



ENVIRONMENTAL HEALTH



SCHOOL FOOD SAFETY INSPECTIONS

Required Pursuant to the WIC Reauthorization Act

FREQUENTLY ASKED QUESTIONS

Revised 10/17/18

The following questions and responses are excerpts from a general information sheet developed by the United States Department of Agriculture (USDA) Food and Nutrition Service (FNS):

1. **Will USDA define what the food safety inspections must include? Will the food safety inspection cover the HACCP Plan that schools are required to have in place?**

USDA does not have the authority to define the content of the food safety inspections. The state or local public health agency is responsible for the content of the food safety inspections. State or local authorities responsible for such inspections adopt standards, such as the Food Code, to guide their inspection process.

2. **Must the two inspections be done at school kitchens that are production facilities or at all schools, including satellite kitchens where foods are only served but not prepared?**

Inspections must be conducted at any school that participates in the school lunch program or school breakfast program.

3. **Most schools have a good food safety record; why is it necessary to increase the number of food safety inspections? Shouldn't we make the requirement for inspections risk-based rather than simply setting a mandatory number per year?**

There is increasing media and public interest in the safety of school meals. In response, Congress established this statutory requirement. USDA has no discretion to change it.

4. **May schools do a self-inspection and comply with the law?**

The National School Lunch Act requires that food safety inspections be conducted by the state or local governmental agency responsible for inspections.

5. Does the local educational agency (LEA) qualify as the state or local government agency responsible for food safety inspections?

No. The Reauthorization Act requires that the food safety inspections be conducted by the state or local governmental agency responsible for food safety inspections. "Local educational agency" has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

6. May a school or school food authority with a strong HACCP plan obtain only one food safety inspection per year?

No. The law does not exempt schools or school food authorities with effective HACCP plans from complying with the food safety inspection requirement.

7. Must schools that contract with a Food Service Management Company (FSMC) to manage food service operations comply with the requirement of two food safety inspections per year?

Yes. A school that contracts with an FSMC retains control of the quality and general nature of the food service operation. A school that has entered into an agreement to participate in the National School Lunch and/or School Breakfast Program must abide by all program requirements.

8. May a school count a food safety inspection conducted as part of the Summer Food Service Program or the Child and Adult Care Food Program as part of the two food safety inspections required per school year?

Yes, as long as the inspection covers the same preparation facilities and similar food services.

9. Is there any additional funding to cover the expenses involved with implementing either the inspection or HACCP requirements?

Schools may use the food service account to pay for costs related to the new food safety requirements. The increases in the fees related to the food safety inspections and other costs related to the HACCP requirement are legitimate costs of managing the school lunch program.

The United States Department of Agriculture (USDA) Food and Nutrition Service (FNS) developed a general information sheet regarding the food safety provisions of the Child Nutrition and WIC Reauthorization Act of 2004. The information is in a question and answer format to assist in complying with the food safety requirements, including the development of a food safety system based on Hazard Analysis Critical Control Point (HACCP) principles. This information may be accessed on the California Department of Education website at www.cde.ca.gov/ls/nu/ed/foodsafety.asp

The following questions and responses were prepared by Environmental Health, and are specific to the school safety inspection program developed for schools within Los Angeles County:

1. What schools are required to be inspected under the 2004 Reauthorization Act?

Under the current provisions of Section 111 of the Child Nutrition and WIC Reauthorization Act, effective July 1, 2005, each school that participates in the National School Lunch or Breakfast Program is required to receive two food safety inspections per school year.

2. Who must conduct the required inspections?

The inspections must be conducted by a state or local governmental agency responsible for food safety inspections. The Los Angeles County Department of Public Health, Environmental Health has developed a food safety inspection program for school cafeterias in Los Angeles County. The Program is designed to help Los Angeles County School Districts meet the Federal mandates of Section 111 of the Child Nutrition and WIC Reauthorization Act. Private consultants, in house Quality Assurance, or other staff may not conduct the inspections.

3. What areas of the school will be included in the food safety inspection conducted by Environmental Health?

A food safety inspection will be conducted of the school cafeteria, including the eating area, trash/dumpsters, restrooms for food handlers, and food/utensil storage areas. This inspection will be based on the California Retail Food Code, commonly referred to as "Cal Code".

