

*Food Court Closure: "Seeking compliance when education and enforcement don't work."*

**Prepared by:** Jim Chan (Manager) and Tino Serapiglia (PHI) – Toronto Public Health

**Date:** June 11, 2005

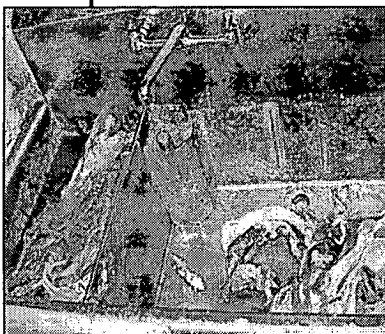
**Background**

On June 29, 2004, Public Health Inspectors (PHIs) closed six (6) high-risk food premises and an entire food court in a downtown Toronto establishment area. Inspectors observed existing health hazards created by heavy pest infestations consisting of live cockroaches, flies, mice and rats. The pest activities were supported by gross unsanitary conditions that contributed to the availability of food and water sources (as well as harbourage sites) throughout each of the individual units and the common areas of the general food court. In addition, numerous other serious infractions were cited at each of the various premises including improper food handling practices, food contamination and temperature abuse, as well as ungraded eggs (at one premises). General violations were also identified such as improper storage and disposal of liquid/solid waste, unsanitary public/staff washrooms, and poor maintenance and structural deficiencies of equipment and surface areas.



**Actions Taken by PHIs:**

1. **Closed** the six (6) food premises and the food court under Section 13 of the Health Protection & Promotion Act.
2. **Condemned** and disposed over 800 lbs. of unfit food.
3. **Ordered** the removal of the health hazards. (It took **30 days** to re-open the food court.)
4. **Charged** all six (6) operators and the food court management.



Waste water backing up into sink

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**Submissions Criteria:**

- All topics must be relevant to the Public Health Inspection Field
- Articles must be submitted either on computer disk or by e-mail in MS Word (written articles will not be accepted).
- Articles submitted should be approximately 150 words (feature articles a maximum of 500 words).
- Feature articles will be determined by the OBN editorial team.
- Graphics or pictures included with the submission must be a resolution of 150—300 dpi.
- Articles must be submitted by the deadlines outlined below

**Article Submission Deadlines 2005:**

Spring Issue— February 14, 2005  
Summer Issue— May 16, 2005  
Fall Issue— August 15, 2005  
Winter Issue— November 14, 2005

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## Welcome To The New OBN!

The Ontario Branch News (OBN) has undergone a huge change. It has gone electronic. Traditionally the OBN was delivered to your home four times a year. Now your OBN will now be delivered to your e-mail box each season.

The move, in conjunction with our new CIPHI Ontario Branch listserv, will deliver information to Ontario PHI's faster and with far less expense than in the past. The savings in mail out fees will save the branch about \$300 per issue. Formatting of the electronic OBN will now be done by the editorial team, as opposed to a hired graphic artist. That will be a huge financial savings.

You will notice another change in this new OBN. Councillor reports from each CIPHI Ontario Executive Councillor meeting have historically been printed in each edition of the Ontario Branch News. These reports will no longer be included in the OBN. Instead, you will now find the reports on the Ontario Branch website ([www.ciphi.on.ca](http://www.ciphi.on.ca)) on a new page called "Branch Business." Moving the councillor reports to the website will allow us to keep the file size of the new electronic OBN down, making it a manageable size to e-mail.

Once issues of the OBN have been e-mailed out to members they will also be posted on the branch website ([www.ciphi.on.ca](http://www.ciphi.on.ca)) on a new page called "The Ontario Branch News."

If you have any comments about or suggestions for the new Ontario Branch News, please share them with us. E-mail the editorial team at: [sarah.wilson@region.york.on.ca](mailto:sarah.wilson@region.york.on.ca)



## NOTICE OF ANNUAL GENERAL MEETING

- ◆ The Annual General Meeting of the Canadian Institute of Public Health Inspectors (Ontario Branch Inc.) will be held at the Sheraton Centre Toronto Hotel, Toronto, Ontario on **Wednesday September 28, 2005**.  
Sheraton Centre Toronto Hotel  
123 Queen Street West  
Toronto, Ontario  
Canada
- ◆ The purpose of the meeting is to conduct the annual business of the Branch, including proposed amendments to the By-laws of the Branch and to elect Officers.

