

# May 2023 EHFS Newsletter

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## Training Opportunities

### Webinars

**Tuesday, June 6<sup>th</sup> at 9AM: Nitrates in Water Supplies** -- Licensed establishments with non-public water supplies are required to monitor their nitrate levels. Adam Sigler, the Water Quality Specialist for MSU Extension, will provide an overview of nitrates in water supplies including their origin, fate, relationship to land use, and their effects on human health and the environment.

**Thursday, June 22<sup>nd</sup> at 9AM: Septic Systems** -- Beth Norberg, an RS with Lewis & Clark Environmental Health, will provide an overview of septic systems including site evaluations, inspection, and troubleshooting.

### Summer Institute

Summer Institute is an annual week-long conference hosted by DPHHS for public health professionals. This year the conference will take place in Missoula, MT at the Holiday Inn Downtown Missoula from July 17<sup>th</sup>-July 21<sup>st</sup>. The rate for rooms is \$269/night. **Registration is now open. EHFS will offer the following 2 courses:**

**Wednesday, July 19<sup>th</sup> from 1:30-5PM: Sanitary Surveys of Small Water Systems** -- DEQ will provide training on how to conduct a sanitary survey on small non-public water systems to qualify certain establishments for alternate water testing schedules.

**Thursday, July 20<sup>th</sup> from 8:30AM-12PM: Wholesale and Retail Food** -- Michael Hudson, the FDA State Liaison for Montana and Alaska, will cover the process of wholesale food inspections, good manufacturing practices, and preventive controls. Afterwards, Mario Seminara will go into detail on the retail food side, including risk-

based inspections, special processing methods with and without variances, and HACCP plans.

*If you have any further questions related to upcoming trainings or would like to be added to the training announcement list, please contact me at [Karena.Doctor@mt.gov](mailto:Karena.Doctor@mt.gov).*

-Karena

[Register for Summer Institute Here](#)

**Note:** After you register, you will receive an email confirmation. On the confirmation screen you will see the link for payment. Please select that link and complete the payment steps.

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## Cottage Foods: Guidance Document Updates

Our 2023 [Farmer's Market Guidelines](#) and [MLFCA guidance document](#) have been updated and added to our website, I apologize for the delay. A few changes have been added to the language in both documents, please read them and let me know if there are any questions. The MLFCA amendments that were passed during this year's legislative session as Senate Bill 202 do not go into effect until **October 1, 2023**. Therefore, these documents will be updated again at a later date, although we do not anticipate much change.

-Sadie

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## PHEP Deliverables

There are five food and water safety PHEP deliverables this year. Three of these have not changed from past years, so you should be familiar with them. They are:

- **F1: Sanitarian Participation in LEPC/TERC meeting**
- **F2: Review Truck and Train Wreck Protocol**
- **F4: Update Contact Information for Licensed Establishments**

There are two new deliverables for this year. I wanted to provide some clarification on them.

### **F3: Confirm Backup Sanitarian for Emergency Situations**

This deliverable should be reported every quarter. We will be looking at the public health directory to see that a secondary or backup sanitarian is listed. These sanitarians

should be available to step in when there is an emergency, and the primary sanitarian is unavailable. Simply having someone listed in the directory is not sufficient. The designated person must be willing to function as a backup and they should be aware that they could be called on to help in your county.

Our office is willing to work with any counties that are having trouble finding a backup. If you cannot find one, let us know and we will reach out to neighboring sanitarians to see if they are willing to be a backup. If your county has contacted our office to let us know that you are having trouble, we will approve the deliverable even if no backup has been found.

## **F5: Regional TTX for Foodborne Illness and Food-Related Injury**

DPHHS Environmental Health and Food Safety, Public Health Emergency Preparedness, and Healthcare Preparedness Program will conduct a virtual table-top exercise with a foodborne illness outbreak scenario within each Regional Healthcare Coalition. The purpose of these tabletops is to test the foodborne illness plans that were developed as previous years' deliverables. Everyone in your jurisdiction that may be involved in the event of a foodborne illness outbreak should be in attendance. CEUs will be provided to sanitarians for attendance.

