



**AGENDA
FOOD SERVICE ADVISORY COUNCIL
Regular Meeting**

Friday, June 23, 2023 – 9:30 A.M.

**Location: Tulsa Health Department
5051 S 129th East Avenue
Tulsa, OK 74134**

Posted under Food Service Advisory Council at <https://oklahoma.gov/health/services/licensing-inspections/consumer-health-service/foods/food-service-advisory-council-meeting-dates.html> as well as the Secretary of State’s website located at <https://sos.ok.gov/meetings/legacy/search.aspx> on 12/12/2022.

Announcement: Filing of meeting and posting of agenda in accordance to the Open Meeting Act.

1. Call to Order..... Chair
2. Roll Call/Confirmation of Quorum.....OSDH
3. Approval of March 6, 2023 Meeting Minutes.....Motion Chair
4. Consumer Health Service Report: Inspections, violations, vacancies, enforcement, and complaints.....OSDH
5. Tulsa Health Department Report: Inspections, violations, and vacancies.....THD
6. Oklahoma City County Health Department Report: Inspections, violations, and vacancies.....OCCHD
7. Legislation Discussion: Bills related to the food service advisory council purview that were passed in the recent session and signed by the Governor..... All
8. Discussion About Possible Training and Other Action to Decrease the Violations.....Chair
9. Highlights of the 2023 Conference for Food Protection Meeting Discussion held April 24-28.....Chair
10. New Business – Any matter not known about or which could not have been reasonably foreseen prior to the time of posting [the agenda].....Members
11. Adjournment



MINUTES OF PUBLIC MEETING

This meeting of the Food Service Advisory Council, scheduled to begin at 9:30 a.m. on this sixth day of March 2023 was convened in accordance with the Oklahoma Open Meeting Act [25 O.S., §§ 301 et seq.] Further, an advance public notice that was sent to the Secretary of State's Office of Administrative Rules December 12, 2022, prior to this time today, specifying the time and place of the meeting here convened, preceded this meeting. Notice of this meeting was given at least twenty-four (24) hours prior here to and no one filed a written request of notice of meetings of this public body to date.

PUBLIC BODY: OKLAHOMA FOOD SERVICE ADVISORY COUNCIL

DATE: MONDAY, MARCH 6, 2023

ADDRESS: OCCHD, 2400 NW 36TH STREET, OKC OK 73112

CONTACT PERSON: TERESA MARTINEZ TELEPHONE: (405) 426-8265

Agenda Item 1:

Call to Order

Bill Ricks announced the filing of the meeting and posting of the agenda in accordance with the Oklahoma Open Meeting Act.

Agenda Item 2:

Roll Call/Confirmation of Quorum

Bill Ricks called the meeting to order at 9:31 a.m. at the Oklahoma City County Health Department. Teresa Martinez called roll and a quorum was met.

Council members present: Tre Williams, Dr. Ravi Jadeja, Chris Munn, Jason Ewald, Steffon Lewis, Kathy Bogart, Adam Austin, James Leewright, Krista Neal, and Bill Ricks

Council members absent: Scott Yates, Juli Montgomery, Michael Farney, and Mark Cochran

Staff present: Dr. LaTrina Frazier, Phillip Jurina, Robyn Chapman, Alicia Burkett, Joy Fugett, April Billings, and Teresa Martinez

Others present: Sharon Robbins, Samantha Clear, Dakota Whitsell, Billy Gold, DeBrena Hilton

Agenda Item 3:

Election of Vice Chair and Second Vice Chair

James Leewright made a motion for Tre Williams as the Vice Chair. Krista Neal seconded the motion.

Roll Call

Aye: Tre Williams, Ravi Jadeja, Chris Munn, Jason Ewald, Steffon Lewis, Kathy Bogart, Adam Austin, James Leewright, Krista Neal, and Bill Ricks

The motion carried.

Steffon Lewis made a motion for Jason Ewald as the Second Vice Chair. James Leewright seconded the motion.

Roll Call

Aye: Tre Williams, Ravi Jadeja, Chris Munn, Jason Ewald, Steffon Lewis, Kathy Bogart, Adam Austin, James Leewright, Krista Neal, and Bill Ricks

The motion carried.