This year nominations for Secretary-Treasurer and three councillors will be accepted. Anyone interested in standing for election to the Branch executive should complete a "nomination and consent" form. Return the completed form to Peter Heywood, Secretary-Treasurer, CIPHI (Ont. Br.) Inc., (c/o Region of Waterloo Public Health, 99 Regina St. S., Waterloo, Ontario, N2V ) no later than August 26th, 2005.

(continued from cover)

**Prosecution Summary:**

The following table summarizes the court outcomes.

Premises	Court Outcome	Fines
Restaurant A	Conviction	\$5,000.00
Restaurant B	Conviction	\$6,125.00
Restaurant C	Conviction	\$6,600.00
Restaurant D	Conviction	\$2,500.00
Food Court	Conviction and a 6 Month Probation Order.	\$7,375.00
Restaurant E	Conviction, a 1 year Probation Order & 3 additional months closure	\$6,500.00
Restaurant F	Conviction, a 1-year Probation Order & 3 additional months closure.	\$6,500.00
	<b>Total fines:</b>	<b>\$40,600.00</b>

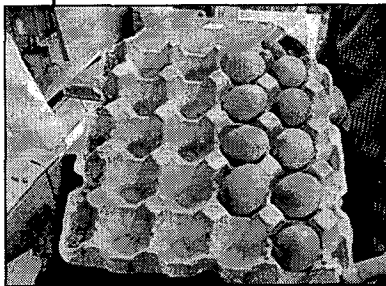
It should be noted that on the previous inspections (March 2004), each of the six (6) food premises was posted with a Conditional Pass Notice (i.e. yellow sign) and the respective operator was also charged for various offences. The problems were also addressed with the food court manager who received a warning from the area PHI. Prior to 2004, two (2) of the premises had already been closed under Section 13, all six (6) premises were issued multiple Conditional Pass Notices and all of the operators were charged and convicted on more than one occasion. Furthermore, all the operators were repeatedly provided with information and encouraged to attend a Food Handler Certification course but they failed to do so. "What more can a PHI do?"



*Sewage backed up from drain*

**Licensing Tribunal Process**

Due to the severity and history of non-compliance and legal action at the premises within this food court, Toronto Public Health (TPH) referred the matters to the Licensing Tribunal Board. In Toronto, all retail premises must apply and be licensed annually by the City. One of the conditions for the renewal of a business license is for the licensee to be in full compliance with all the requirements of the respective City Agencies, including TPH. In problematic matters such as this, the Toronto Licensing Tribunal Board has the power to revoke or suspend licenses, close the premises permanently, or impose other license conditions.

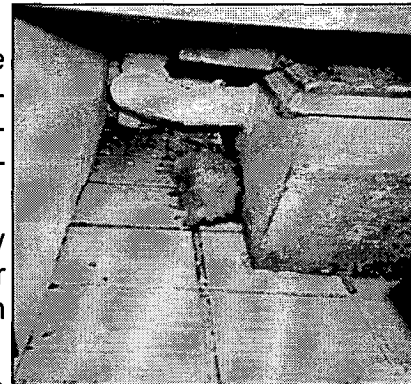


*Ungraded eggs - note the chew marks left by rodents*

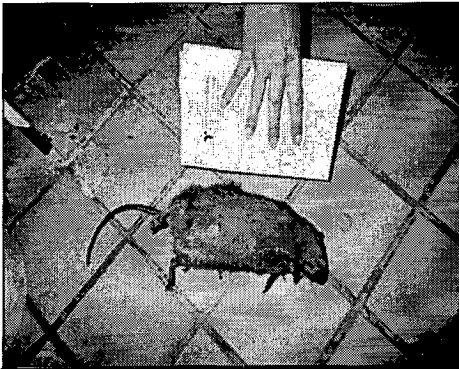
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On April 20 & 22, 2005, the involved PHIs attended the scheduled tribunal hearings and provided relevant evidence. At the end of the process, the Tribunal Board imposed the following licensing conditions on each respective operator:

