



# Michigan Department of Agriculture & Rural Development

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# Food Digest

Food and Dairy Division

2019 edition

## Food Establishments Play Key Role in Preventing the Spread of Hepatitis A

Local public health officials and the Michigan Department of Health and Human Services (MDHHS) continue to monitor the ongoing outbreak of hepatitis A (HAV) in our state, and we need your help to stop the spread and prevent additional illnesses or possible outbreaks in your food establishment.

From the start of the outbreak in August 2016 through January 9, 2019 there have been 910 cases, including 731 hospitalizations and 28 deaths. Food workers have accounted for 40 of the primary outbreak cases, or almost 5 percent of the total.

Since the beginning of the outbreak in August 2016, public health response has included increased healthcare awareness efforts, public notification and education, and outreach with vaccination clinics for high-risk populations. No common sources of food, beverages, or drugs have been identified as a potential source of infection.

HAV is highly contagious and usually transmitted when infected persons do not wash their hands properly after going to the bathroom and then touch other objects or food items, or have close contact with other people. Those with history of injection and non-injection drug use, homelessness or transient housing, and incarceration are thought to be at greater risk in this outbreak setting. Notably, this outbreak has had a high hospitalization rate of around 85 percent of confirmed cases.

People infected with HAV are most contagious from two weeks before onset of symptoms to one week afterward. Symptoms usually start within 28 days of exposure to the virus with a range of 15-50 days. These symptoms can include jaundice (yellowing skin and whites of eyes), fever, diarrhea, tiredness, loss of appetite, nausea and vomiting, stomach pain, dark-colored urine and pale or clay colored stool. Not everyone who is infected will have all the symptoms.

MDARD has provided guidance documents to all licensed food and dairy facilities in Michigan, including a poster with important information for employees. These resources are available at [www.michigan.gov/foodsafety](http://www.michigan.gov/foodsafety).

Food establishment managers and employees play a big role in preventing HAV transmission. The primary concerns with HAV infections in food workers are not only the risk of contaminating food and transmitting the virus to

customers/consumers, but also spreading it to other food workers in the establishment. Food workers who are exposed to ill co-workers during the infectious stage of HAV are at significantly increased risk of contracting the virus. Here are a few steps every food establishment should take:

**Encourage vaccination.** HAV is a vaccine preventable disease. If your employees have private health insurance coverage, encourage them to see their doctor or pharmacist and ask about getting vaccinated. Free or low-cost vaccination options may be available through your local health department.

**A little prevention goes a long way!** Follow safe food handling guidelines, including thorough, frequent hand washing. Wear gloves when handling food, clean and sanitize equipment and utensils often with an approved sanitizing solution. Focus on areas that are frequently handled or touched, including kitchen surfaces, ice machines, door knobs and light switch plates. For guidance on cleaning and sanitizing following an HAV outbreak or preventing an outbreak, including Spanish and Arabic translations, visit [www.michigan.gov/foodsafety](http://www.michigan.gov/foodsafety).

**Educate your employees.** Talk with your employees about the current HAV outbreak and make sure they know the symptoms. Emphasize the importance of good hygiene, especially hand washing. Hang the poster provided by MDARD in a place where your employees can easily read it. Remind your employees to stay home if they are sick and to immediately report to you if they (or a household member or a close personal contact) have symptoms or have been diagnosed with HAV.

**Report HAV in your establishment.** If you find out about an infected food worker or have a worker with HAV symptoms, immediately notify your local health department and ask what to do next. Send the worker home immediately and ask your regulatory authority (MDARD or your local health department) for guidance on when the employee can return to work. immediately implement a cleaning and sanitation regimen for your entire facility.

With your assistance, we can stop the spread of hepatitis A and help keep your employees and customers healthy. For more information about the current hepatitis A outbreak area and copies of guidance documents, visit [www.michigan.gov/hepatitisAoutbreak](http://www.michigan.gov/hepatitisAoutbreak).

## Reducing Allergen Cross-contamination

Undeclared allergens can kill. Although most reactions to food allergens are mild and self-limiting, about 20 percent of reactions lead to anaphylaxis -- a systemic reaction that can cause breathing passages to swell shut and blood pressure to plummet, resulting in shock and often death.

Allergen cross-contact in the manufacturing process and undeclared allergens, not pathogens, drive most recalls. Recalls are devastating to food manufacturers and many businesses do not survive a recall.

