



Update for Ontario's Modernized Food Premises Regulation

For Industry Stakeholders

Modernized Safe Food and Water Regulations

May 7, 2018

Purpose:

To update stakeholders on the regulatory changes and implementation of the Food Premises Regulation 493/17

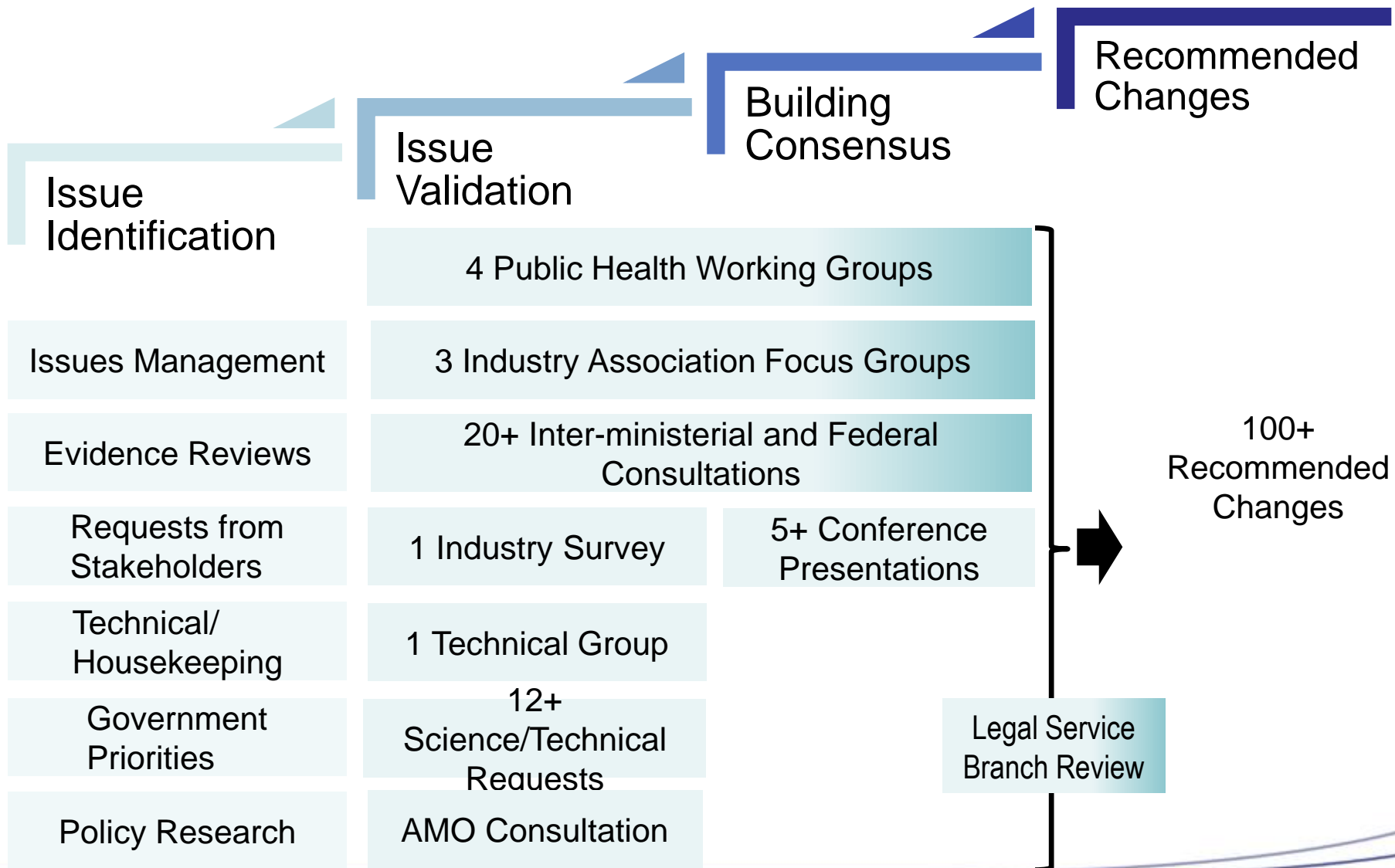
Agenda:

