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State Food Safety Programs Should Improve Performance and Financial Self-Sufficiency

at a glance

Three Florida departments have food safety programs—Agriculture and Consumer Services, Business and Professional Regulation, and Health. While all three programs license, inspect, and carry out enforcement activities, they have varying statutory authority, regulate separate sectors of the food service industry, and assess different regulatory fees. In addition, the agencies have key inspection differences and provide varying levels of consumer access to inspection results. The three programs work cooperatively to reduce duplicate inspections, but some establishments receive multiple state inspections because of the range of non-food products they offer.

None of the agencies inspected food establishments as frequently as provided by state law or department criteria and two have not met the Legislature's goal that regulatory programs be financially self-sufficient.

Scope

As directed by the Legislature, this report examines the food safety regulatory activities of the Department of Agriculture and Consumer Services, the Department of Business and Professional Regulation, and the Department of Health. Our review examined the departments' inspections of establishments that provide food to the public and did not assess regulation of food warehouses, food wholesalers, or food processing establishments.

The report answers five questions.

1. What are the primary responsibilities of Florida's food safety programs and how do these programs differ?
2. Do state agencies perform duplicate food safety inspections?
3. Are the agencies inspecting food service facilities as frequently as provided by established criteria?
4. Are the food safety programs self-sufficient?
5. What options could the Legislature consider to improve Florida's food safety programs?

Background

State, federal, and local laws regulate many aspects of food production to ensure a safe food supply and protect the public from foodborne illnesses, which pose a serious threat to elders, young children and those with compromised immune systems. The U.S. Centers for Disease Control and Prevention estimates that these illnesses affect 76 million people each year, resulting in 325,000 hospitalizations and 5,000 deaths.¹

Safety regulators face several challenges in protecting the public from foodborne illness. These illnesses can be caused by a wide range of

¹ These data were reported by the Centers for Disease Control and Prevention based on foodborne illness in 1999. More recent data show a small decline in some types of foodborne illness after 1999 but increases since 2004.

sources such as microorganisms and pesticides and can be transmitted in a tremendous range of food products. Many factors in food manufacturing, processing, and preparation can contribute to food illness risks, including personal hygiene, unclean equipment, and contaminated food products.

As a result, regulators cannot inspect all aspects of food production, distribution, and preparation, but must focus their efforts on areas of greatest risk. This risk is related to the type of establishment in which food is packaged or prepared, the type of food prepared, and how it is served. For example, a full service restaurant has a higher risk of contributing to foodborne illness than a vendor serving only one type of food, and seafood typically poses a higher risk to consumers than fresh fruit and vegetables. Past inspection results can also affect risk, as a restaurant with a history of sanitation violations poses a higher risk for consumers than one with a history of excellent inspections.²

Food safety regulation is divided among federal, state, and local governments. At the national level, 12 federal agencies have a role in food safety, including the U.S. Food and Drug Administration (FDA), the U.S. Department of Agriculture (USDA), and the Centers for Disease Control and Prevention. The FDA and the USDA have the largest food safety role. The FDA inspects food production establishments and warehouses and oversees bottled water and wine beverages with less than 7% alcohol. Every four years, the FDA, along with the CDC and USDA, updates the U.S. Food Code, which provides specific guidelines to ensure food safety. USDA, through its Food Safety and Inspection Service, inspects meat and poultry slaughter and processing plants and oversees processed egg products (liquid, frozen, and dried pasteurized). In addition, USDA supports research on food safety, studies foodborne illness, and seeks to ensure the safety of foods distributed through

school nutrition programs. Other federal agencies, including the Environmental Protection Agency and the Department of Commerce's National Marine Fishery Service, also have food safety-related responsibilities.

States and local governments also frequently establish food safety requirements within their jurisdictions. In addition to adopting the U.S. Food Code guidelines, states and local governments may implement the Voluntary National Retail Food Regulatory Program Standards developed by the FDA. These standards are intended to help food regulatory programs enhance the services they provide to the public and serve as a guide for designing and managing retail food regulatory programs.

Questions and Answers —

What are the primary responsibilities of Florida's food safety programs and how do the programs differ?

Three state departments operate food safety programs in Florida—the Departments of Agriculture and Consumer Services, Business and Professional Regulation, and Health. The three agencies carry out similar regulatory activities, but have varying statutory authority, regulate separate sectors of the food service industry, and are funded at different levels due to statutory fee caps. In addition, the agencies have key inspection differences and provide varying levels of consumer access to inspection results.

The three agencies carry out similar regulatory functions. Each agency carries out similar regulatory activities: issuing food establishment licenses or permits, conducting food safety inspections; and enforcing regulations through fines and other disciplinary actions.

Licensing. Each agency issues licenses or permits to food establishments that serve the public. New food establishments must apply to the appropriate department, submit required fees, and undergo an initial licensing inspection. Food establishments must renew their licenses or permits annually and notify program officials of any significant change such as a transfer of ownership or major construction occurring at the establishment.

² In addition to risk-based inspection procedures, Florida food safety agencies have focused on accurately capturing food safety inspection information in agency data systems. To date, the Department of Business and Professional Regulation's data system is the only one that allows inspectors to capture whether the food establishment was in compliance with each inspection item or whether some items were not applicable or were not observed. The Departments of Health and Agriculture and Consumer Services are working to update their systems to capture this information as well.

Inspection. Each agency conducts food safety inspections. In addition to initial licensing inspections and change of ownership or construction inspections, the agencies conduct routine unannounced inspections as well as follow-up and complaint inspections. The food safety inspections are similar in that each department has adopted the U.S. Food Code guidelines. As a result, food inspectors for each agency assess the following basic areas.

- Does the food come from an approved source?
- Is the food stored, prepared, and served at appropriate temperatures?
- Does staff observe proper food hygiene procedures?
- Is food preparation equipment and utensils kept clean?

Enforcement. When the agencies determine that an establishment's food handling processes violate state law or department rules, inspectors can take several different actions. These include stopping the sale of food items by having them immediately removed from sale and destroyed and ordering the facility to stop using unsanitary equipment. If the situation represents an immediate threat to public health, the departments can initiate actions to close the food establishment. The departments can also fine facilities for violations or suspend or revoke an establishment's license.