- **Q1: Western RHCC - Sep. 14, 2023** • *Western Regional HCC*: Beaverhead, CSKT, Deer Lodge, Flathead, Granite, Lake, Lincoln, Mineral, Missoula, Powel, Ravalli, Sanders, and Silver Bow.
- **Q2: Southern RHCC - Dec. 7, 2023** • *Southern Regional HCC*: Bighorn, Carbon, CMHD, Crow, Fergus, Gallatin, Madison, Park, Stillwater, Sweet Grass, and Yellowstone.
- **Q3: Eastern RHCC - Feb. 29, 2024** • *Eastern Regional HCC*: Carter, Custer, Daniels, Dawson, Fallon, Ft. Peck, Garfield, McCone, Northern Cheyenne, Phillips, Powder River, Prairie, Richland, Roosevelt, Rosebud, Sheridan, Treasure, Valley, and Wibaux.
- **Q4: Central RHCC - May 30, 2024** • *Central Regional HCC*: Blackfeet, Blaine, Broadwater, Cascade, Chouteau, Ft. Belknap, Glacier, Hill, Jefferson, Lewis & Clark, Liberty, Meagher, Pondera, Rocky Boy, Teton, and Toole.

-Staci

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## **Retail Food Inspections: Temperatures and Marking**

### **Temperature Observations and Marking Instructions**

While reviewing quarterly reports, I thought temperature observations and instructions might be good to reiterate. These items should only be marked IN if you observe and record a proper temperature. These items are:

#### **12. Food received at proper temperature**

**18. Proper cooking time and temperatures**

**19. Proper reheating procedures for hot holding**

**20. Proper cooling time and temperatures**

**21. Proper hot holding temperatures**

**22. Proper cold holding temperatures**

If you do not observe these processes or a delivery, you must mark them as Not Observed or Not Applicable (for example, if a facility does not cool and reheat foods).

Example:

You are inspecting a restaurant kitchen at 11am on a Tuesday. You take temperatures of a cooked burger (178 degrees F), some spaghetti sauce on the hot hold table (149 degrees F), and several items in coolers throughout the kitchen (one cooler had all items, milk, cheese, cut melon, diced tomatoes, and shredded lettuce at 39 degrees F). You find out from the cook that they do carry over the spaghetti sauce at the end of the day. It is contained in a metal hotel pan. This pan is placed in the walk-in freezer without a lid and then reheated on the stove the next day before lunch. Old product is not mixed with new product during the reheat.

Marking for the inspection scenario for the inspection numbers listed above:

12 – N/O (Not Observed as you did not see or temp any delivery items)

18 – IN (You temped the cooked burger and it was above 155 degrees F)

19 – N/O (Not Observed as you did not actively see cooling during the inspection)

20 – N/O (Not Observed as you did not actively see reheating during the inspection)

21 – IN (You temped the spaghetti sauce and it was above 135 degrees F)

22 – IN (All items in all coolers were 41 degrees or below)

If a facility does not carry over any hot product from day to day, but does heat up canned soup for service, you would mark 19 as N/A (no cooling), but 20 as IN (only if you can temp the reheating soup, otherwise it would be N/O).

I'm happy to answer any questions related to this or marking instructions in general.

-Jenna (this article was originally written by Sarah Robbin and modified by Jenna)

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**Pool Inspection Marking**

Following are some observations made while reviewing public swimming pool inspection reports.

### **Lifeguards/Attendants**

This item should very rarely ever be marked N/A during a routine inspection. Almost all licensed pool and spa facilities require at least one attendant to be on the premises any time the pool is open to the public. The only exceptions would be an apartment complex, a tourist home, or a facility with on-duty lifeguards. An attendant is a person of at least 15 years of age, that is currently certified in CPR and standard first aid. They must be on the premises, and they must be empowered to enforce all safety regulations. While conducting an inspection I will ask if anyone there is CPR certified, and I will ask for certification cards. Often, the answer is no. This means I would mark line #8 as "OUT", and I would give them about 30 days to acquire CPR and first aid training, or to propose an alternative timeline based on current class schedules.