The Food Allergen Labeling and Consumer Protection Act (FALCPA) lays out the requirements for labeling foods containing the "Big Eight" allergens: milk, eggs, fish, crustacean shellfish, tree nuts, peanuts, wheat and soybeans.

The Food Safety Modernization Act (FSMA) requires Hazard Analysis and Risk-based Preventive Controls plans for food manufacturers to control risks and hazards, including allergens. Each identified hazard requires preventive controls. The Michigan Modified Food Code also requires allergen control and labeling for foods produced at retail.

Under FSMA each facility that contains allergens must have and implement written preventive controls for the identified hazards, such as cross contact, and ensure appropriate labeling.

Remember while labeling requirements may allow spices, flavors and certain colors to be declared collectively, if a component contains an allergen it must be listed on the label. Processing aids containing allergens must also be listed, whether or not it has a functional or technical effect in the final food.

Utilizing dedicated locations, times, systems, equipment and personnel throughout the manufacturing process can be beneficial in preventing cross-contact. Prevention and control of allergen cross-contact should be emphasized throughout the process.

Manufacturers must ensure ingredients are free of undeclared allergens. Ways to control this hazard include: supplier letters of guarantee, inspecting raw ingredients upon receipt, and reviewing labels of incoming raw materials for appropriate allergen information and any changes in the product. Changes in ingredient suppliers or formulations are one of the major causes of recalls for undeclared allergens.

Product changeover is a time when cross-contact may occur. Proper cleaning and label control are important factors to monitor at all changeovers.

Whenever possible, products with similar allergens should be made on the same equipment. Prevent allergenic foods from falling onto nonallergenic food on lines with crossover points. Adding physical barriers to separate allergenic and non-allergenic production lines may mitigate the risk of allergen cross-contact. When product design permits, add allergenic ingredients as late in the process as possible.

FSMA also requires training for staff including seasonal and temporary employees. They must be trained on your facility's SOPs, and allergen control program as it relates to their job.

## Top Priority Violations for 2018

During 2018, MDARD food inspectors conducted a total of 20,219 food establishment inspections around the state, including 9,827 retail inspections (grocery stores, convenience stores, etc.). MDARD cited 5,103 priority violations during these evaluations.

Finding foods that require refrigeration or hot holding at improper temperatures is by far the most common issue our inspectors found during their visits. In 2018, improper hot and cold holding of potentially hazardous food was cited 1,108 times.

Cross-contamination is another concern -- keeping ready-to-eat foods from being contaminated by raw meat, poultry, or fish, for example. Also, allergens must not cross-contact foods that are not labeled as containing allergens. Improper food separation, packaging or segregation was cited 315 times.

Another top item is the lack of proper cleaning and sanitizing of utensils, equipment and food contact surfaces. Improper cleaning and sanitizing of utensils, equipment and food contact surfaces was cited 770 times.

Finally, proper handwashing is fundamental to ensuring food safety. MDARD food inspectors cited food employees for not properly washing their hands before engaging in food preparation 378 times in 2018.

Improper hot and cold holding of food, food that is not protected from cross contamination, failure to properly clean and sanitize utensils, equipment and food contact surfaces, and not washing hands before engaging in food preparation all demonstrate potential routes to food borne illness and adulterated food.

### 2018 Top Five Priority Violations

3-501.16 Potentially Hazardous Food (Time/Temperature Control for Safety Food), Hot and Cold Holding.....	1,108
4-702.11 Before Use After Cleaning (sanitizing step required).....	498
2-301.14 When to Wash (Hands).....	378
3-302.11 Packaged and Unpackaged Food - Separation, Packaging, and Segregation .....	315
4-602.11 Equipment Food-Contact Surfaces and Utensils. ....	272

None of these are new concepts and operators generally know these are topics that need to be addressed. Often, the key to protecting your customers and your business is finding ways to keep these items as top priorities while managing the rest of your workload.

**Renew Online --  
Save Time!**

## Service Animals vs. Pets

The Americans with Disabilities Act (ADA) requires every business to allow people with service animals to enter and go anywhere the public is normally permitted to go. It is illegal under the ADA to prevent service animals from accompanying disabled members of the public from entering these same areas.

