



INDUSTRY BULLETIN

for Florida's Food Service Industry



SUBJECT: Active Managerial Control for Food Safety

Bulletin 2019_05

May 7, 2019

This bulletin is provided to aid in compliance with Florida law, and is not intended to be legal advice. While care has been taken to ensure its accuracy, in the event of conflict the actual statute or administrative rule will prevail.

Food Service operators licensed by the Division of Hotels and Restaurants (the Division) should carefully review foodborne illness risk factors to ensure compliance. Restaurant operations are an ever changing work environment. Active Managerial Control is a term used in the industry and a key component in preventative standards developed to establish and monitor specific actions or procedures to minimize risks within the restaurant operation.

Emergency orders are issued by the Division due to imminent threats to public health, the most common of which are vermin, sewage and inadequate or insufficient cold holding equipment.

Vermin – The most common pests behind foodborne illnesses are flies, rodents and cockroaches. These three species carry dangerous microorganisms and pathogens that can cause severe illnesses when consumed by humans. It is vital to check incoming shipments, inspect the premises of your restaurant to prevent points of entry, and eliminate possible food sources that serve as harborage areas for pests. Vermin leave evidence of their presence – walk through the restaurant daily looking for such signs and implement a pest management program.

Sewage – Sewage harbors disease-causing agents that can spread throughout the establishment. The presence of sewage within a food service establishment requires elimination of the source of the problem, and sanitization of any areas that may have been contaminated. Maintaining plumbing, sinks, and grease traps is instrumental in preventing sewage from backing up into the kitchen or bathrooms.

Lack of equipment to keep foods at proper temperatures – Foods that require refrigeration must be kept within the correct temperature range. Without the necessary equipment to keep foods at the proper temperatures, food can make people sick due to rapid multiplication of bacteria when held in the danger zone (above 41 and less than 135 degrees). Thermometers in cold holding units and stem type thermometers for food temperature monitoring are essential in the restaurant. Operators should routinely inspect their cold-holding equipment to verify that it is working and maintaining the proper temperatures of food. Utilization of bagged ice may help to maintain safe temperatures during peak usage times. Refrigeration maintenance and continuous monitoring is essential for this vital equipment that is utilized daily.

Chapter 509, Florida Statutes, provides the Division with the responsibility and authority to regulate public food service establishments within the state of Florida. When a public food service establishment operates with conditions that pose an immediate threat to public health, the division has the authority to suspend the food service license until these conditions are eliminated, commonly known as an emergency order. All license suspensions are issued by the Division Director or designee.

Once a restaurant is closed, the division is required by law to re-inspect, confirming the public health threat has been eliminated before the restaurant may re-open. This re-inspection usually occurs within 24 hours and is an agreed upon time between the operator and the division inspector. Operators can expect the division to conduct an additional inspection within a few weeks of the closure to ensure the restaurant remains in compliance.

The Division's core mission is to protect the health and safety of the public by providing the industry with quality inspections and fair regulation.

Inspection results for any licensed public food service or public lodging can be found at www.myfloridalicense.com.

FLORIDA DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Ron DeSantis, *Governor*

Division of Hotels and Restaurants

Halsey Beshears, *Secretary*