Regulator Perceptions and Treatment of Temporary Food Establishments

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Background

- Temporary Food Establishments (TFEs) are mentioned in the first addition of the 1993 FDA Model Food Code.
- A Temporary Food Establishment according to the most recent 2009 Model Food Code, “means a food establishment that operates for a period of no more than 14 days in conjunction with a single event or celebration.”
Background (continued)

- **Plan review**
  - Ensures regulatory requirements are met by identifying food safety violations associated with construction and renovations (CDC, 2011).

- **Inspection**
  - Involves a process guided by the establishment’s menu, potential hazards related to menu ingredients, and control measures to mitigate these hazards (CDC, 2011).

- **Permit**
  - Is a document issued by regulatory authority that authorizes a person to operate a food establishment (FDA, 2009).
Background (continued)

Catering at large outdoor events is considered to be of greater risk than catering in other settings due to the large numbers of people, temporary nature of accommodation, frequent use of temporary staff, reduced storage facilities, frequent lack of access to an approved water source, and potential exposure to extreme weather conditions. (Willis, 2012).
Background (continued)

CDC states, “Most foodborne infections go undiagnosed and unreported. Also, infections with some microbes, such as Norovirus, are not reportable in the first place, unless they are associated with a recognized outbreak.” (CDC, n.d.).
Problem Statement

Little empirical evidence exists regarding regulator perceptions and treatments of TFEs nor the extent to which TFEs expose the public to foodborne illness.
Methodology

- A survey was created and sent to all retail food program managers on The Association of Food and Drug Officials (AFDO) electronic distribution list.
- TFE types:
  - Fairs
  - Festivals
  - Farmers’ markets
  - Non-profit events
- Data collection
- PDF fillable form sent via email
Research Questions

1. What types of regulations are implemented for TFEs?

2. What types of TFEs receive a pre-operational plan review?

3. What are regulators’ perceptions of TFEs based on the five CDC risk factors?
5 CDC Risk Factors Examples

Poor Personal Health/Hygiene

Food from Unsafe Sources
5 CDC Risk Factor Examples (continued)

Dirty/Contaminated Utensils and Equipment

Improper Hot/Cold Holding

Improper Cooking
Study Population

Retail food program managers on The Association of Food and Drug Officials (AFDO) electronic distribution list.
Results

Percentage of States that Permit, Inspect, and Conduct Pre-Operational Plan Review by Type of Temporary Food Establishment

<table>
<thead>
<tr>
<th>Temporary Food Establishment Type</th>
<th>Percentage of Respondants</th>
</tr>
</thead>
<tbody>
<tr>
<td>Farmers' Markets</td>
<td>71.0</td>
</tr>
<tr>
<td>Fairs</td>
<td>92.0 96</td>
</tr>
<tr>
<td>Festivals</td>
<td>92.0 96</td>
</tr>
<tr>
<td>Non-Profit Events</td>
<td>71.0 75 58</td>
</tr>
</tbody>
</table>
Results (continued)

Respondents' Ranking of 5 CDC Risk Factors by Importance

<table>
<thead>
<tr>
<th>Type of Temporary Food Establishment</th>
<th>Mean Responses of Marked Violation Importance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Farmers' Markets</td>
<td>3.1</td>
</tr>
<tr>
<td>Fairs</td>
<td>3.2</td>
</tr>
<tr>
<td>Festivals</td>
<td>3.5</td>
</tr>
<tr>
<td>Non-Profit Events</td>
<td>3.1</td>
</tr>
</tbody>
</table>

- **Food From Unsafe Sources**: 2.4, 3.1, 3.2, 3.1, 3.5
- **Poor Employee Health/Hygiene**: 3.8, 3.5, 3.2, 3.2, 3.5
- **Dirty/Contaminated Utensils & Equipment**: 2.7, 3.5, 3.2, 3.9, 3.1
- **Improper Hot/Cold Holding**: 3.1, 3.5, 3.2, 3.9, 3.1
- **Improper Cooking**: 3.5, 3.2, 3.1, 2.3, 2.5
Conclusion

• Only a small percent of states conduct a pre-operational plan review.
• Some non-profits are exempt from regulation depending on state and local laws.
• The most marked violation of the 5 CDC risk factors for all TFEs was improper hot/cold holding.
Recommendations

- Pre-operational plan review would help alleviate improper hot/cold holding.
- Most current version of the FDA Model Food Code adoption.
- States would benefit from discussing differing regulations for non-profit exemptions at a national conference.
Limitations

• Lack of definition of TFE.
• Lack of uniform respondent authority.
• Lack of consistency among event types.
• Combining of responses to represent a state.
References


References (continued)


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Questions?
Results 1\textsuperscript{st} question

- 24/50 States Responded
- Four states have multiple averaged data by local jurisdictions due to varying regulations.
- Permit
  - Farmers Markets 71%
  - Fairs 92%
  - Festivals 92%
  - Non-Profits 71%
- Inspection
  - Farmers Markets 79%
  - Fairs 96%
  - Festivals 96%
  - Non-Profits 75%
- Plan Review
  - Farmers Markets 42%
  - Fairs 71%
  - Festivals 67%
  - Non-Profits 58%
Results 2\textsuperscript{nd} question

- Only 11 of the 24 states responded to the ranking question
- Number one marked violation for all types:
  - Improper hot/cold holding.
- Second marked violation:
  - Festivals
    - Poor Employee Health and Hygiene
  - Fairs and Non-Profits
    - Dirty/Contaminated Utensils and Equipment
  - Farmers’ Markets
    - Food from Unsafe Sources