At the same time, the rules that regulate food establishments, including processors under 21 CFR 117 and retail establishments regulated under the Michigan Modified Food Code, are restricted from permitting pets to enter these facilities.

MDARD has recently seen an uptick in the number of complaints of customers bringing pets into food establishments such as grocery stores.

What is a service animal? A service animal, as defined by the ADA, is a dog that has been individually trained to do work or perform tasks for an individual with a disability. The task(s) performed by the dog must be directly related to the person's disability.

Establishment operators have a duty to exclude pets and other non-service animals from entering their licensed food establishment. **Animals such as therapy animals, comfort animals and companion animals are NOT protected by the ADA and are not allowed to enter food establishments such as retail grocery stores.**

Operators of food establishments should educate themselves about the potential liability of allowing customers to bring pets into their businesses, as well as the liability of excluding people with bona fide service animals.

In situations where it is not obvious that the dog is a service animal, staff may ask only two specific questions: (1) is the dog a service animal required because of a disability?; and (2) what work or task has the dog been trained to perform? Staff cannot request any documentation for the dog, require that the dog demonstrate its task, or inquire about the nature of the person's disability. You should also inform your customers that service animals are welcome, but pets are not.

Some disabled people who need service animals consider it a disservice when businesses allow untrained animals to enter these buildings as they may interfere with the service animal's work. Emotional support, comfort, therapy, or companion animals are not service animals and are not permitted in food establishments. For more information visit: <https://www.michigan.gov/mdcr> and <https://www.ada.gov>

### Contact Us:

**Phone:** 1-800-292-3939

**After Hours Emergencies:** 517-373-0440

**Email:** [mda-fooddairyinfo@michigan.gov](mailto:mda-fooddairyinfo@michigan.gov)

**Fax:** 517-335-0591

**Web:**

[www.michigan.gov/mdard](http://www.michigan.gov/mdard) or [www.michigan.gov/foodsafety](http://www.michigan.gov/foodsafety)

**Electronic Complaints Submission:**

[www.michigan.gov/complaints](http://www.michigan.gov/complaints)

## Sign up to Receive Email Updates!

During the recent Hepatitis A outbreak in Michigan, MDARD sent information to food and dairy licensees via email and direct mailings. The 'snail mail' notification process took approximately two weeks, compared to an almost immediate distribution to our limited email list.

To streamline this process, MDARD would like to expand its email list of food licensees. To receive emails about program updates and emergency response efforts, or provide occasional feedback via customer service surveys, please type the link that pertains to your license type below into your web browser and provide your email address when prompted.

**Retail Food Licensees** (includes the following license types: FRF, FRE): <http://bit.ly/2FWvXTb>

**Manufacturing Food Licensees** (includes the following license types: FFP, FLP, FFW, FMC, FMF, FST, FTM, FSF): <http://bit.ly/2EbG9en>

## Marijuana in Food Products

The Michigan Regulation and Taxation of Marihuana Act (Initiative 2018-1) was passed by Michigan voters on November 6, 2018. Prior to that, Michigan had, and continues to have, a medical marijuana regulatory program.

Medical marijuana edibles may ONLY be produced and sold or provided by facilities licensed by the Bureau of Marijuana Regulation (BMR) housed in the Michigan Department of Licensing and Regulatory Affairs (LARA).

Marijuana edibles produced under the approved initiative may ONLY be produced and sold or provided by facilities that are licensed by the BMR. At this time, there are no facilities approved for the production or sale of recreational (adult use) marijuana edible products. MDARD licensed food establishments are NOT permitted to produce or offer any of these products.

Questions regarding the production and offering of these products should be directed to the BMR at <https://www.michigan.gov/lara>

*Note: The adopted initiative gives the BMR up to one year to develop the rules and create an application process for production of these products.*

### Avoid Late Fees: Submit License On Time

All food establishment licenses expire on April 30 each year. MDARD sends license renewals for current licensed establishments early in the year.

Any licenses postmarked or computer date-stamped after April 30 will be assessed a \$150 late fee. Additional fees and regulatory actions include:

- \$250 fine + late fee (1st year delinquent)
- \$650 fine + late fee + \$80 admin costs (2nd year)
- Unresolved unlicensed facilities face additional legal action under the Michigan Food Law

If you are notified because your renewal was late, promptly submit your late fee in order to avoid additional fines and penalties. And, remember, your food establishment license must be conspicuously posted. For additional information or questions, contact MDARD's Customer Service Center at 800-292-3939.