1. The operator and all food handlers must successfully complete the Toronto Public Health Food Handler Training Program. Failure to do so would result in revocation of the license.
2. A three (3) day suspension of the license (the premises cannot be in operation during the suspension period).
3. The operator must keep records and invoices of pest control services, food products purchased, cleaning services, and temperature records of all cold-holding units for a period of one year, and the records must be available for review by a PHI upon request.
4. The operator is placed on a 3-year probation and may face possible suspension or revocation of the business license if the premises receives 2 consecutive Conditional Pass Notices.



*Found at the scene by the grease trap*



*Found at the scene*

**Conclusion**

Since the closure of the food court in July 2004, and the subsequent charges, convictions and tribunal hearings, only three (3) of the food premises are currently operating. Restaurant "D" failed to comply with the imposed conditions and the license was revoked. Restaurants "E" and "F" received an additional 3-month court closure for "operating a food premises without a valid license" and have ceased operations. All food handlers from the three (3) remaining premises attended a mandatory 3-day Food Handler Certification course and all but one had to re-take the test before passing. These food premises were inspected in June 2005 and were found to be in compliance with the Food Premises Regulation.

Thus, this finally completes the Public Health Inspection Cycle: **"Education – Enforcement – More Education"**.

## One Inspectors Investigation of Moth Flies/Drain Flies

York Region Health Services Department disclosure & safe water line, received two similar complaints within the same week, regarding small black worm-like parasites in their bathrooms. The first complainant lives in a new subdivision in the north end of the region, with his wife and small child. The worms had been found in the toilet, and the family suspected that they were ill. They visited their family physician and had stool samples taken, which revealed no evidence of parasites or other illness in the family. Upon receiving this information they called our department for assistance.

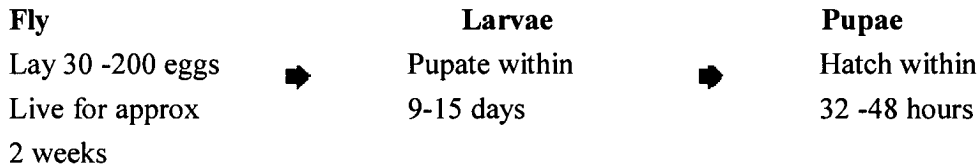
Just a few days later a second similar complaint was received on the disclosure & safe water line from a complainant who lives in an older subdivision in the middle of the region. The complainant was running a bath (Jacuzzi tub) when she indicated that "hundreds of small black worms came pouring out of the tap and the water was blood red". A specimen was taken from the tub at this time, and the complainant initially called the local municipal water department for advice. According to the complainant the municipal staff worker who visited her, advised her that these worms were quite common and lived in the bottom of the hot water tank, and she needed to have her hot water tank power washed, or replaced.

Neither complainant (nor their family) had suffered any form of illness. Due to the unusual nature of the complaints and the fact that the complaints were so similar in description, and on opposite ends of the region, we decided to conduct an investigation.

Upon visiting the home of the first complainant, I was given a worm specimen. I advised the homeowner that I would submit the worm for identification. Upon visiting the second complainant's home, she had filled the bathtub and had only 2 specimens. These were collected, along with the original specimen the complainant had collected, which was quite desiccated. Both specimens were submitted to the Toronto Ministry of Health and Long Term Care Public Health Laboratory (lab) parasitology department for identification.

The lab had completed the identification within 2 days. The specimens were found to be moth fly/drain fly larvae, a common nuisance pest found in drainage pipes; areas with biofilm and moisture. These flies pose no health hazard to the public. A fact sheet was sent by the lab for information purposes; although I needed an explanation of why in the second complainant's home the worms would have come from a tap, which is obviously not a drain pipe.