The three agencies have different statutory authority and varied fee levels. The food safety programs administered by the three departments have separate and somewhat unique statutory responsibilities. As shown in Exhibit 1, each agency has authority over specific types of food establishments. In general, the Department of Health licenses facilities that serve high-risk populations such as hospitals, nursing homes, and schools. The Department of Business and Professional Regulation licenses restaurants, while the Department of Agriculture and Consumer Services permits grocery stores and supermarkets, convenience stores with food service, and bakeries and caterers (for a complete list of food establishments by department, see Appendix A).³

As a result of these responsibilities, the three agencies oversee widely varying licensee populations (see Exhibit 1). The Department of Business and Professional Regulation licenses the largest number of food establishments, because there are more restaurants than hospitals and grocery stores.

The three agencies are authorized by statute to charge differing regulatory fees. For example, the Department of Health can charge a maximum permit fee of \$300, while the Department of

³ Establishments that serve food to the public make up only about one-third of the entities regulated by the Department of Agriculture and Consumer Services Food Safety Program.

Exhibit 1

State Food Safety Agencies Differ in Terms of Jurisdiction, Fees, and Number of Licensees

Food Safety Program	Examples of Food Establishments Inspected	Range of Current Permit/License Fees ¹	Number of Permits/Licensees Fiscal Year 2007-08
Department of Agriculture and Consumer Services	Grocery stores, convenience stores, supermarkets, bakeries, donut and bagel shops, food processing, food distribution and food manufacturing facilities (including water bottling and ice plants) and food warehouses	\$100 - \$650	15,783 ²
Department of Business and Professional Regulation	Restaurants, theme park carts, mobile food vendors, hot dog carts ³	\$242 - \$357	46,271
Department of Health	Hospitals, nursing homes, schools, detention centers, group homes, assisted living facilities, childcare, and other facilities serving high-risk populations	\$85 - \$210	18,048

¹ Permit and license fees vary by type of food establishment. Some establishments pay the maximum amounts while others pay fees below the maximum.

² For Fiscal Year 2007-08, the Department of Agriculture and Consumer Services issued a total of 49,612 permits, which include permits to establishments that process, manufacture, and distribute food as well as those that serve food to the public.

³ Department of Business and Professional Regulation charges \$21 for vending machine licenses while the fee for a single temporary food event fee is \$91 and the annual fee for temporary food events is \$1,000.

Source: OPPAGA analysis.

Business and Professional Regulation can charge up to \$400 for a food establishment permit. The 2008 Legislature raised the Department of Agriculture and Consumer Services' fee cap to \$650.⁴ Permit and license fees assessed by the three departments also vary by facility type. As a result, some firms pay near or at the maximum fee, while other firms pay well below the maximum.

Programs differ in inspection frequencies, use of risk-based inspection models, and approach to follow-up inspections. While the three departments carry out similar licensing, inspection, and enforcement activities, they differ in other aspects of their inspection processes.

The Departments of Agriculture and Consumer Services and Health establish inspection frequencies in department policy, while the Legislature established the Department of Business and Professional Regulation's inspection frequency in statute. DOH and DACS both seek to inspect facilities from one to four times a year, with the inspection frequency for each establishment tied to risk-based models. These models consider the risk the facility presents to the public, and in the case of the Department of Agriculture and Consumer Services, the facility's sanitation compliance history. For example, the Department of Health inspects the kitchens of nursing homes, which serve the elderly with fragile immune systems, more frequently than it inspects bars and lounges or other entities that provide limited food service. The Department of Agriculture and Consumer Services also sets inspection frequencies based on a facility's assessed risk to consumers, and it increases or decreases the number of inspections based on the facility's compliance with food safety regulations. As a result, facilities that have previously been cited for violations are inspected more frequently than are those with good inspection histories.

Conversely, the Department of Business and Professional Regulation does not establish inspection frequencies using a risk-based model. Instead, it seeks to inspect all facilities it regulates twice per year regardless of their size, cuisine, or inspection history. As a result, the department

treats all food establishments as if they pose the same risk to consumers.

In addition, the agencies differ in how they conduct follow-up inspections when initial visits detect violations. The Department of Agriculture and Consumer Services usually conducts comprehensive inspections when performing follow-up visits, while Department of Health inspectors follow up on the specific problems identified in the prior visit. If a Department of Health inspector finds new problems during a follow-up inspection, the inspector would begin a new inspection. The Department of Business and Professional Regulation may inspect only problem areas or the entire facility, depending on how much time has elapsed between the follow-up and original inspections.

The three departments provide varying levels of public access to inspection results. The agencies provide varying levels of public access to inspection results. Citizens have complete access to restaurant inspection data and can view these results on the Department of Business and Professional Regulation's website and identify the violations found at each facility and the severity of each deficiency (e.g., critical versus non-critical). This enables citizens to check a restaurant's sanitation record prior to visiting it.

In contrast, the Departments of Health and Agriculture and Consumer Services provide limited web-based food safety inspection information. The Department of Health does not post any inspection information on its website. As a result, citizens would need to contact their county health department or make a public records request for data on food safety in the facilities the department regulates, including hospitals, nursing homes, and schools. The Department of Agriculture and Consumer Services posts overall inspection ratings for some facilities it regulates on its website. These ratings (good, fair, or poor) are available primarily for grocery stores and supermarkets. While these overall ratings are useful, they do not enable citizens to identify the specific violations that led to the rating, such as storing food at inappropriate temperatures or unsanitary equipment. Such information could be important to consumers when deciding what grocery store to patronize.

⁴ The department has authority to charge bottled water plants permit fees up to \$1,000 but currently charges \$500.

Do state agencies perform duplicate food safety inspections?

The three agencies have worked cooperatively to reduce instances of duplicate food safety inspections. Nevertheless, some establishments receive multiple state inspections because of the range of non-food products they offer (e.g., propane gas and petroleum products). Because businesses often seek to expand the items they offer, the agencies will need to continue their joint efforts to minimize overlap and duplication.

Duplicate food safety inspections are unlikely to occur. In 1992, the three food safety agencies established an informal working group that meets quarterly to discuss regulatory trends, policies and procedures, and issues of duplication and overlap. To a large extent, the agencies have successfully worked to eliminate duplication.⁵

While the agencies do not perform duplicate inspections, a single establishment with multiple food operations could be licensed or have food permits from multiple departments. For example, a truck stop that operates a convenience store and subcontracts with a fast food restaurant could be subject to Department of Agriculture and Consumer Services oversight for the convenience store while the restaurant would be licensed by the Department of Business and Professional Regulation. However, if the same entity owned and operated both the convenience store and the restaurant, the Department of Agriculture and Consumer Services would issue a single permit for both entities. DACS officials report that situations of dual permits are rare.⁶

Businesses that serve food along with other products are often subject to multiple inspections. Some food establishments receive multiple state inspections because of the range of non-food products they offer. For example, a convenience store that also sells gasoline,

alcoholic beverages, tobacco products, and lottery tickets would be subject to inspections by at least four state agencies (see Exhibit 2). The Department of Agriculture and Consumer Services is responsible for inspecting gas stations to ensure that the products meet quality standards and that gas pumps are accurate, while the Department of Business and Professional Regulation regulates the sale of alcohol and tobacco products. The Department of Environmental Protection inspects gas stations to ensure that their storage tanks do not leak, while the Florida Lottery services retailers who sell lottery tickets. Agencies report that due to the specialized knowledge and equipment needed for these various inspections, cross-training staff to conduct all inspections during the same visit would be cost and time prohibitive.

