



Washoe County District Board of Health Meeting Notice and Agenda

Members

Oscar Delgado, Chair Robert Lucey, Vice Chair Michael D. Brown Kristopher Dahir Dr. Reka Danko Dr. John Novak Dr. John Klacking Thursday, October 28, 2021 1:00 p.m.

Washoe County Health District Commission Chambers, Building A 1001 East Ninth Street Reno, NV

or via zoom at https://zoom.us/j/97650445987

Phone: 1-669-900-6833 - Meeting ID: 976 5044 5987 (please be sure to keep your devices on mute and do not place the meeting on hold)

<u>1:00 p.m.</u>

- 1. Roll Call and Determination of Quorum.
- 2. Pledge of Allegiance.
- **3.** Approval of Agenda. (FOR POSSIBLE ACTION) October 28, 2021

4. Recognitions.

- A. Introduction
 - i. Dr. John Klacking, District Board of Health Member, Non-Elected Washoe County Appointee

B. <u>New Hires</u>

- i. Kecia Olney, September 13, 2021, Account Clerk I AHS (promoted from Clerks)
- ii. Sheri Martin, September 27, 2021, Account Clerk AHS
- iii. Gloriana Alvarez, October 11, 2021, Department System Technician COVID EPHP
- iv. Briana Contreras, October 25, 2021, Office Assistant II CCHS
- v. Lauren Huntsman, October 25, 2021, Storekeeper CCHS
- C. Promotions
 - i. Stephanie Chen, Health Educator II to Health Educator Coordinator, effective September 27, 2021 CCHS
 - ii. Allison Schleicher, Public Health Investigator to Epidemiologist, effective October 11, 2021 CCHS

D. <u>Resignations</u>

- i. Rachel Cord, Account Clerk I, effective September 18, 2021 AHS
- ii. Elizabeth (Lisa) Iacoboni, Public Health Nurse II, effective October 8, 2021
- iii. Ashley Auer, Office Assistant II, effective September 3, 2021 AHS

E. <u>Special Recognitions</u>

- i. Kathleen Doyle, Homebound COVID-19 Testing and Vaccination Efforts
- ii. Aulene Schmitz, Homebound COVID-19 Testing and Vaccination Efforts
- iii. Julia Ratti, Nevada 2021 Hero Award National Alliance on Mental Illness

5. Public Comment.

Action may not be taken on any matter raised during this public comment period until the matter is specifically listed on an agenda as an action item. All public comment is limited to three minutes per person.

Requests for public comment via zoom <u>must</u> be submitted by email to <u>svaldespin@washoecounty.us</u> before the scheduled meeting. Please log into the ZOOM meeting via the above link. Reasonable efforts will be made to hear all public comment during the meeting.

<u>NOTE</u>: The zoom option will require a computer with audio and video capabilities.

6. Consent Items. (FOR POSSIBLE ACTION)

Matters which the District Board of Health may consider in one motion. Any exceptions to the Consent Agenda must be stated prior to approval.

- A. Approval of Draft Minutes (FOR POSSIBLE ACTION)
 - i. September 23, 2021
- B. Budget Amendments/Interlocal Agreements (FOR POSSIBLE ACTION)
 - i. Approve a Notice of Subaward from the State of Nevada Department of Health and Human Services, Division of Public & Behavioral Health retroactive to July 1, 2021 through June 30, 2022 in the total amount of \$300,000.00 (no required match) in support of the Community and Clinical Health Services Division (CCHS) Youth Vaping Prevention Fund (IO#11859) and authorize the District Health Officer to execute the Notice of Subaward and any future amendments. Staff Representative: Kim Graham and Kelli Goatley-Seals
 - Approve the Notice of Subaward from the State of Nevada Department of Health and Human Services, Division of Public and Behavioral Health retroactive to October 1, 2021 through September 30, 2022 in the total amount of \$1,146,465.00 (no match required) in support of the Community and Clinical Health Services Division's Women, Infants and Children (WIC) Program IO#11901 and authorize the District Health Officer to execute the Subaward and any future amendments. Staff Representative: Kim Graham and Kelli Goatley-Seals
- C. Approve a Settlement Agreement with VIA Motors, Inc., in the total amount of \$39,500.00 in resolution for the Beta Test Collaboration and Purchase Agreement entered into by the Washoe County Health District and VIA Motors, Inc., in September of 2012. (FOR POSSIBLE ACTION)