4. Will an inspection report be issued at each of the two required inspections?

Yes. All violations will be noted on an inspection report. The inspection report will be discussed with the Person in Charge (PIC).

5. Will revisits be conducted to verify compliance with each original inspection?

If high risk health code violations are noted, immediate correction or other interventions may be necessary. High risk health code violations include, but are not limited to sewage, vermin, no water, no hot water, and food temperatures violations. A revisit inspection may also be conducted to verify compliance of high risk violations unable to be corrected at the time of the inspection.

6. Will the inspection report be graded or scored? Will a grade be posted at the school?

No. The inspection reports will not be graded or scored and no grade will be posted at the school.

7. Will the inspection report be required to be posted?

Yes. A copy of the inspection report will be provided to the PIC. According to Federal law, this inspection report must be posted on site in a publicly visible location.

8. Can the cafeteria be closed by Environmental Health?

Since local public health agencies do not have enforcement authority over the state public school system, a recommendation for voluntary closure may be issued in cases where violations occur that pose a serious risk to health and safety. Such violations include but are not limited to sewage, vermin, no water, and no hot water.

9. When will the inspection program begin?

The inspection program will be available when school districts enter into service agreements with Los Angeles County Department of Public Health, Environmental Health. Environmental Health will conduct two food safety inspections within each school year July 1st through June 30th. The first inspection shall occur between September – November, and the latter inspection between January-May.

10. What will be the cost for the inspections?

The inspections will be provided on a fee-for-service basis, offered at \$197.00 per inspection, with two inspections per year. During the term of the agreement, Environmental Health will review the fee for service annually. The school district will be notified in writing of any change in cost, thirty (30) calendar days prior to the change becoming effective. Any increase in fees must be approved by the Los Angeles County Board of Supervisors.

11. Which schools in the School District will be inspected by Environmental Health?

The school district will provide Environmental Health with an inventory of schools to be inspected when the Service Agreement is signed and submitted. Only schools identified by the school district will be inspected. The school district, at its discretion, may make additions or deletions to the inventory list.

12. How will the billing process take place?

Bills will be processed annually and will be due and payable thirty (30) calendar days after receipt of the billing statement.

13. Will the schools receive Public Health Permits?

School cafeterias no longer are in receipt of Public Health Permits. Instead Environmental Health will issue Certificate of Inspections which is valid for one fiscal year.

14. What is the process for contracting with Los Angeles County Environmental Health to conduct the required inspections?

To enter into a contract with Los Angeles County Environmental Health to conduct the required inspections, interested school districts must complete the Service Agreement for Safety Inspections in Public School Cafeterias.

15. How long will the Service Agreement be in effect?

The Service Agreement will become effective upon execution by all parties and will remain in effect unless terminated by either party. Either party may cancel the agreement, for any reason, upon giving of at least thirty (30) calendar days advance written notice to the other party.

16. Will the central kitchen(s) of the School District be inspected?

The central kitchen(s) will be inspected if included in the inventory of schools submitted with the signed Service Agreement.

17. Will charter schools in the School District be inspected?

Charter schools will be inspected if they are included in the inventory of schools submitted by the school district with the signed Service Agreement. Charter schools not under the jurisdiction of the school district will be inspected if they enter into a Service Agreement with Los Angeles County Environmental Health.

18. What will be the process to get change of name done of a school?

School districts will submit copies of Business License and Articles of Incorporation along with a request for name change.

19. How do I notify your department of address change of any school or the corporate office?

School district will submit a copy of Business License as legal proof for change of address.

20. Whom do the school district notify regarding change of responsible person for school cafeteria?

School district will notify Beatrice LeDuff, Environmental Health Staff Specialist at (626) 430-5239 or at aleduff@ph.lacounty.gov

For more information, please contact Beatrice LeDuff, Environmental Health Staff Specialist at (626) 430-5239 or at aleduff@ph.lacounty.gov

For additional information on the Food Inspection Program with Los Angeles County, access www.publichealth.lacounty.gov/eh.