

Legislation Text

File #: 16-1189, **Version:** 1

Revisions to the Food Program Administrative Procedures and Policies - Pfister

Revisions to the Illinois Department of Public Health Food Service Sanitation Code (77 Ill. Adm. Code Part 750) that adopted significant portions of the US FDA Model Food Code became effective June 29, 2016. These revisions repealed most of the current IDPH Food Code and significantly changed the regulations and inspection process, and required that a single inspection report form be used State-wide.

In response to local health departments (LHDs) concerns, IDPH added a section to their Food Code that required LHDs to implement the new code by July 1, 2018. This results in a conflict since the new code is technically effective while many LHDs continue to use and enforce the previous version. IDPH, in an August 30, 2016 memo, advised that this course of action is acceptable, but several LHDs are amending their local ordinances to recognize that the previous version of the IDPH Food Code will continue to be enforced.

Since LCHD has formal administrative procedures and policies that provides guidelines for the enforcement of, and is referenced in our local ordinance (Chapter 173 of the Lake County Code of Ordinances), we are proposing an addition to the Exceptions/Interpretations section, rather than amending the ordinance itself. This addition will clarify and codify the version of the IDPH Food Code that we adopt by reference and enforce. Our plan is to implement the new code by January 1, 2018, seven months in advance of IDPH's required date. When we implement the new code requirements, we will propose to the Board to remove this language.

Proposed subsection (d) under Section VII:

VII. EXCEPTIONS / INTERPRETATIONS

- d. For the purposes of the enforcement of Section 173.02 of the Lake County Code of Ordinances, which adopts by reference the Illinois Department of Public Health Food Service Sanitation Code (77 Ill. Adm. Code Part 750), the following provisions apply:
- i. The most recent revisions to Part 750 became effective on June 29, 2016. The revisions included amendments, additions and repeal of requirements, in addition to the adoption of significant portions of the 2013 FDA Model Food Code.
 - ii. Section 750.20 (e) requires that the provisions of the revised Part be implemented by July 1, 2018.
 - iii. In accordance with an August 30, 2016 guidance memorandum from the Illinois Department of Public Health, until the provisions of the version with the effective date June 29, 2016 are implemented, the Lake County Health Department shall enforce the requirements in the version of the IDPH Food Code with the most recent effective date of July 15, 2015.

Approval of the revisions to the Food Program Administrative Procedures and Policies.