Staff Representative: Francisco Vega

- D. Recommendation for the re-appointment of Mr. Richard Harris, JD, PhD, to the Air Pollution Control Hearing Board for a three-year term beginning December 20, 2021 through December 20, 2024. (FOR POSSIBLE ACTION) Staff Representative: Francisco Vega
- E. Recommendation to Uphold Citations Not Appealed to the Air Pollution Control Hearing Board. (FOR POSSIBLE ACTION)
 - i. Paradiso Communities Case No. 1310, NOV AQMV21-0035
 - ii. Majestic Realty Company Case No. 1311, NOV AQMV21-0039
 - iii. Truckee Meadows Construction Case No 1312, NOV AQMV21-0038
 - iv. Indoor Sports Holdings, LLC Case No. 1313, NOV AQMV21-0040
 - v. Nevada Tri Partners, Case No. 1314, NOV AQMV21-0041
 - vi. DR Horton Inc., Case No. 1320, NOV AQMV21-0046 Staff Representative: Joshua Restori
- F. Acknowledge receipt of the Health Fund Financial Review for September, Fiscal Year 2022. (FOR POSSIBLE ACTION)
 Staff Representative: Anna Heenan

- END OF CONSENT -

- 7. Presentation: Prevention and treatment of COVID-19. Presented by: Dr. Reka Danko
- 8. Regional Emergency Medical Services Authority.

A. Review and Acceptance of the REMSA Health Operations Report for September 2021. (FOR POSSIBLE ACTION)

Presented by: Dean Dow

- **B.** Update of REMSA Health's Public Relations during September 2021. Presented by: Alexia Jobson
- C. Discussion and possible approval of the recommended market areas for the REMSA market survey. (FOR POSSIBLE ACTION) Presented by: Kevin Romero
- 9. Presentation and possible acceptance of the mid-year progress report on the 2021 Community Health Improvement Plan. (FOR POSSIBLE ACTION) Staff Representative: Rayona Lavoie
- 10. PUBLIC HEARING to review, discuss and possibly adopt the Proposed Amendments to the Regulations of the Washoe County District Board of Health Governing Food Establishments for the addition of new provisions from the Supplement to the U.S. Food and Drug Administration Model Food Code, a new chapter covering Catering Operations, the Make-up of the Food Protection Hearing and Advisory Board, as well as minor edits and formatting corrections. (FOR POSSIBLE ACTION) Staff Representative: Mike Touhey

11. Review, discuss and adopt the Business Impact Statement regarding Washoe County Health District Permitting and Fees for all Underground Storage Tank Facilities, with a finding that the permitting and fees do not impose a direct or significant economic burden on a business; nor do the proposed fees directly restrict formation, operation or expansion of a business; and set a public hearing for possible adoption of the proposed permitting and fees December 16, 2021, at 1:00 pm. (FOR POSSIBLE ACTION) Staff Representative: Wes Rubio

- 12. Recommendation to approve an update to the interlocal agreement (ILA) between Washoe County Health District (WCHD), Nevada Division of Environmental Protection Bureau of Safe Drinking Water (BSDW) and Truckee Meadows Water Authority (TMWA) to reflect 2021 – 2023 changes to contract scope of work and grant TMWA the same authorities provided to its groundwater systems. (FOR POSSIBLE ACTION) Staff Representative: David Kelly
- 13. Recommendation for appointment to the Air Pollution Control Hearing Board as an At-Large Committee Member. Staff recommends: Ms. Yvonne Downs for a three-year term beginning on October 25, 2018, and concluding on October 24, 2021; Applicants include: Alan Horvath, Art O'Connor, Cathy Fitzgerald, Dorothy Hudig, Ph.D., Hazel Brown, James Mitcheltree, Lee Squire, Marcia Wilmes, Martin Breitmeyer, Phil Schweber, Pierre Mousset-Jones, Scott Courier, William Grey, William Foster McCoy, Ph.D. (FOR POSSIBLE ACTION)