Introductions

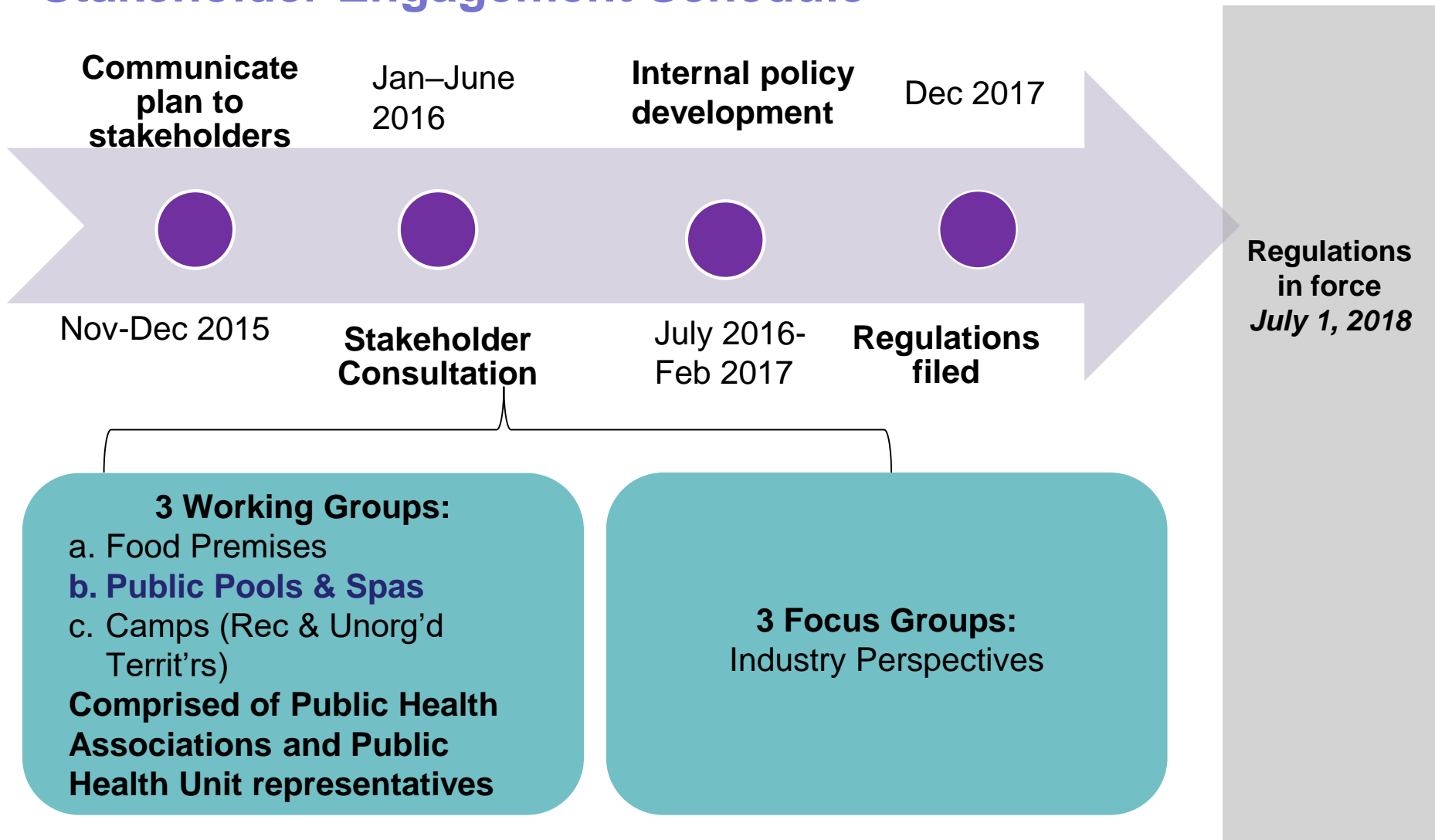
Overview of Key Changes

Discussion and Questions

Regulatory Review and Development Approach



Stakeholder Engagement Schedule



Revised Regulations

O. Reg. 562 – Food Premises
(1967)

O. Reg.565 – Public Pools **(1944)**

O. Reg. 428/05 – Public Spas
(2005)

O. Reg. 568 – Recreational Camps
(1940)

O. Reg. 554 Camps in Unorganized
Territory **(1944)**



O. Reg. 493/17 – Food Premises

O. Reg.565 – Public Pools (2017)

O. Reg. 495/17 – Public Spas
Revocation

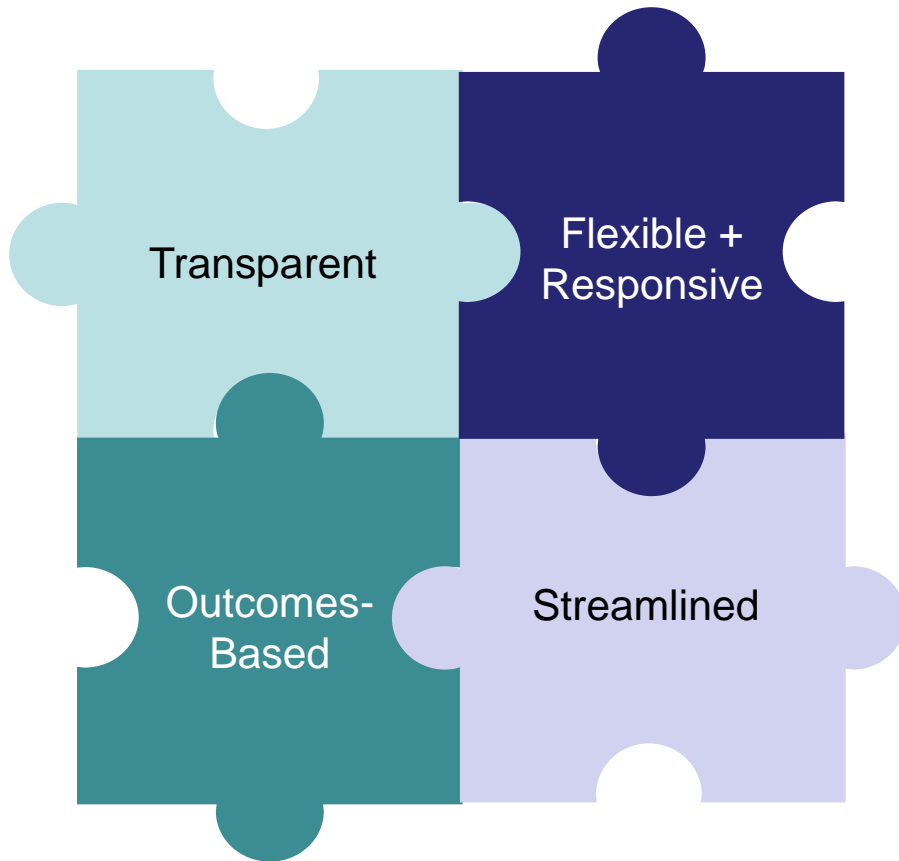
O. Reg. 503/17 – Recreational
Camps

O. Reg. 502/17 - Camps in
Unorganized Territory

O. Reg. 499/17 – Transitional SDWS
(repeal)

All regulations come into force on July 1, 2018 – except for the repealing regulation of the Transitional SDWS regulation which came into force on January 1, 2018.

Guiding Principles



- Comprehensive regulations that set clear expectations for regulated parties
- A flexible and responsive regulatory framework that is evidence-based and supports innovation
- Optimal use of alternative approaches outcomes-based or non-regulatory approaches
- Ensure public health benefit is the overarching consideration; streamlined, concise and user-friendly

Implementation Activities

Ontario's 35 public health units (PHUs) are mandated to implement, monitor and enforce the new Food Premises Regulation 493/17 that comes into effect July 1, 2018.

The Ministry of Health and Long-Term Care (MOHLTC) is working closely with the PHUs to prepare for the implementation of the new regulations.

