

Food Facility Recognition Awards

Proposal for Public Comment

**Baltimore City Health Department
May 2008**

Background

According to a recent survey, Americans consume an average of one out of five meals in a commercial setting.¹ The report also stated that a typical American over age eight consumes an average of 4.2 commercially prepared meals per week.² There is a strong public interest in assuring the safety and nutritional quality of eating out.

In Maryland, sanitary standards are set by regulation and enforcement. There are also some basic nutritional guidelines set by federal, state and local authorities.

For example, Baltimore City recently passed legislation that will ban the sale of served foods created with ingredients containing trans fat starting September 20, 2009. Trans fat, like saturated fat and dietary cholesterol, elevates LDL (“bad”) cholesterol.³ It also, unlike saturated fat, lowers HDL (“good”) cholesterol that works to clear arteries; therefore is more detrimental to heart health than saturated health.⁴ Studies have suggested that trans fat is more than likely responsible for at least 30,000 premature deaths in the United States per year.⁵

Obesity has become a high priority public health concern. The latest data from the National Center for Health Statistics show that over thirty percent of U.S. adults 20 years of age and older – over 60 million people – are obese.⁶ The percentage of young people who are overweight has tripled since 1980.⁷

Baltimore City recognizes many food establishments are currently taking extra steps in providing a sanitary establishment and could provide additional nutritional information to consumers.

At this time, there are no opportunities for restaurants and other food facilities to be recognized for excellence in food safety or helping consumers make good nutritional choices in Baltimore. Restaurants in the City deserve to be publicly noted for their good work. Therefore, the Health Department is proposing the Food Facility Recognition Program. This program’s goal is to reward those food businesses that go an extra mile to help make Baltimore City a better place to live, work and visit.

¹ Ebbin, R. “Americans’ Dining-Out Habits”. *Restaurants USA*, November 2002.

<http://www.restaurant.org/rusa/magArticle.cfm?ArticleID=138> (accessed on November 14, 2006).

² *Id.*

³ U.S. Food and Drug Administration. (2003). *Revealing Trans Fat* (FDA04-1329C). Washington DC: http://www.fda.gov/fdac/features/2003/503_fats.html (accessed on November 14, 2006).

⁴ *Id.*

⁵ Ascherio A, Stampfer M, Willett W. Trans Fatty Acid and Coronary Heart Disease. *N Engl J Med*. 2006 Apr 13;354(15):1601-13, <http://www.hsph.harvard.edu/reviews/transfats.pdf> (accessed on November 14, 2006)

⁶ Center for Disease Control and Prevention. Overweight and Obesity: Home. 16 Nov. 2006. <http://www.cdc.gov/nccdphp/dnpa/obesity/>.

⁷ *Id.*

Proposal: Clean Crab Award

The Department is proposing to issue a Clean Crab award for excellent sanitation and food safety practices. Eligible food facilities are those deemed “high priority” under state law; this includes all restaurants where food is prepared on site. These facilities are inspected three times in a year.

Beginning January 1, 2009, a restaurant can earn a Clean Crab by:

1. Having a valid Department permit and in good standing (no outstanding fines or fees);
2. Having a Certified Food Manager on site during business hours (based on an affidavit to be signed by owner/manager);
3. Having passed all inspections in the previous calendar year with no critical violations nor pest infestation violations; and

Critical violations are:

- a) Obtaining food from approved sources;
 - b) Protecting food from adulteration, spoilage and contamination;
 - c) Restricting food workers with infection or illness and ensuring that all food workers wash hands thoroughly before touching food;
 - d) Properly cooling and refrigerating food and providing sufficient refrigeration equipment;
 - e) Holding food at proper temperature and providing sufficient hot and cold-holding equipment;
 - f) Adequately cooking and reheating foods and providing sufficient cooking and reheating equipment;
 - g) Providing hot and cold running water; and
 - h) Discharging sewage properly from the facility.
4. Having no more than 5 minor violations per inspection in the previous calendar year.

Applications and supplemental forms will be available on the Health Department’s website and at the Bureau of Food Control office, located at 210 Guilford Avenue, 2nd floor.

In the first year, application will be voluntary. Our goal is to have information systems in place so that the Health Department can automatically distribute this award to qualified establishments without an application process by 2010.

Other notes on the Clean Crab Award Proposal:

- An establishment can lose its award if during other inspections conducted at the site, critical violations are found. An office review will then be held to decide whether the award status should be rescinded.