Staff Representative: Francisco Vega

- 14. Recommendation to review and approve of the District Health Officer's Annual Performance Evaluation Results. (FOR POSSIBLE ACTION) Presented by: Laurie Griffey
- 15. Staff Reports and Program Updates.
 - A. Air Quality Management, Francisco Vega, Division Director EPA Report Shows Disproportionate Impacts of Climate Change, EPA to Limit Climate-Damaging Greenhouse Gases Used in Refrigeration, New WHO Global Air Quality Guidelines Aim to Save Millions of Lives Monitoring and Planning, Permitting and Compliance.
 - **B.** Community and Clinical Health Services, Lisa Lottritz, Division Director Divisional Update – Fetal Infant Mortality Review Program; Data & Metrics; Sexual Health (Outreach and Disease Investigation), Immunizations, Tuberculosis Prevention and Control Program, Reproductive and Sexual Health Services, Chronic Disease Prevention Program, Maternal Child and Adolescent Health, Women Infants and Children, and COVID-19 Vaccinations.

C. Environmental Health Services, Erin Dixon, Division Director

Environmental Health Services (EHS) Division: Highlighted Program; Program Activities; Consumer Protection (Food/Food Safety, Commercial Plans, Permitted Facilities); Environmental Protection (Land Development, Safe Drinking Water, Vector-Borne Diseases, Waste Management); and Inspections.

- **D.** Epidemiology and Public Health Preparedness, Dr. Nancy Diao, Division Director Communicable Disease, Public Health Preparedness, Emergency Medical Services, Vital Statistics.
- E. Office of the District Health Officer, Kevin Dick, District Health Officer District Health Officer Report – COVID-19 Response, Joint Information Center, Government Affairs Update, Public Health Accreditation, Community Health Improvement Plan, Workforce Development Survey, Washoe Impact Awards, Truckee Meadows Healthy Communities/Truckee Meadows Tomorrow Merger, and Public Communications and Outreach.

16. Board Comment.

District Board of Health Member's announcements, reports and updates, request for information or topics for future agendas. (No discussion among Board Members will take place on the item)

17. Public Comment.

Action may not be taken on any matter raised during this public comment period until the matter is specifically listed on an agenda as an action item.

Members of the public wishing to attend via zoom can public comment by logging into the ZOOM meeting via link above. All public comment is limited to <u>three minutes per person</u>.

NOTE: The zoom option will require a computer with audio and video capabilities.

ADJOURNMENT. (FOR POSSIBLE ACTION)

Possible Changes to Agenda Order and Timing: Items on the agenda may be taken out of order, combined with other items, withdrawn from the agenda, moved to the agenda of another later meeting; moved to or from the Consent section, or they may be voted on in a block. Items with a specific time designation will not be heard prior to the stated time, but may be heard later. Items listed in the Consent section of the agenda are voted on as a block and will not be read or considered separately unless withdrawn from the Consent agenda.

Special Accommodations: The District Board of Health Meetings are accessible to the disabled. Disabled members of the public who require special accommodations or assistance at the meeting are requested to notify Administrative Health Services in writing at the Washoe County Health District, 1001 E. 9th Street, Building B, Reno, NV 89512, or by calling 775.328.2416, 24 hours prior to the meeting.

