

TO: Chair and Members of the Board of Health

FROM: Christopher Mackie, Medical Officer of Health / CEO

DATE: 2019 September 19

## PUBLIC HEALTH INSPECTOR ENFORCEMENT ACTIONS – Q2 2019

### Recommendation

*It is recommended that the Board of Health receive Report No. 053-19 re: “Public Health Inspector Enforcement Actions” for information.*

### Key Points

- Public Health Inspectors (PHIs) on the Food Safety and Healthy Environments (FS&HE) team, the Safe Water, Rabies and Vector-Borne Disease (SWRVBD) team, and the Infectious Disease Control (IDC) team conduct inspections at a variety of facilities in the City of London and Middlesex County. Operators of facilities are required to achieve regulatory compliance
- Enforcement actions, such as the issuance of Provincial Offence Notices and Closure Orders, may be taken when other public health interventions have proven ineffective in achieving regulatory compliance.

### Background

In April, the Environmental Health and Infectious Disease Division provided its first [report](#) to the Board of Health detailing public health inspection and enforcement activities for the first quarter of 2019. This report provides a summary of these inspection and enforcement activities for the second quarter of this year.

### Reported Actions

Reported Action Inspection Type	Total Inspections	Non-Critical Infractions Resolved	Critical Infraction Resolved	Enforcement Actions
Child Care	21	10	0	0
Food Institutional & Other	88	24	19	0
Food Safety	1202	911	500	3
Infection Control	1	1	0	0
Personal Service Setting	187	17	53	1
Recreational Water	242	252	19	5
Drinking Water	10	0	0	0

Near real-time data for all inspections can be publicly accessed at:

<https://inspections.healthunit.com/Portal/Enforcements>.

Examples of premises associated with the different inspection categories are provided here:

Child Care – Child care facility inspections (does not include any related food safety inspections).

Food Institutional & Other – non-DineSafe Institutional food premises (hospitals, long term care homes, child care food prep, etc.) and some very low risk, non-DineSafe food premises.

Food Safety – all food premises included in DineSafe program (restaurants, take-out, grocery stores etc.).

Infection Control – Funeral Homes.

Personal Service Setting – nail & hair salons, tattoo parlors, estheticians, etc.

Recreational Water – pools, spas and beaches.

Drinking Water – small drinking water distribution systems.

## Observations

Inspectors inspected 1600 separate premises with 151 follow-up inspections across Middlesex and London in Q2 versus 1053 in Q1. This difference is accounted for by the seasonality of premises such as pools and some restaurants, as well as the different inspection frequencies assigned to low, moderate, and high-risk premises. Overall, the number of enforcement actions taken by Public Health Inspectors (PHIs) is consistent across both Q1 & Q2 (10 and 9, respectively) as was the rate of reinspection (8.8% in both quarters). This is within the expected levels and indicates good compliance with standards by operators of premises within the region.

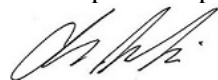
Amongst inspected food premises, there was 99.3% substantial compliance with the standards in Q2 resulting in the issuance of 1188 ‘Green’ Dine Safe placards to those establishments. Only 4 premises received a ‘Yellow’ placard and 3 premises received a ‘red’ placard resulting in a total of 3 Closure Orders which were resolved after re-inspection.

In the Personal Service Settings, the enforcement action related to a Section 13 Order under the Health Protection and Promotion Act to the operator to cease a practice which the operator was not qualified to perform. In the Recreational Water settings, the noted enforcement actions related to orders to close the pool as the issues identified could not be rectified at time of inspection and posed a safety risk to patrons. This usually includes issues such as improper chemical balances or water clarity and is often resolved at reinspection.

## Next Steps

Staff have followed up on all enforcement actions in Q2 to ensure no ongoing violations. Enforcement actions shall continue to be taken when interventions aimed at assisting compliance and educating operators have proven ineffective, and when operators have demonstrated an unwillingness to change unsafe behaviours. Additionally, actions may be taken to eliminate health hazards through the issuance of Closure Orders. PHIs work with operators to create safe and healthy environments. It is the goal of MLHU to establish good working relationships with operators and to achieve the common desire of having a safe and healthy environment.

This report was prepared by Environmental Health and Infectious Disease Division.



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