Exhibit 2 Convenience Stores That Sell Food and Other Items Are Inspected by Multiple Government Agencies

Typical Inspections	Regulatory Agency
Food	Department of Agriculture and Consumer Services, Food Safety Program
Petroleum (quality and measurement)	Department of Agriculture and Consumer Services, Bureau of Petroleum Inspections
Petroleum (underground storage tanks)	Department of Environmental Protection, Bureau of Petroleum Storage Systems
Alcohol	Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco
Tobacco	Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco
Lottery tickets	Florida Lottery

Source: OPPAGA analysis.

As food establishments evolve in terms of the food products they offer, they may become subject to additional inspections. For example, a restaurant that begins to bottle and sell its salad dressings or spaghetti sauces is operating as a food processor as well as a restaurant, and thus generally would be regulated by the Department of Agriculture and Consumer Services in addition to the Department of Business and Professional Regulation. The two agencies could agree that the Department of Business and Professional Regulation would also inspect the restaurant's commercial food processing activities. In other

⁵ The workgroup continues to work on issues where agencies have overlapping jurisdiction. For example, both Department of Health and Department of Business and Professional Regulation have responsibilities to inspect temporary food events. Some jurisdictional issues may require a statutory change, particularly those involving food entities that do not fall under the jurisdiction of any of the three agencies.

⁶ Available data indicates that there are an estimated 65 truck stops operating in Florida, and Department of Agriculture and Consumer Services license information shows that several have restaurants included under the truck stop permit.

cases, however, such changes in an establishment's activities could result in multiple inspections or require a transfer of permits from one agency to another. For example, a food cart vendor that changes from offering only pre-packaged food to offering prepared food items would need a new permit from the Department of Business and Professional Regulation instead of the current permit from Department of Agriculture and Consumer Services.

As food establishments frequently update and change the types of products they offer, it will be important for the three agencies to continue to work together to resolve licensing and permit questions and avoid duplication.

Are the agencies inspecting food service facilities as frequently as provided by established criteria?

The state agencies responsible for inspecting Florida's food establishments have widely varying inspection criteria. Specifically, state law requires the Department of Business and Professional Regulation to conduct two inspections per year for its licensees, while both the Department of Health and Department of Business and Professional Regulation inspect facilities from one to four times per year according to department policy. Our analysis found that the agencies did not conduct inspections as frequently as provided by their established criteria. Moreover, for two departments, food service firms posing the highest risk to the public were more likely to miss inspections, which can increase the potential for public harm. In addition, the three agencies use different methods to collect and report inspection results, reducing the Legislature's ability to monitor overall food safety in the state.

During the most recent fiscal year, each agency inspected firms less frequently than provided in legislative or department policy. Agency data show that during a one-year period, the three departments conducted fewer inspections than the number provided by statute or department policy. The Departments of Health, Agriculture and Consumer Services, and Business and Professional Regulation inspected 75%, 83%, and 87% of their respective food service establishments. The Department of Health and Department of Agriculture and Consumer Services missed by the

largest margin inspections for facilities that pose the highest risk to the public. See Exhibit 3.

For example, the Department of Health missed its inspection targets by the widest margins for those facilities posing the highest risks to the people served. Specifically, 30% of hospitals, nursing homes, and childcare centers received fewer than the required four inspections per year in Fiscal Year 2006-07, the most recent year that complete results are available.⁷ The department did a better job meeting inspection targets for lower risk establishments such as bars and lounges and other entities providing limited food service, visiting 82% of these facilities according to inspection guidelines.⁸

Similarly, 26% of high risk establishments regulated by the Department of Agriculture and Consumer Services (e.g., supermarkets with bakeries, sushi counters, delicatessens, and sandwich counters) received fewer than four inspections as provided in department guidelines.⁹ The department did a better job inspecting lower risk establishments such as convenience stores with limited food service; in fact, it inspected these facilities more frequently than required by its performance standard. For example, facilities that were to be inspected twice a year (medium-low risk), three times a year (medium-high risk), and four times a year (high risk), were inspected 14%, 18%, and 33% more frequently than required by the department's risk model.

While the Department of Agriculture and Consumer Services did not inspect all facilities as provided in the department's inspection manual, department officials reported that the program met its internal goals. The department's internal goals are satisfied

⁷ Preliminary inspection data provided by Department of Health in November 2008 for Fiscal Year 2007-08 shows that overall the department conducted 70% of required inspections. However, these results were not complete and the department was continuing to work with the counties to resolve inspection reporting and data collection issues.

⁸ These figures are lower than those reported by the Department of Health as our analysis determined that the department had been reporting results that were inflated by approximately 20%, due to errors resulting from quarterly reporting requirements. The department agreed and established a corrective action plan to address this problem in its performance reporting.

⁹ We analyzed only the portion of firms regulated by Department of Agriculture and Consumer Services that provide food service. We did not include food processing, manufacturing, or other establishments that do not serve the public. Nevertheless, the results of our analysis are comparable to the department's overall inspection performance.

Exhibit 3

Agencies Did Not Inspect Food Establishments as Frequently as Provided by Statute or Risk Models and Missed Their Inspection Targets by the Widest Margins for Those Facilities Posing the Most Risk to the Public ¹

Level of Risk Presented to Consumer	Number of Routine Inspections Per Year	Percentage and Number of Establishments Inspected Annually				
		Department of Health ²		Department of Agriculture and Consumer Services ³		Department of Business and Professional Regulation ⁴
High Risk	4	70%	(10,603)	74%	(2,977)	NA
Medium High Risk	3	81%	(1,519)	76%	(2,477)	NA
Medium Low Risk	2	82%	(3,884)	89%	(6,635)	87% (42,610)
Low Risk	1	99%	(387)	100%	(8)	NA

¹ As noted in the text, each of these agencies measures performance differently. We included in our analysis those food establishments and inspections identified by the individual departments as meeting their inspection goals.