Through researching on the internet, I contacted an entomologist with the Connecticut Agricultural Experiment Station. I was informed that the drain fly are of the order Diptera, family Psychodidae. The lifecycle of the drain fly is as follows.

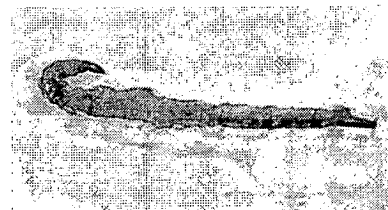


\*It is quite possible to see several generations a year (they have no seasonal life cycle)\*

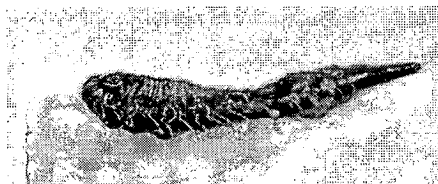
The larvae live off of the bio-film/organic matter in drains, and cannot survive hot water. When hot water is drained from the source (i.e. tub), the larvae recess into the biofilm and use a breathing tube to obtain air; once the hot water has passed by they resurface and continue feeding.

In order to control the flies, you must be able to identify the breeding ground and remove the larval food source. Therefore, it is imperative that all organic matter is scrubbed away (i.e. hair, soap, debris, trapped debris). The use of a drain cleaner, due to its causative nature, is suggested for use to achieve this result.

In the first complainant's case, it was identified that the fly had most likely laid eggs in the underside of the basin edge of the toilet, the organic matter was most likely evident in this area from toilet bowl cleaning.



However in the second complainant's case, based on the description of how the larvae appeared, it did not resemble the normal lifecycle of the moth fly. The larvae would not have been able to survive in the hot water tank due to the high temperature and lack of oxygen. The complainant was questioned about the use of the Jacuzzi tub jets (as these jets can be an ideal place for biofilm accumulation), she advised they hadn't been used in years and she did not have them running at the time of the incident. An explanation for this scenario was never obtained; the complainant was advised to contact a plumber to look for a possible cross connection or any other possible reasons.



A final conclusion to this investigation, an information session was held for the chief water operators for all municipalities/towns within the region. The information was to be conveyed to all water operators, as a form of education and to prevent the dissemination of false information.

Respectfully submitted by  
 Amanda Sturgeon, B.A.Sc., (E.H.), C.P.H.I.(c)  
 Public Health Inspector, Safe Water Team, York Region Health Services



### The 31<sup>st</sup> Annual 2005 C/PHI Curling Bonspiel in Gananoque

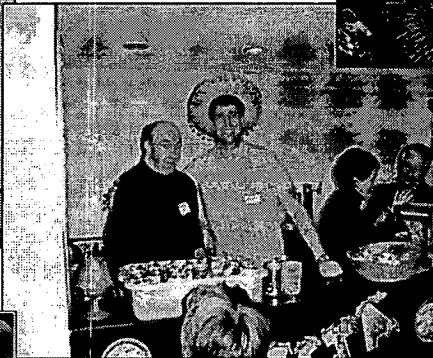
The Leeds, Grenville and Lanark District Health Unit would like to thank all that participated in the 31<sup>st</sup> annual 2005 C/PHI curling bonspiel in Gananoque. Congratulations to the winning team, Toronto - Grey Owen Sound Mix and Match .Skip: Bruce Kemball, Third: Norine Schofield, Second: Lou D'Alessandro,Lead: Alicia Lowe.

The Mexican theme meet and greet on Friday night was a huge success. All teams curled exceptionally well on Saturday, there was a close battle for the 1<sup>st</sup> place position and plenty of good-hearted competition throughout the standings of the sixteen teams that made up this bonspiel. The Country Squire, Best Western Hotel in Gananoque also passed on their gratitude for the exceptional celebratory display of Public Health Inspection professionals Friday and especially Saturday evening, pointing out that our crowd has been one of the most *perky and open-minded* crowds through the hotel in quite some time!

