

TO: Chair and Members of the Board of Health

FROM: Alexander Summers, Medical Officer of Health; Emily Williams, CEO

DATE: 2022 November 10

Food Safety Program Update (Emerging Trends)

Recommendation

It is recommended that the Board of Health receive Report No. 64-22, re: “Food Safety Program Update (Emerging Trends)” for information.

Key Points

- Based on consumer preference, novel food businesses are being established in Middlesex County and London, subsequently posing additional challenges for food safety inspection work.
- The Ministry of Health (MOH) is aware of emerging business models and has expressed interest in assisting local Public Health Units (PHUs) in navigating this unfamiliar territory through the development of guidance material, in consultation with local public health unit representation.
- The Food Safety & Healthy Environments team (FS&HE) is currently creating procedures to address file management, risk assessment and inspection processes in these new environments.

Background

The Food Safety & Healthy Environments (FS&HE) team is responsible for maintaining an inventory of food premises within Middlesex County and the City of London for the purposes of risk assessment, inspections, and investigations. Food safety inspections are conducted under the authority of the *Health Protection and Promotion Act, R.S.O. 1990, c.H.7* and *O. Reg 493/17 Food Premises*.

Although most food premises have not changed operationally, the nature of many new food premises has pivoted to address consumer needs which may be a result of a new landscape emerging from the pandemic. Some new business models include shared kitchens, ghost kitchens and home-based food operations. The FS&HE team has observed more special event activity, ‘pop-up vendors’ and community meal programs. In addition to these emerging trends, Public Health Inspectors (PHIs) continue to assist operators through COVID-19 recovery, which has brought many challenges to the industry.

Food Safety (Emerging Trends)

Shared Kitchens and Ghost Kitchens

The new emerging models found in Middlesex-London are the ‘shared kitchen’ and the ‘ghost kitchen’ (a type of shared kitchen). Under these models, the owner of a food premise will rent kitchen space to one or more food businesses with different brandings. The ‘renters’ have different menus, equipment, employees, and work schedules. The ‘renter’ often does not advertise the location, has no public-facing cashier, and food is only sold online through various delivery platforms. Oftentimes, shared kitchen operators are not aware of the legislative requirement to notify MLHU of their intention to operate. PHIs may become aware of these operations unexpectedly during inspections. As such, many of these types of businesses remain unknown and unassessed for food safety risks. It is also a challenge to determine who assumes responsibility for requirements under the Food Premises Regulation (FPR) as it relates to shared kitchen operations.

Home-based Food Businesses

Food sales through online food apps and delivery platforms have become more popular throughout the pandemic, due to consumer preferences as well as dining restrictions which were introduced under the *Reopening Ontario (A Flexible Response to COVID-19) Act, S.O. 2020, c.17*. In December 2020, the province announced its support for small business entrepreneurs during COVID-19 by providing “A Guide to Starting a Home-based Food Business” to allow for low-risk foods to be prepared for sale from home. Currently, the City of London zoning bylaws restrict the operation of all home-based food businesses; however, the City is currently re-evaluating its position. Zoning restrictions are not currently in place in Middlesex County for home-based food businesses. MLHU continues to field calls from the public reporting home-based business operations, which require the investigative work of MLHU and the City of London bylaw officers. Home-based food businesses can present different risks than what is traditionally found within inspected food premises and should be risk assessed on a case-by-case basis.

Special Events and Pop-up Markets

Throughout the pandemic, gathering restrictions were in place to mitigate the risks of COVID-19 transmission. Special events were reduced in size and number, or cancelled altogether. With the lifting of the gathering restrictions, MLHU has experienced a significantly larger number of special events than pre-pandemic levels. In 2019, there were 84 special events reported to MLHU versus 125 special events reported thus far in 2022. The number of ‘mid-size’ events has more than doubled. Many of these special events include a growing number of first-time vendors who are not as familiar with the required set ups in selling large volumes of food to the public. In addition, there have been an increase in the number of “pop-up markets” where operators test their products for retail. In contrast to the more consistent operational model of a traditional food premise, these businesses represent unique needs for classification, risk assessment and inspection work.

Urban Farming and Community Food Programs

MLHU has recently noticed an increase in the amount of urban farming operations including hydroponic and vertical farming (microgreens). The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) does not regularly inspect these businesses. It is anticipated that the number of these operations will increase, given the popularity of the products as well as the need to address food insecurity. With increasing food insecurity, there has also been an increase in donated food services and community meal programs. A recent proposal that was approved by MLHU includes a 24/7 community fridge program. PHIs will continue to be available for consultation to provide education and awareness regarding safe food donations and community meal operations.

Conclusion

Emerging trends represent unfamiliar territory within London and Middlesex County and require the attention of PHIs for the purposes of risk assessment and inspection to mitigate food borne illnesses. The FS&HE team continues to pivot and prioritize to focus attention on where the greatest risks exists within London and Middlesex County, while meeting provincial mandates under the Ontario Public Health Standards (OPHS). A recent example includes the full transfer of the provincial food handler training program to the London Training Centre (LTC), a partner agency. The LTC has demonstrated the ability to meet community needs to provide the provincial food handler training program while meeting MOH compliance requirements. This allows the FS&HE team to re-focus its capacity on the areas of highest need.

This report was submitted by the Environmental Health and Infectious Diseases Division.



Alexander Summers, MD, MPH, CCFP, FRCPC
Medical Officer of Health



Emily Williams, BScN, RN, MBA, CHE
Chief Executive Officer