# FOOD INSPECTORS & SUPERVISORS

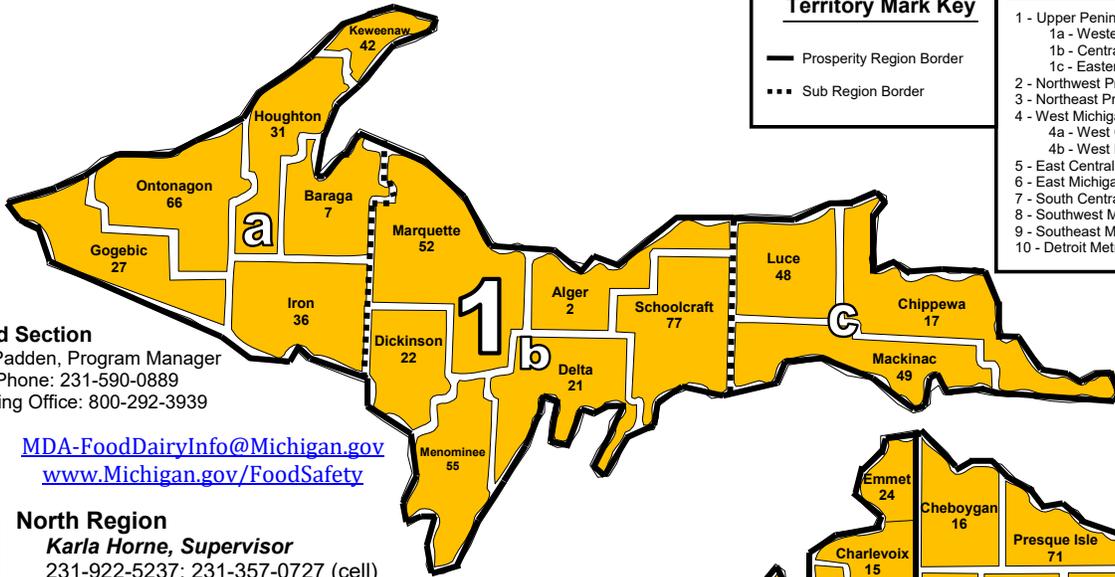
## With County Numbers

### Food & Dairy Division

**Territory Mark Key**

- Prosperity Region Border
- ... Sub Region Border

- Michigan Prosperity Regions Key**
- Upper Peninsula Prosperity Alliance
    - 1a - Western UP Prosperity Region
    - 1b - Central UP Prosperity Region
    - 1c - Eastern UP Prosperity Region
  - Northwest Prosperity Region
  - Northeast Prosperity Region
  - West Michigan Prosperity Alliance
    - 4a - West Central Prosperity Region
    - 4b - West Michigan Prosperity Region
  - East Central Prosperity Region
  - East Michigan Prosperity Region
  - South Central Prosperity Region
  - Southwest Michigan Prosperity Region
  - Southeast Michigan Prosperity Region
  - Detroit Metro Prosperity Region



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Juhola, A. ....906-869-6392	Spenski, A. ....231-301-1027
Krystyniak, J. ....231-357-3167	Teegardin S. ....231-357-7330
Painter, K. ....906-214-8651	Treadway, T. ....989-390-0124

**East Region**  
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 517-657-2066; 517-749-5849 (cell)

Costa, M. ....989-619-2994	Kusnier, M. ....248-361-0508
Cummings, D. ....248-270-6070	McDade, T. ....989-239-1329
Dickinson, D. ....989-239-1323	Porterfield, K. ....989-430-9012
Lovett, C. ....989-330-9114	Russell, K. ....989-615-6471
Keltner, T. ....248-867-0050	Slater, S. ....989-239-2174

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Hurks, D. ....517-243-2684	Trombley, S. ....248-388-3902
Huss, J. ....248-867-0210	VanSant J. ....248-388-3904
Morgan, M. ....248-867-0250	Williams, D. ....989-439-2755
Muzia, K. ....248-568-0081	

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Howell, B. ....517-204-3899	Smith, J. ....269-930-0443
Hull, B. ....517-898-6688	Stiening R. ....269-303-6787
Kay, S. ....616-813-9206	