Agenda Item 4:

Approval of December 7, 2022, Meeting Minutes

Krista Neal made a motion to approve the minutes. Tre Williams seconded the motion.

Roll Call

Aye: Tre Williams, Ravi Jadeja, Chris Munn, Jason Ewald, Steffon Lewis, Kathy Bogart, Adam Austin, James Leewright, Krista Neal, and Bill Ricks

The motion carried.

Agenda Item 5:

Consumer Health Service Report: Inspections, vacancies, violations, and software update

Phillip Jurina reported on inspections. For State Fiscal Year 2022 there was a total of 28,592 establishments and 49,018 inspections. For State Fiscal Year 2023 to date there was 27,713 establishments and 47,605 inspections.

Alicia Burkett gave a report on the top 10 violations to include the violation numbers, how many times it was noted, if it is a CDC risk factor and details pertaining to why the violation was marked.

The top 10 violations for July 1, 2021, to June 30, 2022, were 7, 21, 33, 39, 43, 45, 47, 52, 53, and 57. Violation number 21 is the only CDC risk factor.

The top 10 violations for July 1, 2022, to September 30, 2022, were 7, 21, 33, 39, 43, 45, 47, 48, 52, and 53. Violation number 21 is the only CDC risk factor.

The top 10 violations for October 1, 2022, to December 31, 2022, were 7, 21, 33, 39, 45, 47, 48, 52, 53, and 57. Violation number 21 is the only CDC risk factor.

Bill Ricks requested future reporting on all CDC risk factors. He also requested reporting if the violations pertain to high, medium, low risk establishments. A request was made to include follow-ups, especially regarding the CDC risk factor violations.

Mr. Ricks questioned if there is any effort to address any of these violation issues. Dr. LaTrina Frazier reported that Mr. Leewright has offered to provide some education, for us to first query the information. Dr. Frazier stated that she appreciates the opportunity to present this to the Council and we will continue to refine these reports.

Tre Williams stated that some of the violations can be handled with simple communication. He gave an example of violation number 53, hole in the facility, would be more an upper management issue. Outside of 21 and 33 there are not a lot of violations concerning the interaction between the inspector and food worker. They still need to be documented as there could be a possibility of leading to issues in food and other areas.

Dr. Frazier reported on vacancies and software update. There are 3 Sanitarian vacancies, 1 in the Northeast part of the state, 2 more central, and there are 2 quadrants that have no vacancies.

The Consumer Health Director and Licensing Manager positions are vacant. There is some restructuring within Consumer to add management positions due to the workload and management oversight.

OSDH is still working with Thentia. There have been some hiccups, the agency is reaching out to optional vendors.

Agenda Item 6:

Tulsa Health Department Report: Inspections, vacancies, and violations

Adam Austin reported that Tulsa has 2 vacancies. They were able to fill their supervisor position about 2 weeks prior to this meeting.

As of the end of January 2023 Tulsa was 67% complete with at least 1 inspection per facility. Their total inspection number is 3,528, with most of the remaining inspections being low priority.

For violation information, Tulsa has focused more on risk factors. They have 74 facilities that are high-risk with 2 or more risk factors out of compliance. The number 1 thing they see that impacts restaurants is having a manager who is in charge and knows what they are doing.

Tulsa completed a risk factor study at the end of 2019 and are currently doing intervention strategy planning and active managerial control consultation to show trends over time since the completion of the study. Bill Ricks asked if there are any handouts. These can be provided at the next scheduled meeting.

Agenda Item 7:

Oklahoma City County Health Department Report: Inspections, vacancies, and violations

Tre Williams reported that OK county has 1,530 on the no inspection listing. Their total inspections were 10,570. They currently have 5 vacancies. Prior technician positions were changed over to inspector positions.

Tre did not have anything specific to report concerning violations but will have more information at the next scheduled meeting. He will contact the system that they use to develop necessary reporting.

Agenda Item 8:

Legislation Discussion: Bills related to the food service advisory council purview

Legislature is currently in session and a list of bills was provided. James Leewright provided a status on each of the bills within the list.

HB 1542 received unanimous support and will likely make it through the process.

HB 1635 received unanimous support and will likely make it through the process.