² For the Department of Health, high-risk establishments are those facilities serving people with compromised or fragile immune systems, like hospitals, nursing homes, and childcare centers. Low risk establishments include bars and lounges and other entities that provide limited food service.

³ For the Department of Agriculture and Consumer Services, high-risk establishments include supermarkets having a bakery, sushi counter, delicatessen, or sandwich counter. Low risk establishments include small convenience stores with very limited food service, e.g., hot dogs. Our analysis does not include firms engaged in food processing, manufacturing, or distribution but rather only those firms that directly provide food for public consumption.

⁴ The Department of Business and Professional Regulation is required by statute to inspect all food establishments twice a year and does not base inspection frequency on a risk-based model.

Source: OPPAGA analysis of Fiscal Year 2007-08 data for Department of Business and Professional Regulation and Department of Agriculture and Consumer Services and Fiscal Year 2006-07 data for Department of Health.

if at least 70% of high-risk facilities are inspected four times per year, if 70% of medium-high risk facilities are inspected three times per year, if 80% of medium low risk facilities are inspected at least twice per year, and if 90% of low risk facilities are inspected one time a year. The department indicates it would need additional resources to inspect all facilities as frequently as required by its inspection manual.

The Department of Business and Professional Regulation missed statutorily mandated inspection goals for 13% of those facilities it is required by law to inspect twice a year (the department does not have differing inspection frequency goals by risk level).

Performance measurement differences diminish the Legislature's ability to monitor overall food safety. As three different agencies inspect food establishments, the Legislature needs comparable information to assess the state's overall performance in ensuring food safety. However, each agency uses a different methodology to measure its performance. For example, the Department of Health counts only routine inspections when assessing whether it has achieved its inspection

frequency goals. To determine if they met inspection frequency requirements, the Department of Agriculture and Consumer Services counts licensing, complaint, and follow-up inspections, while the Department of Business and Professional Regulation counts licensing, complaint, and routine unannounced inspections. As a result of these measurement differences, performance cannot be compared across the three agencies.

Are food safety programs self-sufficient?

All three departments charge licensing or permit fees that vary by the size of the regulated food establishment. However, contrary to legislative intent that all costs of providing a regulatory service be supported solely by those who receive the service, these fees are not always sufficient to pay for all program costs. ¹⁰ As a result, the Legislature must appropriate additional funds, including general revenue, to cover program costs for two of the three departments. To reduce the need for additional funds, the departments are considering options to reduce costs and increase fees.

¹⁰ Section 216.0236, F.S.

Regulatory fees charged by the Departments of Agriculture and Consumer Services and Health do not cover food safety program costs. As shown in Exhibit 4, in Fiscal Year 2007-08, the Department of Health had a revenue shortfall of \$5 million, or 70% of the program's expenditures. The remaining funding was derived from county-controlled funds, including state general revenue allocated to the county health departments. The Department of Agriculture and Consumer Services' food safety program had a revenue shortfall of approximately \$618,000, or 3.6% of the program's expenditures.¹¹ The remaining funding was derived from general revenue and other sources. In contrast, the Department of Business and Professional Regulation's restaurant inspection program was funded entirely from licensing fees and fines collected from restaurants. The department expended an estimated \$15,098,825 to operate its food safety program in Fiscal Year 2007-08.

The departments have considered options for improving their program's self-sufficiency. For example, the Department of Health reported that it is considering reducing the number of inspections for some lower-risk establishments and pursuing fee increases through a legislative proposal. Similarly, in October 2008, the Department of Agriculture and Consumer Services raised fees to a level that staff believes will pay all program costs. Given the state's budget crisis, it will be important for the departments to attain self-sufficiency of their food inspection programs.

¹¹ Department administrators asserted that federal grants are considered program revenues for the purpose of determining financial self sufficiency.

What options could the Legislature consider to improve Florida's food safety programs?

To enhance the effectiveness of the state's food safety programs, the Legislature could consider directing agencies to

- improve performance measurement;
- increase the use of risk-based models;
- improve public access to inspection results; and
- take additional steps to increase financial self-sufficiency.

Establishing uniform methods for collecting and reporting performance data will improve accountability. With three different agencies inspecting food establishments, the Legislature needs comparable information to monitor statewide performance. We recommend that the Legislature direct the agencies to adopt consistent methodologies for collecting and reporting performance information. Specifically, we recommend that the agencies develop a common method to identify different types of inspections (licensing, routine, complaint, re-inspections) and determine which inspections should be counted as meeting agency goals. The three agencies meet quarterly to resolve problems and discuss regulatory issues. This tri-agency meeting would be an appropriate forum for discussing standardized inspection data.

Exhibit 4
Regulatory Fees Covered Food Safety Program Costs of Only One of the Three Departments in Fiscal Year 2007-08

Department	Program Expenditures	Program Revenues (Fees and Fines) ¹	Percentage of Expenditures Funded by Revenue	Revenue Shortfall
Agriculture and Consumer Services	\$17,121,653 ²	\$16,503,477 ³	96.4%	\$ 618,176
Business and Professional Regulation	15,098,825	15,668,175	103.8%	0
Health	7,159,937	2,151,047	30.0%	5,008,890

¹ Includes fines paid to the state; fines for the Department of Health's food safety program (\$3,500 in Fiscal Year 2007-08) remain under county health department control.

² Expenditures for the Department of Agriculture and Consumer Services includes costs for inspecting all firms including those firms that process, manufacture, and distribute food. Total expenditures also include laboratory services for testing food products for adulteration.

³ The program revenue amount includes federal grants totaling \$934,021.

Source: The Departments of Agriculture and Consumer Services, Business and Professional Regulation, and Health.

The Legislature could also consider authorizing the Department of Business and Professional Regulation to establish a risk-based inspection model that would consider the risk posed by different types of restaurants when establishing inspection frequencies. These systems, similar to those developed by the Department of Agriculture and Consumer Services and the Department of Health, would enable the department to target its inspection resources towards those restaurants that pose the largest risk to transmitting foodborne illnesses to the public. However, department officials indicated that increasing the number of restaurant inspections would necessitate additional inspectors, which would require legislative authorization and use of the department's trust fund surplus.

Increasing public access to comprehensive web-based inspection data will help citizens and visitors make more informed decisions. We recommend that the Departments of Health and Agriculture and Consumer Services make more inspection data available to the public via the departments' websites. While the Department of Business and Professional Regulation posts full restaurant inspection reports on its website, the Department of Agriculture and Consumer Services posts only overall ratings for supermarkets it inspects, and the Department of Health does not post any inspection data for the nursing homes, schools, and other facilities it regulates. Posting inspection results in their entirety on an agency's website enables consumers to make informed decisions.