Activities include:

- Regulation specific training for directors, program managers and public health inspectors through in person and webinar sessions
- Resource development including summary sheets of key changes to the regulations, Q & A's and regulation specific resources
- Monthly teleconferences throughout the summer and fall to address implementation issues

Modernized Food Premises Regulation 493/17



Environmental Health Legislative Framework

Regulated Settings

Health Protection and Promotion Act

*Skin Cancer
Prevention
Act*

**Ontario Regulation 493/17-
Food Premises**

Ontario Regulation 565- *Public Pools*

Ontario Regulation 503/17- *Recreational
Camps*

Ontario Regulation 502/17- *Camps in
Unorganized Territory*

Ontario Regulation 319- *Small Drinking
Water Systems*

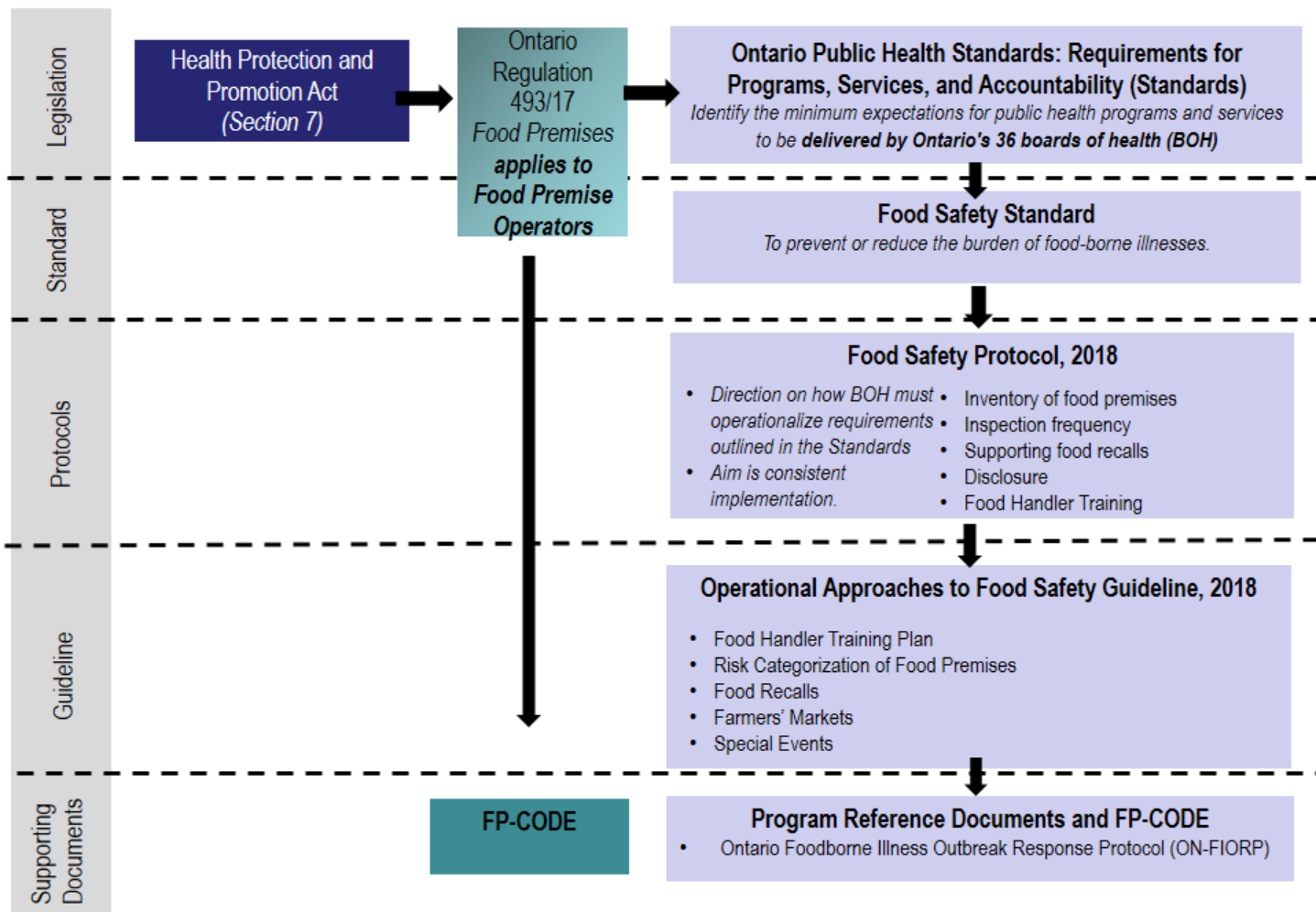
Ontario
Regulation
99/04-
*Tanning
Beds*