Public Comment: During the "Public Comment" items, anyone may speak pertaining to any matter either on or off the agenda, to include items to be heard on consent, by filling out a "Request to Speak" form and/or submit comments for the record to the Recording Secretary. For the remainder of the agenda, public comment will only be heard during items that are marked FOR POSSIBLE ACTION. All public comment should be addressed to the Board of Health and <u>not an individual</u> member. he Board asks that your comments are expressed in a courteous manner. Any public comment for hearing items will be heard before action is taken on the item and must be about the specific item being considered by the Board. Public comment and presentations for individual agenda items are limited as follows: fifteen minutes each for staff and applicant presentations, five minutes for a speaker representing a group, and three minutes for individual speakers unless extended by questions from the Board or by action of the Chair. Reasonable efforts will be made to hear all public comment during the meeting.

All public comment is limited to three minutes per person. Unused time may not be reserved by the speaker nor allocated to another speaker.

Members of the public that wish to attend via zoom may make public comment by submitting an email comment to <u>svaldespin@washoecounty.us</u> before the scheduled meeting, which includes the name of the commenter and the agenda item number for which the comment is submitted.

Response to Public Comment: The Board of Health can deliberate or take action only if a matter has been listed on an agenda properly posted prior to the meeting. During the public comment period, speakers may address matters listed or not listed on the published agenda. The *Open Meeting Law* does not expressly prohibit responses to public comments by the Board of Health. However, responses from the Board members to unlisted public comment topics could become deliberation on a matter without notice to the public. On the advice of legal counsel and to ensure the public has notice of all matters the Board of Health will consider, Board members may choose not to respond to public comments, except to correct factual inaccuracies, ask for Health District staff action or to ask that a matter be listed on a future agenda. The Board of Health may do this either during the public comment item or during the following item: "Board Comments – District Board of Health Member's announcements, reports and updates, request for information or topics for future agendas. (No discussion among Board Members will take place on the item)"

Posting of Agenda; Location of Website:

Pursuant to NRS 241.020, Notice of this meeting was posted electronically at the following locations:

Washoe County Health District, 1001 E. 9th St., Reno, NV Reno City Hall, 1 E. 1st St., Reno, NV Sparks City Hall, 431 Prater Way, Sparks, NV Washoe County Administration Building, 1001 E. 9th St, Reno, NV Downtown Reno Library, 301 S. Center St., Reno, NV

Washoe County Health District Website <u>https://www.washoecounty.us/health</u> State of Nevada Website: <u>https://notice.nv.gov</u>

How to Get Copies of Agenda and Support Materials: Supporting materials are available to the public at the Washoe County Health District located at 1001 E. 9th Street, in Reno, Nevada. Ms. Susy Valdespin, Administrative Secretary to the District Board of Health is the person designated by the Washoe County District Board of Health to respond to requests for supporting materials. Ms. Valdespin is located at the Washoe County Health District and may be reached by telephone at (775) 328-2415 or by email at svaldespin@washoecounty.us. Supporting materials are also available at the Washoe County Health District Website https://www.washoecounty.us/health pursuant to the requirements of NRS 241.020.



November 5, 2021

MEMORANDUM

To:State Board of Health MembersFrom:Kevin Dick, Washoe County District Health OfficerSubject:Consideration and approval of the Regulations of the Washoe County District Board
of Health Governing Food Establishments

At its regularly scheduled meeting on October 28, 2021, the Washoe County District Board of Health conducted a public hearing to take comment and consider adoption of proposed amendments to the Regulations of the Washoe County District Board of Health Governing Food Establishments. By unanimous vote (5-0 with two absent) the Board approved the proposed amendments.

Attached is the staff report provided to the Washoe County District Board of Health as well as the new food establishment regulations as approved by the Board. Approval of these regulations by the State Board of Health will constitute the final step needed to implement term limits for the Food Protection Hearing and Advisory Board, a new chapter covering Catering Operations, and updates from the Supplement to the 2017 FDA Food Code. These updates will allow the Washoe County Health District's Food Safety Program to maintain consistency with the national regulatory standards in the current version of the U.S FDA Model Food Code.