Both the Department of Agriculture and Consumer Services and the Department of Health report that they are working to improve their data capacities, and that funding limitations have prevented them from providing consumers electronic access to inspection data. We recommend that the two agencies expedite efforts to provide electronic inspection results.

The departments should take additional steps to ensure that their food safety programs become financially self-sufficient. To meet the legislative intent that regulatory programs be self-supporting

and reduce reliance on general revenue and other funds used to subsidize food safety programs, we recommend that the Department of Health actively pursue its current proposals to redistribute inspection workload and increase program revenues. We also recommend that the Department of Agriculture and Consumer Services monitor whether recent fee increases enable its program to become self-supporting from regulatory fees as intended by the Legislature.

In addition, we recommend that the Departments of Health and Agriculture and Consumer Services consider increasing revenues by raising fees for follow-up inspections. When an inspector finds serious problems during a food safety inspection, s/he must make a return visit to determine if the facility has corrected the problems. These visits require additional staff resources and can be costly, especially when an establishment demonstrates ongoing noncompliance. In addition to generating revenue, charging a re-inspection fee would create a financial incentive for facility operators to comply with state health and safety requirements.

The Department of Agriculture and Consumer Services charges a \$135 fee only when it must conduct a second re-inspection when its initial re-inspection finds additional violations. Similarly, the Department of Health charges \$30 when it must conduct two or more re-inspections. Assessing these fees whenever initial inspections find violations would give a greater incentive for establishments to maintain overall compliance with food safety regulations and help the two departments to attain regulatory self-sufficiency.

Agency Response ---

In accordance with the provisions of s. 11.51(5), *Florida Statutes*, a draft of our report was submitted to the Commissioner of the Department of Agriculture and Consumer Services, the Secretary of the Department of Business and Professional Regulation, and the State Surgeon General, Department of Health. The written responses are reproduced in their entirety in Appendix B.

Appendix A

Three Agencies Have Responsibility for Food Safety Programs

This table describes the statutory authority for food inspections for each of the three food safety programs. The table includes key exceptions to agency authority, which are listed at the end of each column.

Department of Business and Professional Regulation - Chapter 509, F.S.	Department of Agriculture and Consumer Services - Chapter 500, F.S.	Department of Health - Chapter 381.0072, F.S.
<ul style="list-style-type: none"> • Bars and Lounges - if located on premises licensed by DBPR (e.g., hotel bars) – Inspected only, not separately licensed unless food service occurs • Caterers - except when operating from a premise regulated by DOH • Clubs <ul style="list-style-type: none"> - Country Clubs (golf and/or tennis) - Yacht Clubs • Convenience stores – Inspected only – not separately licensed - if located in and owned by a hotel/ motel • Make-your-own-lunch/dinner establishments (e.g., Make & Take, Dream Dinners, etc.) • Mobile Units <ul style="list-style-type: none"> - Full Service Mobile Food Dispensing Vehicles (MFDVs) - including watercraft - that prepare and serve or portion food - Hot Dog Carts - Theme Park Food Carts • Public Food Service Establishments <ul style="list-style-type: none"> - Includes those located on the premise of a facility regulated by DACS if operating under its own name and with its own employees that are not subject to day to day managerial supervision by the individual store or chain store management (Little Caesar's in K-Mart) - Includes those located at a truck stop if not subject to day to day managerial supervision by the individual store or truck stop management - Includes units in flea markets (see DACS flea market food list) - Includes mall kiosks (see DACS kiosk food list) - Includes dinner cruise boats - Includes those preparing only pork rinds (unless offered only in pre-packaged form) 	<ul style="list-style-type: none"> • Bakeries - including wholesale bakeries (where actual baking of food products takes place) with ancillary retail dipped ice cream (Baskin Robbins/Dunkin Donuts) • Establishments whose primary business (>50%) or sole business is generated by selling the following items: <ul style="list-style-type: none"> - Bagels - Baked goods - Candies/confections, including shelled nuts/ peanuts that are candy/sugar-coated - Corn on the cob - cooked husk on or off - Donuts (including churros) - Drinks <ul style="list-style-type: none"> ▪ Non-alcoholic canned, bottled or fountain drinks ▪ Beverage containing a cooked vegetable/grain product such as chicha ▪ Beverages prepared that may or may not include a potentially hazardous food ingredient (e.g., smoothies/juices, coffee or similar beverages that contain a dairy product or synthetic liquid creamers.) Potentially hazardous products are used minimally such as a topping or flavoring - Pastries - Popcorn - Pre-packaged foods - Pre-packaged frozen novelties - Pre-packaged ice cream - Pretzels - Shaved ice/slushy/snow cones - Uncooked fish products/seafood • Food Establishments <ul style="list-style-type: none"> - Factory, food outlet or any other facility manufacturing, processing, packing, holding or preparing food or selling food at wholesale or retail <ul style="list-style-type: none"> ▪ If a DOH food service conducts food processing in which the food is sold to the public, DACS will permit and inspect only the food processing part of the firm, e.g., church kitchen that produces salsa for sale to the public. The church kitchen will have a DOH license for food service and a DACS food permit for production of salsa. ▪ If the food produced in the processing operation is for use only in the DOH establishment, it is not considered processing and only a DOH license and subsequent inspections are required. 	<ul style="list-style-type: none"> • Bars and Lounges – Food service limited to the preparation of drinks and nonPHFs and catered PHFs (see exclusions) <ul style="list-style-type: none"> - Includes alcoholic beverage kiosks (e.g., tiki huts, daiquiri stands, etc.) - Note: Includes facilities with a COP license where the clientele customarily order and consume alcoholic beverages in the facility as opposed to a convenience store type operation. • Caterers - if working out of a food service establishment licensed/regulated by DOH • Child Care Facilities <ul style="list-style-type: none"> - Group Treatment Homes for Dependent Children - Youth Services Group Treatment Homes - Youth Services Start Centers & Halfway Houses • Religious organizations that are not-for-profit offering food (prepackaged foods or prepared meals) to the public, as long as it is church operated on church property (see exclusions) • Civic organizations – any 501(c)(4) organization, any chartered organization that operates primarily for the common good of the community, including Little League functions associated with a civic organization; e.g., Kiwanis Club, Rotary Club • Fraternal organizations – any chartered organization that operates primarily for its members e.g., VFW, Moose lodge, etc. • Convenience store/gift shop – if located in a hospital or similar facility that is licensed/regulated by DOH • Detention Facilities (does not include federal prisons) <ul style="list-style-type: none"> - Jails - Prisons - Youth Detention Centers

