

2018 Annual Report Of The Food Service Establishment Advisory Board

September 18, 2019

Pursuant to Local Law 91 of 2013, which created the Food Establishment Service Advisory Board (the "Board"), the members of the Board hereby submit their fourth Annual Report to The Mayor of the City of New York, the Commissioner of the Department of Health and Mental Hygiene and the Speaker of the New York City Council.

The Board would like to thank the staff of the New York City Department of Health and Mental Hygiene (DOHMH) for their work in coordinating the meetings and their professionalism throughout.

Unfortunately, there is not a considerable amount to report for the 2018 calendar year. While the quarterly meetings were well attended by DOHMH staff, who made excellent presentations about a variety of subject matters, both raised by DOHMH itself and in response to requests from Board members, very few Board members attended any of the meetings. DOHMH schedules the quarterly meetings at the start of the calendar year and provides a call-in number, yet typically, of the 14 appointed members, 4 or 5 members at most were present with at times, one or two additional on the phone. One quarterly meeting had much less than that.

Many new members need to be appointed.

The 2016 Annual Report detailed a number of specific reforms to violations that were recommended by the Board to DOHMH. Unfortunately, none of these reforms have been adopted by DOHMH despite their commitment to issue rules to do so. (We were informed in our June 2019 meeting that the rulemaking is finally underway, a positive development indeed.)

As for new matters, several issues were discussed, including:

1. Turnover of DOHMH inspectors and ways to address attrition, because it can directly affect operators;
2. Opportunities to expand food safety education, especially for restaurants with C grades;
3. Pending legislation relevant to the restaurant industry;
4. The new mobile food vending grading program.

5. The “bite-sized lessons” food safety training publication, which was a well-received idea in 2016 but is still in development. .

We were disappointed that despite Board request for guidance on enforcement issues before violations are issued, in two areas of popular food additives, CBD and charcoal, enforcement started first and then we scrambled to educate.

Despite good intentions, there is still much to improve upon and to communicate to the industry. And in fact, that is, to a large part what the Board has morphed into. To that end, the active members of the Board do see the value in its continuation. There is a need for ongoing communication between stakeholders and DOMMH that both sides recognize.

Respectfully submitted,

Members of the Food Service Establishment Advisory Board