### **VGB Expiration Date**

Some electronic forms have a field for the VGB installation date, and a field for the lifespan. I think that's fine because it gives all the information necessary to determine when the submerged suction outlet covers should be replaced. Some forms, like ours, only have a date field for the VGB documentation line. In this case, it seems more useful to me to have the date of expiration, rather than the date of installation. I recall being asked about this during a training a few years back and I believe I said it didn't really matter if you put in the expiration or the installation date. The more I deal with this, the more sense it makes to use the date of expiration.

### **Corrective Action Dates**

Some inspectors just never remember to write a corrective action date. Sometimes I'm one of those inspectors too, but we must remember to work with the operators and find a reasonable timeline of correction for each observation and document that correction date on the report. Circular FCS 3 -2022 Section 12.1 requires that for each observed violation we write the rule citation, the observation of violation, any necessary corrective actions, and the date by which the corrections must be made.

### **Critical Point Inspections**

Every facility that is open year-round is required to receive at least one full-facility routine inspection and one critical point inspection. Usually, a critical point inspection would be conducted when the facility being inspected has had a decent inspection history that doesn't warrant a second full facility inspection. Severe or continuous violations may be used to justify a second full facility inspection instead of a critical point inspection. There are several items on the report that could be marked N/O, because they wouldn't necessarily be inspected during that critical point inspection. Please don't indicate that a critical point inspection is being conducted and then mark every item as "IN". That likely just isn't the case if a critical point inspection was conducted.

## **Certified Pool Operator (CPO) Phone not Facility Phone**

I recommend trying to get a phone number directly for the CPO and not the general facility phone if possible. If a CPO is not onsite when I introduce myself, then I will sometimes ask for the CPO contact information so that I can call and determine if the CPO is available within 30 minutes of notification.

## **Wading Pools with Submerged Suction Outlets**

Submerged suction outlets in a wading pool are a significant safety concern. Wading pools are not allowed to have any submerged suction outlets. Skimmers, overflow gutters, or gravity fed drains are acceptable. If you find a submerged suction outlet in a wading pool, I suggest analyzing the suction system to determine if skimmers alone would be capable of moving enough water to meet turnover requirements, and then disabling the suction outlets completely, or possibly converting them to return inlets. Most skimmers I see during plan review are rated for 55 GPM. Pentair Bermuda seems to be the most popular of those. There are also some designers that use Waterway Renegade that are rated at 75 GPM. Wading pools are required to have a 1-hour turnover rate. A 4,000-gallon wading pool would need a flow rate of about 67 gallons per minute to meet a 1 hour turnover rate. One 55 GPM skimmer would not be sufficient. They would need at least two 55 GPM skimmers, but they could get by with one 75 GPM skimmer. If a wading pool's existing system is not sufficient to meet a 1-hour turnover rate, then they will need to propose some other solution like gravity fed drains.

## **Facility Email and Phone**

Please gather the current email and phone number for the facility during the inspection. This way, you have it available on paper, but then hopefully you also have time to update establishment information in the license database.

## **Detailed Observations**

We need to write enough detail in the observations so that anyone reading it would have a fair chance of understanding what needs corrected. Writing vague observations such as, "Deck needs replaced", doesn't particularly impart that understanding and opens your inspection report to questioning and possibly misinterpretation or even legal challenges. Consider the questions an out-of-state owner might have after reading this observation. Do I need to spend thousands of dollars and shut down my facility for weeks to replace the entire deck, or can I focus on something more specific? If I choose to fix only one spot on my deck, will I get penalized because I didn't fix the exact spot the inspector was concerned about? A responsible owner would probably call and ask those questions. Some might try to use the vagueness to their own advantage and play games with the next inspector that tries to follow-up on this violation.

