

**Public
Health
Legislation
and the
Local
Health
Department**

Levels of Government

Federal Government – international/between province inspections, Canadian Food Inspection Agency (CFIA)

Provincial Government – within Ontario
Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA)

Regional Government – within Niagara Region
Niagara Region Public Health

The Health Protection and Promotion Act (HPPA)

- The HPPA is provincial legislation.
- The HPPA gives the local Public Health Department the authority to inspect, seize and close places where health hazards may exist.
- The HPPA contains regulations which explain what the Act means. The Act has broad based powers. Regulations are *minimum* standards based on scientific research.
- Many different Regulations fall under the HPPA, the one that applies to food is the Food Premises Regulation 562.

For additional information on the Health Protection and Promotion Act, please go to <http://www.e-laws.gov.on.ca/index.html>

Food Premises Regulation 562

- The Food Premises Regulation establishes minimum standards that must be followed in any place in Ontario where food is manufactured, processed, prepared, stored, handled, displayed, distributed, transported, sold, or offered for sale, but does not include a private residence.
- Public Health Inspectors enforce the Ontario Food Premises Regulation.
- The Food Premises Regulation addresses standards such as maintenance, equipment, food temperatures, washrooms, food handling and employee hygiene in food premises.
- Full copy of the Regulation available in the Appendices.

For additional information on the Food Premises Regulation, please go to <http://www.e-laws.gov.on.ca/index.html>

By-laws

- By-laws are made by Municipal or Regional governments to deal with local issues.
- They can be different in each Municipality or Region.
- Examples of by-laws that may affect food premises are those that deal with garbage pick-up and recycling.



Role of the Public Health Inspector (PHI)

- PHI's *inspect* food premises to make sure food is safe to eat.
- PHI's *enforce* the Food Premises Regulation. PHI's are Provincial Offences Officers and can issue orders, tickets and summons to court when necessary.
- PHI's *educate* food handlers on safe food handling practices.
- PHI's *assist* operators in the development of food safety policies.

Inspection of Food Premises:

- Most inspections are un-announced.
- Premises are risk ranked based on amount of food served and amount of preparation involved.
- **High Risk** – inspected at least 3 times a year.
- **Medium Risk** – inspected at least 2 times a year.
- **Low Risk** – inspected at least once a year.

Disclosure of Inspection Results:

- Launched March 5, 2007
- Public able to see infractions of all food facilities in Niagara online
- Will be displaying one year worth of inspections
- Charges are posted
- niagarainfodine

Review Questions

1. Which level of government conducts restaurant inspections?
 - a) federal
 - b) provincial
 - c) municipal
 - d) none of the above

2. Which law gives inspectors the power to inspect?
 - a) Health Protection and Promotion Act
 - b) Food Premises Regulation
 - c) Mandatory Food Handler Certification By-law
 - d) Food and Drug Act