



MONTANA LEGISLATIVE AUDIT DIVISION

PERFORMANCE AUDIT

Inspection and Enforcement Activities for Retail Food Establishments

Department of Public Health and Human Services

NOVEMBER 2010

10P-06

REPORT SUMMARY

The Department of Public Health and Human Services can increase public health protection and reduce unhealthful conditions at retail food establishments.

Context

The Food and Consumer Safety Section is administered by the Department of Public Health and Human Services. The section is responsible for providing public health protection through the delivery of technical services, education and training, and enforcement of health protection through local health departments serving Montana counties. The section goal is to prevent and eliminate conditions and practices at retail food establishments which can potentially endanger public health.

To achieve this goal the section is responsible for ensuring retail food establishments are licensed. In 2009, the section licensed 7,670 retail food establishments. The money collected from licensing fees is used to fund program operations and reimburse local boards of health for annual inspections conducted on the establishments by county sanitarians.

Annual inspections on retail food establishments are required by state law and must be completed by either state or local health officers. Inspections are completed on establishments in order to detect and document risk factors that could increase the likelihood of waterborne and foodborne illnesses. These risks include the following: food from unsafe sources, time/temperature of food, cross contamination, and poor employee hygiene.

Results

Audit work found annual inspections are not always occurring as required in statute. For example, in fiscal year 2009, only 84 percent of retail food establishments in Montana were inspected. There were no counties in fiscal year 2009 where annual inspections were completed on all retail food establishments.

Audit work also indicated program operations could be further improved by reviewing and verifying existing management information collected by the section. For example, quarterly inspection reports from county sanitarians could be reviewed and verified in order to comply with statutory responsibilities regarding inspections on retail food establishments.

Management has improved some of the Food and Consumer Safety Section operations, such as prioritizing the collection of annual license fees that were delinquent. The section increased the amount of license fees collected by \$27,516 in 2009. Additionally, during the course of our audit work, the section began establishing a food safety task force or advisory council as outlined in statute.

To address concerns found during our audit work, we made recommendations to improve program operations, which include the following:

- ▶ Develop a plan to comply with state law regarding inspections on retail food establishments.
- ▶ Establish a food safety task force or advisory council.

- ▶ Review quarterly inspection reports.
- ▶ Verify inspections are being conducted.
- ▶ Assure balance remaining from license fees is being used for program operations.
- ▶ Verify which counties have elected to participate in the retail food program payment schedule.

Recommendation Concurrence	
Concur	3
Partially Concur	0
Do Not Concur	0
Source: Agency audit response included in final report.	

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