



# Department of Public Health and Human Services

Public Health & Safety Division ♦ Communicable Disease Control & Prevention Bureau

Food & Consumer Safety ♦ PO Box 202951 ♦ 1400 Broadway ♦ Helena, MT 59620-2951

Phone: (406) 444-2837 ♦ Fax: (406) 444-5055

Steve Bullock, Governor

Sheila Hogan, Director

## GUIDANCE DOCUMENT Food and Consumer Safety Section

<b>DOCUMENT CODE</b>	PA180904
<b>DATE</b>	September 4, 2018
<b>SUBJECT</b>	Marking Pest Violations on 12/2016 Public Accommodation Form

### Question

How should pest infestations, including bedbugs, be marked on the December 2016 Public Accommodation Inspection Form?

### Background

The December 2016 Public Accommodation Form does not have a clear place to mark violations related to the presence of insects, rodents, and other vermin. The Public Accommodation Establishment Inspection Rule Reference on the back page incorrectly lists 37.111.107 (8), A.R.M. as being the reference for water temperatures, instead of 37.111.107 (7), A.R.M.

### Rule Interpretation

37.111.107 (8) A.R.M. is the rule for pest presence, despite being incorrectly identified as the rule for water temperature on the Public Accommodation Establishment Inspection Rule Reference. Pest presence should not be marked on any of the line items on the front page of the Public Accommodation Inspection Form and should instead be written on the Supplemental Inspection Form with the rule reference, observations, recommended corrective action, and corrective action date. FCSS will correct this incorrect reference the next time the Form is revised.

For example, an example of cockroaches in a room might look like:

Item	Rule Number	Observation and Corrective Action	Correction Date
<b>(Blank)</b>	37.111.107 (8)	Observed cockroaches in Room 223 during routine inspection. The insects were observed inside cabinets, under the dresser and on the legs of the table. Discussed cleaning methods and using a pest control company to remediate infestation. Re-inspection will occur in ten days to ensure that infestation is eliminated. The room may not be offered to the public until the Sanitarian verifies that cockroaches are no longer present.	10 Days



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## Question

When can this violation be marked?

## Rule Interpretation

37.111.107 (8) states, “Establishment property must be maintained to minimize the presence of insects, rodents, and other vermin which may affect public health”. The way this statement should be interpreted is:

Establishment property must be maintained to minimize the presence of:

1. Insects (ants, cockroaches, bedbugs, mosquitoes, etc.)
2. Rodents (mice, rats, etc.)
3. Other vermin which may affect public health (pigeons, feral cats, etc.)

For example, an example of feral cats in a motel might look like:

Item	Rule Number	Observation and Corrective Action	Correction Date
(Blank)	37.111.107 (8)	Observed a large number of feral cats on the facility premises, including in outdoor hallways during complaint inspection. Complainant stated on phone that a feral cat got into the hotel room and proceeded to bite and claw her when she tried to remove it. Animal control trapped and removed the cat for rabies observation. Inspector observed cans of wet food and containers of water and dry food near the Manager’s office. A strong smell of cat urine and excessive cat feces in planters near rooms were also detected. Discussed the public health significance of not harboring stray animals on the hotel premises. Discussed the potential for rabies exposure and disease potential with the feces observed. Manager agreed to stop feeding cats and would hire a company to trap a remove the cats. Inspector will follow up to ensure no further feedings are occurring and that trapping has begun.	10 Days



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