-Erik

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# Montana Truck Wreck Report

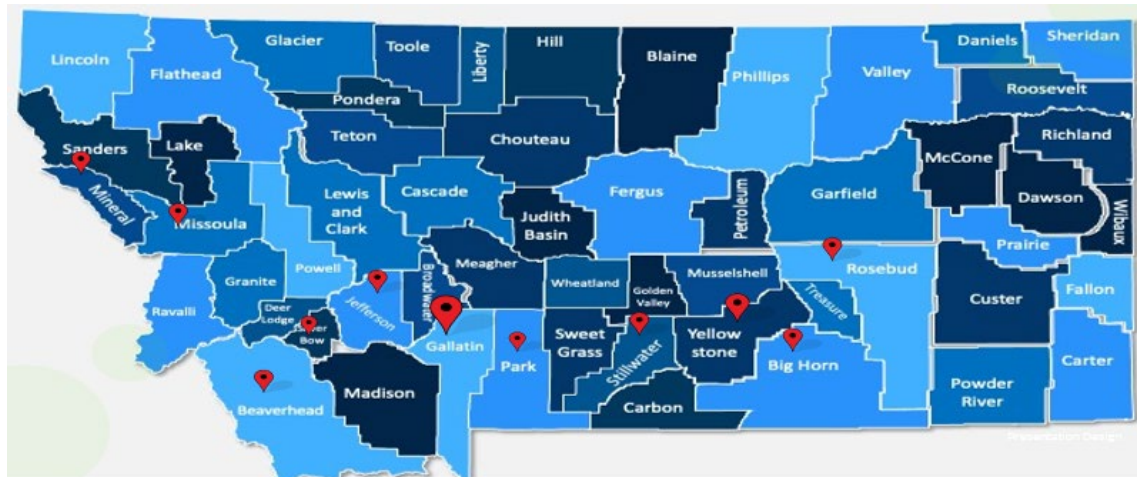
## Large Truck Wrecks Containing Food Reported to DPHHS between 2016-2022

The Federal Motor Carrier Safety Administration (FMCSA) defines a large truck as a truck with a gross vehicle weight rating (GVWR) greater than 10,000 pounds. According to the FMCSA, there were 310,000 reported accidents involving large trucks in the United States for the year 2020.

In 2022, the State of Montana Highway Patrol reported 1,415 truck accidents in the state.

Reported data from 2016 -2022 indicates that 287 truck wrecks containing food had been reported to Montana Department of Health and Human Services. Those wrecks were tracked through the Bureau Event Tracking System (BETS).

The data below is based on the 287 reported incidents in BETS. The map below represents counties that have had more than 9 incidents with trucks containing food between 2016 and 2022.