- The certificate will be free.
- Window/door decals can be purchased for a fee.
- Certificate and decal will be good for one year and issued within one week of notification that the food establishment meets the eligibility requirements.
- All those awarded will be listed on the Health Department website at www.baltimorecity.org.
- An establishment that has not been recognized or its recognition has expired or been withdrawn by the Health Department may not use the logo issued or assert or imply that the establishment has a certificate of recognition issued by the Health Department.

Proposal: Informed Crab Award

In addition to being recognized as a sanitary facility, the Informed Crab Award would recognize those facilities that further empower the consumer to make an informed food choice decision when eating out.

There are currently three jurisdictions, King County, Washington (which includes Seattle), San Francisco, California and New York City, New York, that have recently passed into law legislation that requires “chain restaurants” to list calories, saturated fat, sodium and carbohydrate information for food and beverages. In addition, there are at least five cities/counties⁸ and fifteen states with proposed legislation on menu labeling.⁹

The proposed requirements:

1. Meet all requirements for the Clean Crab Award;

AND

For establishments with 15 or more locations nationally:

2. Have the following information for ALL entrees:
 - a. Total number of calories;
 - b. Total number of grams of saturated fat;
 - c. Total number of grams of carbohydrate; and
 - d. Total number of milligrams of sodium
 - This information must be in a conspicuous location where all patrons can easily view the content.

⁸ See Center for Science in the Public Interest, Nutritional Labeling in Chain Restaurants, at <http://www.cspinet.org/nutritionpolicy/MenuLabelingBills2007-2008.pdf> (Cities and Counties: Chicago; District of Columbia; Montgomery Count, MD; Philadelphia; Westchester County, NY).

⁹ *Id* (States: AZ; CA; CT; HI; IL; ME; MA; MI; NJ; NM; NY; PA; TN; VT; WA).

- In addition, the following statement must be included with the above information, “For a typical adult who consumes 2,000 calories a day, the recommended limits are 20 grams of saturated fat and 2,300 milligrams of sodium.”

OR

For establishments with less than 15 locations nationally:

2. Have the following information for 3 popular entrees:
 - a. Total number of calories;
 - b. Total number of grams of saturated fat;
 - c. Total number of grams of carbohydrate; and
 - d. Total number of milligrams of sodium
- This information must be in a conspicuous location where all patrons can easily view the content or on the menu.
- In addition, the following statement must be included with the above information, “For a typical adult who consumes 2,000 calories a day, the recommended limits are 20 grams of saturated fat and 2,300 milligrams of sodium.”

Applications and supplemental forms will be available on the Health Department’s website and at the Bureau of Food Control office, located at 210 Guilford Avenue, 2nd floor.

Other Notes on the Informed Crab Proposal:

- The Health Department will obtain nutrition software that will allow us to calculate the nutritional content in restaurant entrees.
- Establishments that qualify under this requirement will provide the Health Department with a list of the ingredients and measurements of each ingredient for the 3 entrees. These lists will be confidential and will not be placed in the establishment’s public file. We will then provide nutritional information to use in the establishment.

Questions for Comment

We are interested in any comments on this proposal. Specific questions of interest are:

1. Should the awards be called the Clean Crab and the Informed Crab, or are there better alternative names?
2. Should there be other requirements for the Clean Crab Award? Specifically, should one criterion be that restaurants have staff taking additional classes on sanitation, such as those coordinated by the Maryland Restaurant Association?

3. What can be done to improve participation of restaurants in award programs?
Other jurisdictions have not seen wide participation in voluntary programs.
4. Should the Clean Crab Award be given each year or every two years?
5. For the Informed Crab Award, what information, if any, should be required on menu boards (for those establishments with menu boards)?
6. For the Informed Crab Award, should nutritional information on more than three popular entrees be required for companies with fewer than 15 facilities in the United States? Should the Health Department choose one or more of the entrees for nutritional evaluation?
7. For the Informed Crab Award, should nutritional information be calculated by the Health Department or by an outside entity, such as the Maryland Restaurant Association?

Public Comment

The Health Department is accepting comments on the Food Recognition Proposals through July 1, 2008. Please provide comments to: bchd@baltimorecity.gov or to Olivia Farrow, assistant commissioner for Environmental Health, 210 Guilford Avenue, 2nd Floor, Baltimore MD 21202.