HB 1772 has a strong author, has support, and will likely make it through the process.

SB 46 was not heard in committee and cannot be heard this session

SB 73 this is a companion bill to HB 1635 and received unanimous support

SB 181 was not heard and will not likely be picked back up

SB 185 was amended from its previous version, it has support and should be closely watched

- Concerns were expressed with this bill should it pass. Licensing, license fees, ownership, lack of food safety, programmatic changes and inspection ability were a few of those concerns.

SB 647 did not receive a hearing and will not move forward

SB 817 did not receive votes and will not move forward

SB 871 had unanimous support and will likely make it through the process
SB 895 did not receive a hearing and will not move forward
SB 1038 did not receive a vote and will not move forward
SB 1041 did not receive a hearing and will not move forward
SB 1045 received unanimous support and is moving forward
HB 1840 was mentioned and questioned, it is still a live bill

Agenda Item 9:

Food Service Advisory Council Structure Discussion: Mobile food vendor representative

The council discussed the possibility of adding a mobile food vendor position. Due to the current size of the council, one of the regional director positions would need to be eliminated. This will need to go through Legislature for a statute change and would be a commissioner appointment.

Dr. Frazier stated that is good that the council discuss this, then she can take the subject back to the Commissioner before proceeding.

A concern was expressed that you do not see groups, and it could be difficult finding someone that has been a mobile food vendor for a length of time. There could be choices made of those who have mobile and a brick and mortar. A suggestion was made to look at those who routinely attend the yearly fairs.

James Leewright expressed that he would like to work with OSDH to draft the language.

Chris Munn made a motion to modify the current committee structure by adding a mobile food vendor representative and removing one of the regional directors. Adam Austin seconded the motion.

Roll Call

Aye: Tre Williams, Ravi Jadeja, Chris Munn, Jason Ewald, Steffon Lewis, Kathy Bogart, Adam Austin, James Leewright, Krista Neal, and Bill Ricks

The motion carried.

Agenda Item 10:

2023 Conference for Food Protection Meeting Discussion

Representatives from THD, OCCHD and OSDH plan on attending this conference. CFP has 3 councils that hear issues for changes to the model food code. Council 1 pertains to bylaws. Council 2 pertains to administration, training, and manager certification. Council 3 is science based and discuss all the reasonings behind the rules. DeBrena will be presenting two issues to the CFP councils.

Agenda Item 11:

New Business – Any matter not known about, or which could not have been reasonable foreseen prior to the time of posting of this agenda.

Agenda Item 12:

Adjournment

The March 6, 2023, meeting of the Oklahoma Food Service Advisory Council adjourned at 11:34 a.m.

Chair or Secretary Signature

Date Approved by Vote

Food Establishment Violation Report 6-23-2023

State Fiscal Year 22-23 3rd Quarter, January 1, 2023 to March 31, 2023

Violation Number	Violation Count	CDC Risk Factor	Violation Details
Priority/Priority Foundation			
33	1360	No	Food contact surfaces of equipment & utensils clean
7	1348	No	Adequate hand wash facilities: supplied, accessible; Toilets properly supplied
21	902	Yes	Cold holding temps; received at proper temp
22	685	Yes	Date marking and disposition
30	654	No	Toxic substances properly identified, stored, used
Core			
47	2501	No	Non-food contact surfaces clean; Cleaning frequency
53	2345	No	Floors, walls, ceilings (physical facilities): design, maintained, good repair; outer openings protected
52	2190	No	Floors, walls, ceilings (premises): clean, free of litter; Removal of pests
45	2094	No	Food & non-food contact surfaces cleanable, design
39	1028	No	Contamination prevented during food preparation, storage & display; Washing fruits/vegetables
Total Violations	15,107		



