 5, 7, and 9.

She is the primary staff coordinating the work of the Food Advisory Committee. This includes establishing the agenda, working with the Chair, seeking and processing nominations for members, facilitating discussion on policy level issues, and presenting the recommendations of the committee to the Board of Health.

Ms. Jensen has facilitated collaborations/partnerships with the University of Nebraska-Lincoln Food Science and Technology, Online and Distance Learning, and Cooperative Extension. These relationships have resulted in outcomes such as: online food handler training and testing program; continuing education for food protection managers; and numerous online publications on safe food handling.

Ms. Jensen has been a member of the Conference for Food Protection since 2000. She has served on the CFP Food Protection Manager Certification Committee since 2001 and as the chair of that committee from 2008 to 2012. She has served six times on the CFP Council II. She currently is one of two CFP representatives approved by the CFP Executive Board to serve on the ANSI/CFP Accreditation Committee.

### **Renae Rief**

Renae Rief is the Senior Environmental Health Educator for the Environmental Public Health Division of the Lincoln-Lancaster County Health Department (LLCHD). Renae's primary responsibility is to supervise the Food Safety Consultation Services, Child Care Health Consultation Services, Keep Lincoln and Lancaster County Beautiful, Household Hazardous Waste, and Nebraska MEDS Disposal which are focused on causing behavior change in our community. Primary work involves: facilitating community collaboration; risk communication to public; developing population based behavior change strategies; coordinating writing grants and reports for seven funding sources; writing press releases; messaging to the public on environmental health regulations, ordinances, policies and procedures. Renae supervises six professional staff, one support staff position and one intern. She reports to Scott E. Holmes, REHS, MS, EPH Division Manager.

Renae has a Bachelor's of Science in Human Resources and Family Sciences with a course of study in Health Education and Family and Consumer Science from the University of Nebraska - Lincoln, 1999. She has worked 13 years for LLCHD, supervising the Environmental Public Health Education Program since 2005. Prior to that, Renae served as the Child Care Health Consultant in which she developed and implemented the Child Care Health Consultation Services for the LLCHD. Prior to her work at LLCHD, she was a County Extension Agent for Kansas State University Research and Extension –

## Appendix J – Biographies for Main Contributors

Graham County. This work included collaborating with area agencies to develop and implement over thirty educational programs, one such program was Food Safety in which Renae was certified to teach and provided ServSafe classes.

Renae's diverse training background has included: environmental justice; cultural competency; indoor environmental health; epidemiology; child care health consultation; and Doug McKenzie-Mohr Fostering Sustainable Behavior Community-Based Social Marketing strategies.