Key changes:

- Outcome Based
- Disclosure
- Food Handler Training
- Removal of Redundancies
- Records and inspected sources

Food Safety Legislative Framework

Legislative Framework for Food Safety





ONTARIO'S CODE OF PRACTICE FOR FOOD PREMISES



JUNE, 2018

Food Premises Regulation: General Requirements

- Replace prescriptive requirements throughout the regulation with outcomes-based requirements.
- Update terminology by aligning definitions for food contact surfaces and sanitizing with the Food Retail and Food Services Code and address gaps by introducing definitions for low-risk food, potentially hazardous food, food handler, mobile food premises, equipment, food handler training and hand washing station

Food Premises Regulation: Requirements Cont'd

Regulatory Change	Description
Food Handler Training	<ul style="list-style-type: none">• Every operator of a food service premise shall ensure that there is at least one food handler or supervisor on the premise who has completed food handler training during every hour in which the premise is operating
Alignment with Building Code	<ul style="list-style-type: none">• Remove requirements for sanitary facilities where those requirements are dealt with in the Building Code.• For example, removal of requirements for sanitary facilities for each sex
Temperature Control	<ul style="list-style-type: none">• Specifying 2 hours as the maximum time allowable that potentially hazardous food can be out of temperature control;• Requiring that previously served food must not be re-served unless it had previously been served in a container or package that protects the food from contamination and is not a potentially hazardous food.• Adding specific requirements to ensure adequate equipment is available for the refrigeration or hot-holding• Removal of prescriptive internal cooking temperatures for specific foods items and requiring that food is processed in a manner that is safe to eat• Removal of temperature control requirements that are not necessary such as (e.g. 13°C for transport of graded eggs and freezing temperatures of -18°C)

Regulatory Change	Description
<p>Cleaning and Sanitizing</p>	<ul style="list-style-type: none"> • Expand on the use of sanitizing agents by setting criteria for their use • Add additional requirement to include National Sanitation Foundation or otherwise approved mechanical dishwashers by the local medical officer of health • Removing the requirement to double the concentration of sanitizer when sanitizing large equipment that cannot be washed in a sink or mechanical dishwasher;
<p>Food Purchases</p>	<ul style="list-style-type: none"> • Requiring operators to retain records of food purchases • Requiring that all food items that are subject to inspection by the Government of Canada or Ontario, or by any agency of either, that food is purchased from an inspected source
<p>Pest Control</p>	<ul style="list-style-type: none"> • Include explicit requirement for pest control measures through which the premises is protected against the entry of pests, free of conditions that lead to harbouring or breeding of pests and records for any pest control measures taken are retained.

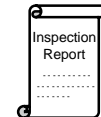
Regulatory Change	Description
Commodities	<ul style="list-style-type: none"> • Address non-hen eggs by permitting these in food premises • Update wording and removal of redundant requirements for Meat and Meat Products: <ul style="list-style-type: none"> • Requirement to develop and follow written food safety procedures for manufactured meat products that are customarily eaten without further cooking and obtain approval by the medical officer of health or public health inspector. • Update requirements for Milk and Milk Products: <ul style="list-style-type: none"> • Addition of time and temperature requirements for batch pasteurization and high temperature short time system pasteurization of milk with 10% fat or higher. • Requirement to provide proof of pasteurization and processing records and retain pasteurization records. • Requirement to use a pasteurization recording device during pasteurization.