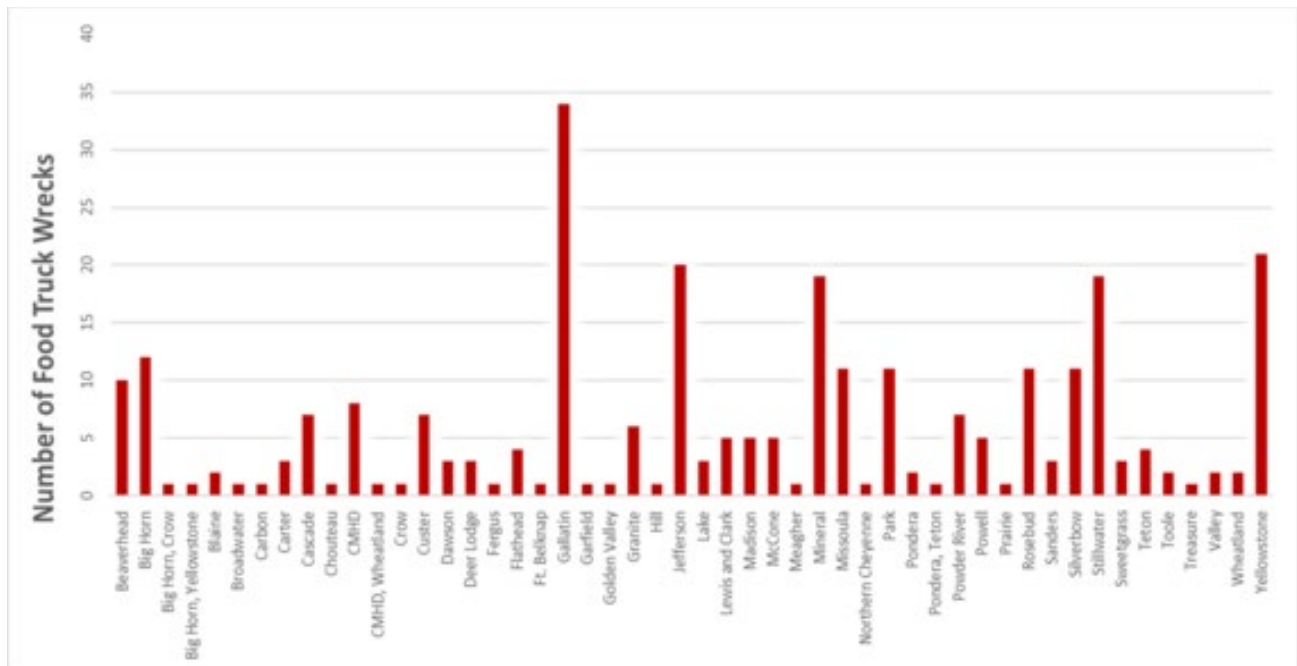


 More than 9 reported wrecks

The data shows Gallatin County has the highest wreck count in the state, standing at 34 wrecks since 2016.

The map also shows the geographical distribution of wreck incidences since 2016. Wrecks were prevalent throughout the southern and western counties, especially those situated along Interstate 90.

The graph below represents the number of reported truck wrecks involving food in each county from 2016 to 2022. (Note: Some data is listed as a joint jurisdiction in the database such as Big Horn and Crow, Big Horn and Yellowstone, Pondera and Teton, Central Montana Health District (CMHD), and CMHD and Wheatland.)



Counties	Number of Food Truck Wrecks
Beaverhead	10
Big Horn	12
Big Horn, Crow	1
Big Horn, Yellowstone	1
Blaine	2
Broadwater	1
Carbon	1
Carter	3
Cascade	7
Chouteau	1
CMHD	8
CMHD, Wheatland	1
Crow	1
Custer	7
Dawson	3
Deer Lodge	3
Fergus	1
Flathead	4
Ft. Belknap	1
Gallatin	34
Garfield	1
Golden Valley	1
Granite	6
Hill	1

Jefferson	20
Lake	3
Lewis and Clark	5
Madison	5
McCone	5
Meagher	1
Mineral	19
Missoula	11
Northern Cheyenne	1
Park	11
Pondera	2
Pondera, Teton	1
Powder River	7
Powell	5
Prairie	1
Rosebud	11
Sanders	3
Silver Bow	11
Stillwater	19
Sweetgrass	3
Teton	4
Toole	2
Treasure	1
Valley	2
Wheatland	2
Yellowstone	21



## Why Is This Important?

There have been many cases where food from truck wrecks has made its way into the community without any safety evaluation by an expert. Every year, many people get sick or die from contaminated food. As such, it is the responsibility of public health to take measures to protect the community from adulterated food.

Since there have been some missed wrecks, we continue to encourage the reporting of any accidents involving trucks with food to DPHHS.

-Elvis

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## Job Openings

- Sanitarian/Sanitarian-In-Training: Hill County ([Job Posting Available Here](#))
- Sanitarian/Sanitarian-In-Training: Park County ([Job Posting Available Here](#))

-Karena

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## Contact Information

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