Department of Business and Professional Regulation - Chapter 509, F.S.	Department of Agriculture and Consumer Services - Chapter 500, F.S.	Department of Health - Chapter 381.0072, F.S.
<ul style="list-style-type: none"> • Public Food Establishments whose operation includes the following (<50%): <ul style="list-style-type: none"> - Bakery (retail) - Retail only bakery product establishments (items sold individually, commercially wrapped and labeled or bakery items sold from bulk but not baked there) that also sell scooped or dipped ice cream, frozen yogurt or soft-serve frozen desserts with or without toppings if establishment is owned and operated by one entity such as Baskin Robbins/Dunkin Donuts - Packaged Foods – packaged or prepackaged food sales also occurs - Processing - if processing owned by the same owner as food service. May retail product from same location and/or other food service locations under same ownership (e.g., spaghetti sauce sold only from Joe's Eatery I or from Joe's Eatery I, II, and III – all owned by Joe's, Inc.). If product is wholesaled to retail companies at remote locations (e.g., grocery stores, convenience stores), then label requirements must meet federal standards. • Temporary Events <ul style="list-style-type: none"> - All public food service establishments operating at temporary events, except when these units are operated on a premise regulated by DOH (see exclusions) - Other food vendors not statutorily excluded from licensing - Does not include DACS licensed establishments at events <4 days in length if conducting the same operation as licensed by DACs • Theaters <ul style="list-style-type: none"> - Cinema and Draft Establishments - Dinner Theaters - Drive-in Theaters • Truck Stops/Gas Stations – (selling motor fuel) <ul style="list-style-type: none"> - If the food service operation is owned or operated by a different owner than the truck stop/gas station - If the food service operation is in a separate free standing building – even if on the same premise or owned by the same owner as the truck stop/gas station • Vending machines - selling potentially hazardous foods (see exclusions) • Emergency Recovery – All establishments as stated above 	<ul style="list-style-type: none"> • Food Manufacturing Plants <ul style="list-style-type: none"> - Bottling plants - Packaged ice plants • Food Outlets - includes all ancillary food service <ul style="list-style-type: none"> - Convenience store (includes those in lodgings if ownership and operation is a distinct separate entity) - Food warehouse - Freezer locker - Fruit or vegetable market - Grocery store - Meat, poultry, or fish and related aquatic food market - Minor Food Outlets (e.g., Wal-Mart, K-Mart) that provide food to the public and are managed by and have employees from the minor food outlet - Refrigerated storage facility - Salvage food facility - Other similar place storing or offering food for sale • Food Packing and Processing Plants <ul style="list-style-type: none"> - Includes independent businesses that operate out of institutional facilities (e.g., churches that house food processing operations) - Includes food processing operations conducted within public food service establishments owned by a separate entity (e.g., separate owner processes within a restaurant licensed by DBPR) • Mobile food units, flea market stands, roadside vendors, carts, and kiosks that either prepare and serve OR sell: <ul style="list-style-type: none"> - Bagels/Packaged bagels - Baked goods/Packaged baked goods - Candies/Confections - including peanuts and other shelled nuts that are candy/sugar coated) - Corn on the cob - cooked, husk on or off - Donuts/Packaged donuts (including churros) - Non-alcoholic canned, bottled or fountain drinks - Beverage containing a cooked vegetable/grain product such as chicha - Beverages prepared that may or may not include a potentially hazardous food ingredient (e.g., smoothies/juices, coffee or similar beverages that contain a dairy product.) Potentially hazardous products are used minimally such as a topping or flavoring. - Popcorn Pastries/Packaged pastries <ul style="list-style-type: none"> - Nuts shelled without any preparation - Pretzels - Prepackaged foods - Prepackaged frozen novelties - Shaved ice/slushy/snow cones • Retail Food Stores (supermarkets) - includes all ancillary food service 	<ul style="list-style-type: none"> • Institutions <ul style="list-style-type: none"> - Adult Day Care Facilities - Adult Family Care Homes - Assisted Living Facilities - Extended Care Facilities Hospitals - Group Care Facilities - Home for Special Services - Hospices - Intermediate Care Facilities for the Developmentally Disabled - Nursing Homes - Residential Alcohol Detoxification Facilities - Residential Drug Detoxification Facilities • Meals on Wheels - at locations licensed by DOH • Migrant Labor Camps • Movie Theaters – limited to food items customarily served at movie theaters (popcorn, candy, soft drinks, hot dogs, etc.) • Recreational Camps <ul style="list-style-type: none"> - Includes fraternal/civic organizations such as Boy Scouts/Girl Scouts and other similar facilities - Does not include public or private campgrounds such as KOA or similar type facilities - Includes recreational & athletic facilities located on premises of establishments licensed by DOH • Schools <ul style="list-style-type: none"> - Bible Schools - Colleges/Community Colleges - Private - Public - Technical Schools - Universities - Vocational Schools • Cooking schools (provided that meals are not prepared for the purposes of taking the food home as in <i>make your own lunch/dinner establishments</i>) • Temporary Events and other food vendors on premises of establishments licensed by DOH • Vending machines dispensing potentially hazardous food on premises of establishments licensed by DOH • Mobile food units - if operating their commissaries on property that is licensed/regulating by DOH <p>NOTE: DOH will license all food service operations located on the premises of the facilities identified in 381.0072, F.S.</p>