Posting Requirement

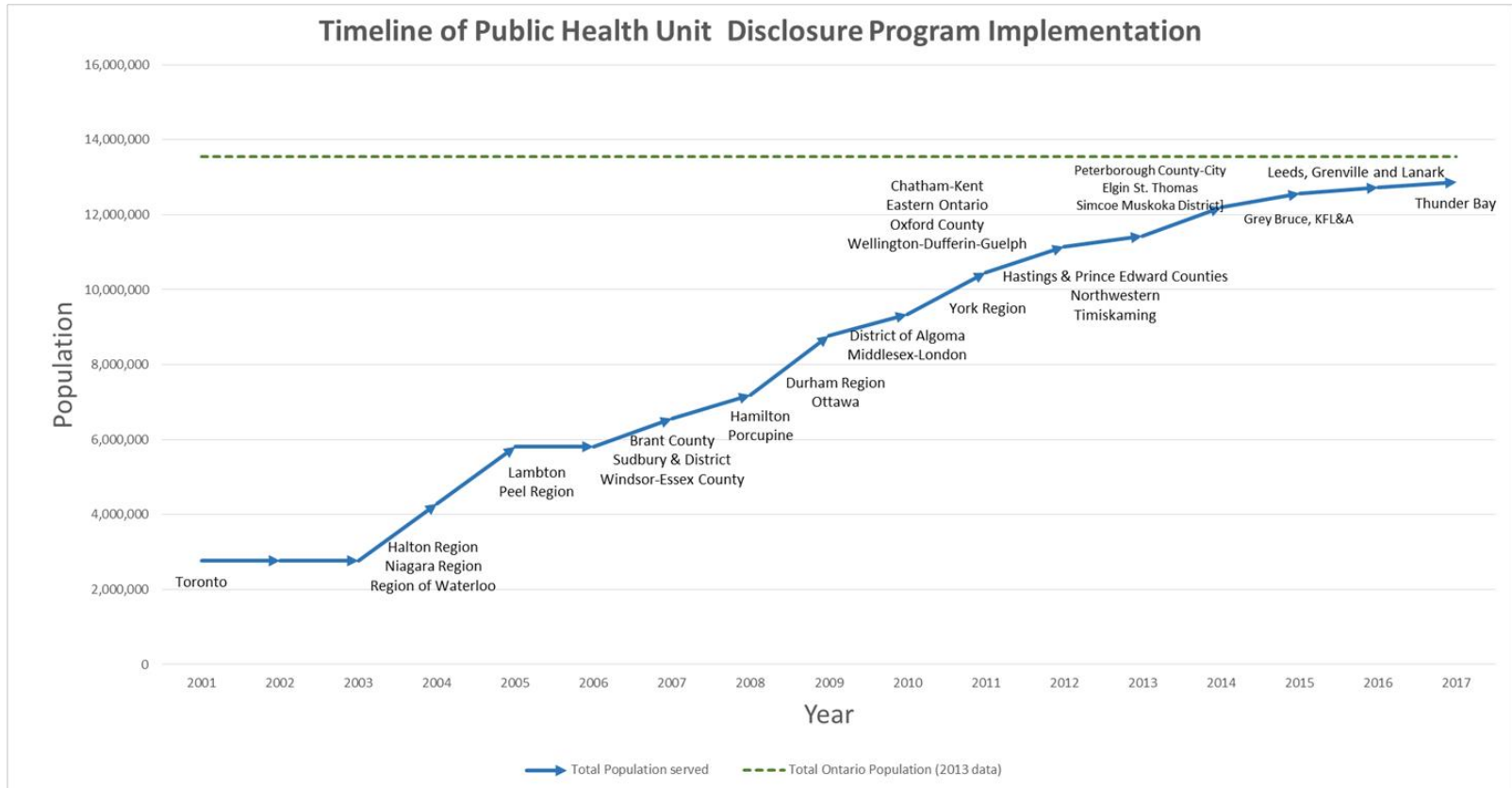
- Many public health units have existing disclosure systems, some of them require on-site posting to raise awareness of the availability of inspection results to the public.
- The new requirement in the regulation will simply provide information to the public that inspection results are available and how they can be accessed.