If you have any questions, please contact Michael Touhey, Senior Environmental Health Specialist in the Food Safety Program at the Washoe County Health District at (775) 328-2698.





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Staff Report **Board Meeting Date: October 28, 2021**

| TO: | District Board of Health |
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| FROM: | Michael Touhey, Senior Environmental Health Specialist |
| | 775-328-2698, mtouhey@washoecounty.us |
| THROUGH: | Erin Dixon, EHS Division Director |
| | 775-328-2644, edixon@washoecounty.us |
| SUBJECT: | Review, discussion and possible adoption of Proposed Amendments to the Regulations of the Washoe County District Board of Health Governing Food Establishments for the addition of new provisions from the Supplement to the U.S. Food and Drug Administration Model Food Code, a new chapter covering Catering Operations, the Make-up of the Food Protection Hearing and Advisory Board, as well as minor edits and formatting corrections. |

SUMMARY

The Washoe County District Board of Health (Board) must approve amendments to the Regulations of the Washoe County District Board of Health Governing Food Establishments (Regulations).

District Health Strategic Priorities supported by this item:

2. Healthy Environment: Create a healthier environment that allows people to safely enjoy everything Washoe County has to offer.

PREVIOUS ACTION

The Washoe County District Board of Health last approved amendments to the Regulations on July 25, 2019.

The Business Impact Statement associated with the Proposed Amendments to the Regulations of the Washoe County District Board of Health Governing Food Establishments was considered and accepted by the District Board of Health at the regular District Board of Health meeting on September 23, 2021. The Board also approved the next regular meeting of the Board, October 28, 2021, as the public hearing to consider adoption of the proposed amendments.



Subject: Adoption of Proposed Amendments to the Regulations of the Washoe County District Board of Health Governing Food Establishments Date: October 28, 2021 Page **2** of **3**

BACKGROUND

The Food Safety Program is continuously striving to enhance the quality of services provided to the public and promote active managerial control of risk factors most commonly associated with foodborne disease in food establishments. With the direction of the Board, the regulations were amended to add term limits to members serving on the Food Protection Hearing and Advisory Board. Since the last regulation update in 2019, the FDA published the 2017 Food Code Supplement. Amendments were added from the supplement document to maintain our conformance with the FDA Program Standards. Below is a summary of the revisions that are being proposed to the Regulations:

- Incorporate additional provisions from the most current version of the U.S Food and Drug Administration (FDA) Supplement to the Model Food Code.
- Addition of term limits for members serving on the Food Protection Hearing and Advisory Board (FPHAB).
- New Chapter pertaining to Catering Operations.
- Minor edits and formatting corrections.

A summary of changes document is attached for reference and a link to the final version of the proposed revisions can be found at:

https://www.washoecounty.us/health/programs-and-services/environmental-health/food-protection-services/index.php

In 2004, Environmental Health Services enrolled in the FDA's Voluntary National Retail Food Regulatory Program Standards. The Program Standards is a quality improvement program that provides a foundation upon which regulatory agencies can build through a continuous improvement process. It also allows for program evaluation and measures program effectiveness. The Program Standards consist of nine standards intended to enhance the quality of services we provide to the public and promote active managerial control of risk factors most commonly associated with foodborne disease in food establishments. Approval of the proposed Regulations will aid the Food Safety Program in meeting the criteria of Standard 1 – Regulatory Foundation, and Standard 9 – Program Assessment.

In an effort to provide an overview of the proposed regulation revisions and inspection process, answer questions, and receive input from interested persons, two public workshops were held on September 7th, 2021 and September 9th, 2021. Additionally, one workshop was held via Zoom on September 9th, 2021. The following methods were used to provide notice of the proposed regulatory revisions:

- A total of 3,048 notices were mailed to permit holders, giving notice of the proposed regulatory revisions and offering methods of providing input.
- Workshop and hearing announcements and a copy of the proposed Regulations were posted on the Health District website.