Department of Business and Professional Regulation - Chapter 509, <i>F.S.</i>	Department of Agriculture and Consumer Services - Chapter 500, <i>F.S.</i>	Department of Health - Chapter 381.0072, <i>F.S.</i>
<p style="text-align: center;">●●● Exclusions ●●●</p> <ol style="list-style-type: none"> Any eating place maintained and operated by a church or a religious, non-profit fraternal or non-profit civic organization for the use of members and associates, or for temporary use to serve such events as fairs, carnivals, or athletic contests. Any facility licensed by DOH or DACS. Any place of business where the food available for consumption is limited to ice, beverages with or without garnishment, popcorn, or pre-packaged items sold without additions or preparation. Any research and development test kitchen limited to the use of employees and is not open to the general public. Any school operated establishment (e.g., public/ private school, college/university) for the use of students and faculty, or for temporary use to serve such events as fairs, carnivals, and athletic contests. Any theater, if the primary use is as a theater and if patron service is limited to food items customarily served to the admittees of theaters. Any vending machine that dispenses nonpotentially hazardous food or beverages as defined by division rule. Any vending machine that dispenses potentially hazardous food and is located in a facility regulated by DOH (e.g., vending machine located in a hospital). Common Carriers - Any eating place located on an airplane, train, bus or watercraft that is a common carrier (e.g., main purpose is transportation). Federally owned and operated building, a military base or Indian Reservation. Private Homes. 	<ul style="list-style-type: none"> Seafood HACCP Rule - Any food service establishment that processes and wholesales seafood under the FDA Seafood HACCP rule Promotions - Publix, Winn Dixie, etc., if employees of the establishment prepare and cook food on the premises as a special promotion (i.e., grilling/smoking hot dogs, hamburgers, ribs, etc., in front of store) Truck Stops/Gas Stations – (selling motor fuel) <ul style="list-style-type: none"> If the food service operation is owned or operated by truck stop management Unless the food service operation is in a separate free standing building – even if on the same premise or owned by the same owner as the truck stop/gas station (see DBPR) Water vending machines Emergency Recovery – All establishments as stated above <p style="text-align: center;">●●● Exclusions ●●●</p> <ol style="list-style-type: none"> Any facility licensed by DOH or DBPR. Establishments subject to continuous, onsite Federal or State inspection. Legumes (peanuts, etc.) in the shell (raw, parched, roasted or boiled). Minor food outlets (e.g., including, but not limited to video stores) that sell commercially pre-packaged, non-potentially hazardous candy, chewing gum, soda, popcorn, or other snack foods (e.g., chips), where shelf space for items does not exceed 12 linear feet and no other food is sold. Private Homes. Roadside stands that pack fruits and vegetables in their raw or natural state, including those fruits or vegetables that are washed, colored, or otherwise treated in their unpeeled, natural form before they are marketed. Temporary Food Service Events - These are regulated by DBPR except for temporary events on property licensed by DOH. Vending machines - all. 	<ul style="list-style-type: none"> Emergency Recovery – All establishments as stated above, plus inspection responsibility for feeding stations provided to support emergency responders and impacted citizens <p style="text-align: center;">●●● Exclusions ●●●</p> <ol style="list-style-type: none"> Any facility licensed by DACS or DBPR Bars and lounges located on the premises of an establishment licensed by DBPR Churches, synagogues, or not-for-profit religious organizations for members and guests only and do not advertise food or drink for public consumption Private Homes Research and development test kitchens limited to the use of employees and which is not open to the general public Theater, if the primary use is as a theater, and if patron service is extended to food items not customarily served to the admittees of theaters (alcoholic beverages, pizza, sandwiches, etc.)

Source: Tri-Agency Workgroup including the Department of Agriculture and Consumer Services, Department of Business and Professional Regulation, and Department of Health.

Appendix B



Florida Department of Agriculture and Consumer Services
CHARLES H. BRONSON, Commissioner
The Capitol • Tallahassee, FL 32399-0800
www.doacs.state.fl.us

Please Respond to:

December 8, 2008

Gary R. VanLandingham, Director
Office of Program Policy Analysis and Government Accountability
Claude Pepper Building, Room 312
111 West Madison Street
Tallahassee, Florida 32399-1475

Dear Mr. VanLandingham:

The following comments are provided in response to your review of the State Food Safety Programs including the Department of Agriculture and Consumer Services.

Performance-Inspection Frequency

Food store inspections have been conducted as planned and the standard reached for the performance measure relating to the number of inspections for Fiscal Year 2007-08. In addition, the performance measure relating to percentage of establishments meeting food safety and sanitation requirements was within 0.4% of the standard for Fiscal Year 2007-08.

Our food store inspection program is based on a progressive risk model that includes both a variable (non-static) risk categorization of individual establishments with an associated inspection frequency and an overall establishment inspection achievement goal for each major risk category. The overall inspection goal is an integral part of the risk model as it takes into account the variability of the risk assessments, desired randomness of inspections, and resource constraints. We consider the risk categorizations, inspection frequencies, and goals to be fair and adequate to provide reasonable assurance that food safety risks are kept to an acceptable level.

As reflected in your report, food store inspection goals were met. However, the food store inspection risk model and measurement methodology will be reviewed to determine if any changes might improve the effectiveness of managing the risks associated with the safe supply of food to the public.

Financial Self-Sufficiency

The Department has worked diligently for several years to become financially self-sufficient in the Food Store Inspection Program. Your report reflects that the Food Store Inspection Program was almost (96%) financially self-sufficient in Fiscal Year 2007-08. With recent fee increases



Florida Agriculture and Forest Products
\$97 Billion for Florida's Economy

Mr. Gary VanLandingham
Page Two
December 8, 2008

and fund shifting of General Revenue, the Food Store Inspection Program is projected to be financially self-sufficient for Fiscal Year 2008-09 with the exception of any expenditures or allocations for internal costs that we have no control over.

Web-based Inspection Information

An enterprise solution to providing more detailed web-based inspection information will be considered as there are numerous inspection activities within the Department. Other competing system requirements and a lack of resources could impact our ability to pursue this recommendation.

I appreciate the interest and efforts of your staff and the professionalism they exhibited in helping improve the operations of state government.

Sincerely,

A handwritten signature in cursive script, reading "Charles H. Bronson".

CHARLES H. BRONSON
COMMISSIONER OF AGRICULTURE

CHB/gb



Office of the Secretary
Charles W. Drago, Secretary
1940 North Monroe Street
Tallahassee, Florida 32399-1000
Phone: 850.413.0755 • Fax: 850.921.4094

Charles W. Drago, Secretary

Charlie Crist, Governor

December 1, 2008

Mr. Gary R. VanLandingham, Director
Office of Program Policy Analysis and Government Accountability
Claude Pepper Building, Room 312
111 West Madison Street
Tallahassee, FL 32399-1475

Dear Mr. VanLandingham:

Enclosed is the Department's response to the OPPAGA preliminary report entitled *State Food Safety Programs Should Improve Performance and Financial Self-Sufficiency*, based on a review of this department's Division of Hotels & Restaurants.

The Division has worked closely with your staff in providing information as the basis for your report and offers the following additional information in response to the four specific options you list for consideration.

We appreciate the time and energy put forth by your staff and we look forward to reviewing the final report. We are confident that your efforts to improve the operations of state government will continue to assist us all in providing better and more efficient service. Please contact me at 413.0755 if you need further information or have additional questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "CWD", with a long, sweeping horizontal line extending to the right.