Provincial Disclosure Program

Program	Public Health Units	Total
1. Stoplight Classification	Toronto; Durham; Hamilton; Lambton; Middlesex-London; Peel Region; Ottawa, Thunder Bay, Eastern Ontario	9
2. Pass or Fail Classification	Simcoe Muskoka; York	2
3. Summary / Results	Grey Bruce; Algoma; Brant County; Chatham-Kent; Elgin St. Thomas; Halton; Hastings Prince Edward; Kingston, Frontenac, Lennox & Addington; Niagara; Northwestern; Oxford County; Peterborough; Porcupine; Sudbury; Timiskaming; Waterloo; Wellington-Dufferin Guelph, Leeds-Grenville	18
4. Star Rating	Windsor-Essex	1
No Program	<i>Haliburton-Kawartha Pine Ridge, Haldimand-Norfolk, Huron, North Bay Parry Sound, Perth, Renfrew</i>	6



Posting Requirement



Food handler Training

- Every operator of a food service premise shall ensure that there is at least one food handler or supervisor on the premise who has completed food handler training during every hour in which the premise is operating.
- *Operational Approaches for Food Safety Guideline, 2018* requires a 70% pass and certificate that expires after 5 years.



Ontario's Code of Practice for Food Premises



ONTARIO'S CODE OF PRACTICE FOR FOOD PREMISES



Purpose:

The FP-Code aims:

- To assist food premise operators and PHI's to reduce the risk of foodborne illnesses, promote compliance with the modernized Food Premises Regulation and promote best practices related to food safety

The FP-Code promotes safe food handling practices by:

- Promoting communication and positive relationships between food premise operators and public health inspectors
- Identifying operational procedures that reduce the risk of food contamination and foodborne illness

JUNE, 2018

Ontario's Code of Practice for Food Premises

What it is:

- A document that explains how to meet the objectives identified in the Food Premises Regulation 493/17
- This code is to be used in conjunction with companion resource materials, that together, inform best practices in food safety
- Aims to provide consistency in an outcome-based regulation
- Subsequent versions of the FP-Code will be revised and released every 2 years and will include updated practices that will evolve with emerging food preparation trends and innovation
- Field experience and feedback will aid in developing subsequent content and material

Safe Food Handling

The Food Premises Regulation has made changes to allow flexibility in food handling processes that reflect evidence-based practices. It should be noted that food safety is of the upmost importance where the district PHI has authority in approving food safety processes to ensure all food is processed in a manner that makes the food safe to eat.

Key changes:

- Allow flexibility in final cooking temperature requirements. (e.g., steak tartare, sous vide)
- Use of an outcome-based requirement for food preparation to allow two hour flexibility for those times necessary for the preparation, processing and manufacturing of the food.
- Requirements for maintaining records for food purchases and pest control.

Food Handling Requirements

All food must be processed in a manner that makes the food safe to eat.

S. 28 (1) All food shall be protected from contamination and adulteration.

(2) All food must be processed in a manner that makes the food safe to eat.

Internal cooking temperatures

Internal cooking temperatures that were specified in the previous Food Premises Regulation, 562 have been removed from the FPR.

Rationale: It has been recommended that internal cooking temperatures are removed and replaced with an outcome-based requirement to ensure food is processed so that it is safe to consume.

- Internal cooking temperatures had been directed toward specific food types (e.g. chicken, beef, and pork) and did not allow for new dishes or food trends such as sous vide, to be permitted under the previous Food Premises Regulation, 562 unless otherwise approved by the MOH.
- The FPR has been streamlined by removing specific food products and required cooking temperatures, instead the focus will be evidence-based food safety practices.

Outcome-based

Significant changes to the FPR include removing specific internal cooking requirements.

A Food Safety Management Plan is not mandatory, but recommended, to help ensure consistency in food preparation activities from food delivery to service and follows a process that is safe and where all critical control points are monitored.

Risk Categorization: every year a risk assessment to determine the frequency of inspections for food service premises will be conducted by your PHI. One way to help reduce your overall risk is to have a food safety plan.

For more information on risk categorization see *Operational Approaches for Food Safety Guideline, 2018*.

Ontario's Code of Practice for Food Premises

In practice:

- Emphasizes the importance of food safety as the main outcome
- Aims to establish a supportive relationship between PHI's and food premise operators (i.e. open communication)
- Provides recommendations and best practices
- Provides rationale for the Food Premises Regulation requirements

Questions?

Thank you for your participation

Please send any questions by e-mail to:

environmentalhealth@Ontario.ca