Look forward to seeing



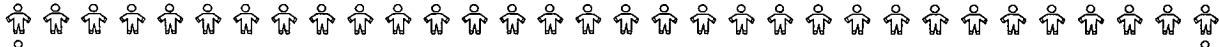
Denis LeChasseur



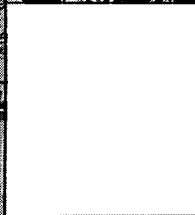
everyone at next year's bonspiel.







# THE TEAMS!





## Changes to the Ontario Branch Website

The CIPHI Ontario Branch website has been re-formatted. Several new pages have been added to the site to make storing and finding information much easier for our membership.

- A page for fact sheets and education materials has been added called "Fact Sheets." In the past all of our communicable disease fact sheets and other educational materials had to be stored on a page with other materials. Now they have their own home.
- A "Branch Business" page has been placed on the site. Executive councillor reports, advocacy, financial reports and other important information for our membership will be found on this page.
- "The Ontario Branch News" page, recently included on the site, will store past editions of the OBN (beginning with the Summer 2005 edition).
- All of the pages of the branch website now allow attachments to be posted. In the past only the "resources" page of the website ("resources" is no longer a page on the website) allowed attachments. It often meant that members would have to read about something on one page and then go to another page to read the related attachment. This change should make the site far more user friendly for our members.

If you have any comments about or suggestions for the website please contact the editorial team at: [sarah.wilson@region.york.on.ca](mailto:sarah.wilson@region.york.on.ca)

## Table Cloths To Keep Fresh Pasta Moist in Cold Storage?

Submitted By: Ronnie Mensah, York Region Health Services

It is a growing tradition to wrap freshly cooked pasta in tablecloths. The rationale behind this practice is to keep the moisture of the pasta, especially since the conventional method of storing pasta in food grade containers tends to dry the product out over time.



The operators responsible for this growing trend have informed our inspectors that the tablecloths in question are commercially laundered, sealed in plastic bags and opened upon requirement.

As a result of this, dry cleaning establishments were contacted in an attempt to determine whether or not this procedure presents a health hazard to the public. Some advised us that they only use alkaline and bleach. Others mentioned the use of detergent, conditioner, and bleach. And, they all stated that a very minimal amount of chemical residue remains on these laundered articles upon the completion of the rinse stage.

Although minimal, these residues that may be found on laundered articles may contain endocrine-disrupting compounds (EDCs) that can easily seep into food products which in turn may be ingested by consumers. "EDCs are ubiquitous in the environment and have been documented to have detrimental effects in many species including humans. Many ingredients in detergents and conditioners have been shown to disrupt endocrine function. 4-tert-octylphenol 4-TO a known EDC is an alkylphenol ethoxylate widely used in detergents, emulsifiers, solubilizers, wetting agents, and dispersants. In fact 4-TO makes up 15-20% of the total ethoxylate market" (Mayer et al. 2003).

EDCs cause hormone changes which may lead to blood chemistry changes, liver damage, developmental effects, reproductive effects and in extreme cases cancer. Some common EDCs found in detergent have been shown to have androgenic properties, thus potentially creating a hormone imbalance and/or altered adult reproduction or development. Lastly, detergents themselves have been known to induce diarrhoea.

Without a substantial sampling regimen it is impossible to determine the amount of chemical residues found on laundered table cloths. Without this data it is difficult to assess the risk to the public. In the absence of data a prudent avoidance approach appears necessary. In addition to the possible chemical residues that may reside on these towels, there is also an increased potential for bacteriological spread. Furthermore, the tablecloths are not deemed an acceptable storage, utensil according to the Food Premises Regulation.



## Ontario Branch News

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**Look for our  
Next Issue.....  
Fall 2005**

In the next issue of the Ontario Branch  
News.....

- Microbial Water Quality Issues pertaining to Pedicure Foot Baths
- Stories and pictures from the 2005 baseball tournament
- And more.....

If there is anything that you would like to see in the OBN let us know. Contact the editorial team at: [sarah.wilson@region.york.on.ca](mailto:sarah.wilson@region.york.on.ca)



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