Charles W. Drago
Secretary

CWD/dw

cc: Bill L. Veach, Director, Division of Hotels and Restaurants

December 1, 2008

Division of Hotels and Restaurants response to preliminary report entitled:
State Food Safety Programs Should Improve Performance and Financial Self-Sufficiency

#1 – Improve performance measurement

The October 2007 OPPAGA Progress Report No 07-41: *Division of Hotels and Restaurants Improves Operations and Makes Progress in Meeting Inspection Goals*, states:
“The division has added new performance measures to better reflect its core mission”.

Currently, seven of the division’s fifteen legislative performance measures apply directly to the food program. They are as follows:

- Percent of licenses in compliance with all laws and regulations for food service and public lodging establishments
- Number of inspections for food service and public lodging establishments
- Number of call back inspections for food service and public lodging establishments
- Number of participants trained (Hospitality Education Program)
- Percent of hotel and restaurant licenses processed within 30 days
- Percent of food establishments inspected according to statute
- Number of licensees for public lodging and food service establishments

The division has well established goals and objectives and strives for continuous improvement and refinement of the program. To further improve division business processes, each section manages its own continual improvement and refinement efforts. Highly motivated and resourceful staff is dedicated to protecting the public health as described in our mission statement. Technology is constantly leveraged and relied upon at every level to further enhance and streamline business processes, from desktop efficiencies to enterprise-wide initiatives.

#2 – Increase the use of risk-based models

As reported in footnote #2 – “*To date, the Department of Business and Professional Regulation’s data system is the only one that allows inspectors to capture whether the food establishment was in compliance with each inspection item or whether some items were not applicable or were not observed.*” The division implemented this risk-based inspection system in July 2006. These changes are supported by the program’s strong inspection quality and standardization process, as well as call-back and enforcement procedures.

It is important to note that if the division were to adopt a risk-based frequency model, it would require substantially more resources to accomplish the additional inspections.

#3 – Improve public access to inspection results

We are pleased the report acknowledges the consumer value of the division’s website which includes posting of all inspection results.

#4 – Take additional steps to increase financial self-sufficiency

We are pleased the report acknowledges the division is financially self-sufficient and no additional steps are necessary at this time.



Charlie Crist
Governor

Ana M. Viamonte Ros, M.D., M.P.H.
State Surgeon General

December 10, 2008

Gary R. VanLandingham, Ph.D.
OPPAGA Director
Room 312, Claude Pepper Building
111 West Madison Street
Tallahassee, FL 32399-1475

Dear Dr. VanLandingham:

We are pleased to respond to the preliminary and tentative audit findings and recommendations concerning the audit of:

**State Food Safety Programs
Should Improve Performance and
Financial Self-Sufficiency**

As required by section 11.51(5), *Florida Statutes*, our response to the findings is enclosed.

We appreciate the effort of you and your staff in assisting to improve our operations. If you have any questions, please contact our Director of Auditing, Lynn Riley at 245-4444 extension, 2146.

Sincerely,

A handwritten signature in black ink that reads "Ana M. Viamonte Ros". The signature is written in a cursive, flowing style.

Ana M. Viamonte Ros, M.D., M.P.H.
State Surgeon General

AMVR/kir
Attachment
cc: James D. Boyd, C.P.A., M.B.A.
Inspector General
Lynn H. Riley, C.P.A.
Director of Auditing
Karen Zeiler
Chief of Staff

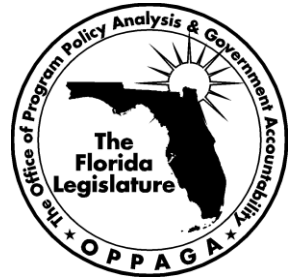
State Food Safety Programs Should Improve Performance and Financial Self-Sufficiency

<i>Para. # Finding:</i>	<i>Recommendation:</i>	<i>Management Response:</i>	<i>Corrective Action Plan:</i>
1	<p>The Department of Health does not post any inspection information on its website. As a result, citizens would need to contact their county health department or make a public records request for data on food safety in the facilities the department regulates, including hospitals, nursing homes, and schools.</p>	<p>We recommend that the Department of Health make more inspection data available to the public via the department's websites.</p>	<p>The department will accelerate efforts to post food program inspection results to the Internet.</p> <p>Develop reports reflecting facility name, inspection dates, and inspection outcome. Build webpage to host data and post data, updating monthly.</p>
2	<p>The Department of Health does not post any inspection information on its website. As a result, citizens would need to contact their county health department or make a public records request for data on food safety in the facilities the department regulates, including hospitals, nursing homes, and schools.</p>	<p>We recommend that the agency expedite efforts to provide electronic inspection results.</p>	<p>Approximately six county health departments have begun using electronic inspection technology. As funding permits, the department will expand this effort to include all county health departments.</p> <p>Continue to support the department's electronic inspection effort. Expand electronic inspection technology as resources permit</p>
3	<p>The departments should take additional steps to ensure that their food safety programs become financially self-sufficient.</p>	<p>We recommend that the Department of Health actively pursue its current proposals to redistribute inspection workload and increase program revenues.</p>	<p>The department will continue its current efforts to increase fees by rule in order to move toward programmatic financial self-sufficiency, and continue to pursue proposals to redistribute our inspection workload (i.e., re-assess our inspection frequency requirements).</p> <p>Adjust fees with a goal of programmatic self-sufficiency, through three rule amendments spread over five years. Reviews are also underway to evaluate proposals to redistribute inspection workloads.</p>

<i>Para. # Finding:</i>	<i>Recommendation:</i>	<i>Management Response:</i>	<i>Corrective Action Plan:</i>
4	The departments should take additional steps to ensure that their food safety programs become financially self-sufficient.	We recommend that the Department of Health and consider increasing revenues by raising fees for follow-up inspections.	Language is included in the current pending rule amendment to adjust reinspection fees. A current rule amendment proposes increasing the reinspection fee.

The Florida Legislature

Office of Program Policy Analysis and Government Accountability



OPPAGA provides performance and accountability information about Florida government in several ways.

- [OPPAGA reviews](#) deliver program evaluation, policy analysis, and Sunset reviews of state programs to assist the Legislature in overseeing government operations, developing policy choices, and making Florida government better, faster, and cheaper.
- [Florida Government Accountability Report \(FGAR\)](#), an Internet encyclopedia, www.oppaga.state.fl.us/government, provides descriptive, evaluative, and performance information on more than 200 Florida state government programs.
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- Visit OPPAGA's website, the Florida Monitor, at www.oppaga.state.fl.us

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Project conducted by Linda Vaughn (850/487-9216) and Rich Woerner (850/487-9217)
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