Food Establishment Violation Report

State Fiscal Year 22-23 2nd Quarter, October 1, 2022 to December 31, 2022

Violation Number	Violation Count	CDC Risk Factor	Violation Details
47	2088	No	Non-food contact surfaces clean; Cleaning frequency
53	1955	No	Floors, walls, ceilings (physical facilities): design, maintained, good repair; outer openings protected
52	1904	No	Floors, walls, ceilings (premises): clean, free of litter; Removal of pests
45	1890	No	Food & non-food contact surfaces cleanable, design
33	1257	No	Food contact surfaces of equipment & utensils clean
7	1222	No	Adequate hand wash facilities: supplied, accessible; Toilets properly supplied
39	958	No	Contamination prevented during food preparation, storage & display; Washing fruits/vegetables
21	851	Yes	Cold holding temps; received at proper temp
57	786	No	Ventilation: installed, maintained; Lighting: adequate, shielded
48	746	No	Plumbing sys: maintained
Total violations	13,657		

Food Establishment Violation Report

State Fiscal Year 22-23 1st Quarter, July 1, 2022 to September 30, 2022

Violation Number	Violation Count	CDC Risk Factor	Violation Details
47	2173	No	Non-food contact surfaces clean; Cleaning frequency
53	2135	No	Floors, walls, ceilings (physical facilities): design, maintained, good repair; outer openings protected
52	1981	No	Floors, walls, ceilings (premises): clean, free of litter; Removal of pests
45	1970	No	Food & non-food contact surfaces cleanable, design
33	1403	No	Food contact surfaces of equipment & utensils clean
7	1170	No	Adequate hand wash facilities: supplied, accessible; Toilets properly supplied
21	1094	Yes	Cold holding temps; received at proper temp
39	994	No	Contamination prevented during food preparation, storage & display; Washing fruits/vegetables
43	782	No	In-use utensils proper storage, cleaning frequency; Utensils, equip & linens: properly stored, dried, handled; Linens clean
48	754	No	Plumbing sys: maintained
Total violations	14,456		

Food Establishment Violation Report

State Fiscal Year 2022, July 1, 2021 to June 30, 2022

Violation Number	Violation Count	CDC Risk Factor	Violation Details
47	8373	No	Non-food contact surfaces clean; Cleaning frequency
52	7416	No	Floors, walls, ceilings (premises): clean, free of litter; Removal of pests
53	7384	No	Floors, walls, ceilings (physical facilities): design, maintained, good repair; outer openings protected
45	7265	No	Food & non-food contact surfaces cleanable, design
33	5041	No	Food contact surfaces of equipment & utensils clean
7	4432	No	Adequate hand wash facilities: supplied, accessible; Toilets properly supplied
39	3700	No	Contamination prevented during food preparation, storage & display; Washing fruits/vegetables
21	3251	Yes	Cold holding temps; received at proper temp
43	2949	No	In-use utensils proper storage, cleaning frequency; Utensils, equip & linens: properly stored, dried, handled; Linens clean
57	2777	No	Ventilation: installed, maintained; Lighting: adequate, shielded
Total violations	52,588		

Manufacturing Violation Report
State Fiscal Year 2022 to Date

TOTAL NOT INSPECTED: 95

Rank	Vio #	Count	Manufacturing Code Description
1	1	24	Current, valid license required
2	21	13	Food contact surfaces are clean & are cleaned as appropriate, utensils cleaned & sanitized as appropriate, cleaned utensils & food contact surfaces appropriately stored to protect from contamination
3	28	13	Toilets clean, good repair, enclosed room, tight fitting self-closing door, window screened
4	29	13	Handwashing facilities located conveniently; hand drying devices are available
5	24	10	Food contact surfaces are clean & are cleaned as appropriate, utensils cleaned & sanitized as appropriate, cleaned utensils & food contact surfaces appropriately stored to protect from contamination



Quarterly Enforcement Progress April thru June

Open Enforcement Cases 63, Initial

<i>Cease and Desist Orders</i>	Program	Number
	Body Piercing & Tattooing	1
	Food	12
<i>NOV/ACO</i>	Body Piercing & Tattooing	7
	Food	2
<i>Assessment of Administrative Penalty</i>	Food	1
<i>Gained Compliance</i>	Body Piercing & Tattooing	6
	Food	7
	Lodging	2
<i>Voluntary Closure</i>	Food	8
	Lodging	1
<i>Other</i>	Body Piercing & Tattooing	1
Open Enforcement Cases 26, End		
<i>Active Cases, Current</i>	Body Piercing & Tattooing	7
	Food	10
	Lodging	2
	Midwife	1
	Public Bathing	6