Subject: Adoption of Proposed Amendments to the Regulations of the Washoe County District Board of Health Governing Food Establishments Date: October 28, 2021 Page **3** of **3**

A total of 12 individuals attended the workshops – three attendees on September 7th and nine attendees combined at both sessions on September 9th. Attendees included food establishment operators and business owners.

FISCAL IMPACT

There is no fiscal impact from the Board adopting the proposed revisions to the Regulations.

RECOMMENDATION

Staff recommends the Washoe County District Board of Health review, discussion and adopt the Proposed Amendments to the Regulations of the Washoe County District Board of Health Governing Food Establishments for the addition of new provisions from the Supplement to the U.S. Food and Drug Administration Model Food Code, a new chapter covering Catering Operations, the Make-up of the Food Protection Hearing and Advisory Board, as well as minor edits and formatting corrections.

POSSIBLE MOTION

Should the Board agree with staff's recommendation, a possible motion would be "Move to adopt the Proposed Amendments to the Regulations of the Washoe County District Board of Health Governing Food Establishments for the addition of new provisions from the Supplement to the U.S. Food and Drug Administration Model Food Code, a new chapter covering Catering Operations, the Make-up of the Food Protection Hearing and Advisory Boards, as well as minor edits and formatting corrections."

Summary of Changes

WCHD Food Regulation Revision 2021

Blue = New language Red = Deleted language

Definitions:

- **010.070** "Catering operation" defined. "Catering operation" means a food service that is conducted by a permitted food establishment where food is served, or limited food preparation is conducted, at a location other than its permitted location in either of the following circumstances:
 - A. As part of a contracted offsite food service event; or
 - B. When operating in conjunction with a host facility with direct food sales.
 - C. "Catering operation" includes the following types of service:
 - 1. Self service, where consumers serve themselves (i.e., buffet, appetizer and/or dessert tables) and the operation is monitored by catering staff; or
 - 2. Served meals, where catering staff serve consumers by means of plated meals, buffet, carving, or cooking stations requiring catering staff to remain as attendants during the operation.
 - D. "Catering operation" does not include either of the following circumstances:
 - 1. Food ordered as takeout or delivery from a food facility, where the food is provided to the consumer for self-service;
 - 2. Food delivered to an event in all disposable containers or equipment that does not require staff to remain on site, or return to the site, for service; or
 - 3. A food facility that is participating as part of a "special event" as defined in Section 010.825.
- 010.440 **"Injected" defined.** "Injected" means manipulating a meat so that infectious or toxigenic microorganisms may be introduced from its surface to its interior through tenderizing with deep penetration or injecting the meat such as by processes which may be referred to as "injecting," "pinning," or "stitch pumping."

" Intact Meat" defined . Means a cut of whole muscle(s) meat that has not undergone communition, mechanical tenderization, vacuum tumbling with solutions, or reconstruction.

010.483 "Mechanically Tenderized" defined. Means manipulating meat by piercing with a set of needles, pins, blades or any mechanical device, which breaks up muscle fiber and tough connective tissue, to increase tenderness. This includes injection, scoring, and processes which may be referred to as "blade tenderizing," "jaccarding," "pinning," or "needling."

Regulation Updates:

050.330 Time as a public health control

Time – maximum up to 4 hours

- A. If time without temperature control is used as the public health control up to a maximum of four (4) hours:
 - 1. Except as specified in (B) (2), the food shall have an initial temperature of 41°F (5°C) or less when removed from cold holding temperature control, or 135°F (57°C) or greater if removed from hot holding temperature control;
 - 2. The food may have an initial temperature of 70°F (21°C) or less if ;

a) It is a Ready To Eat fruit or vegetable that upon cutting is rendered a Time/Temperature Control For Safety Food as defined in Section 010.852, or

b) It is a Ready to Eat hermetically sealed food that upon opening is rendered a Time/Temperature Control For Safety Food as defined in Section 010.852,c) The food temperature does not exceed 70°F (21°C) within a maximum time period of 4 hours from the time it was rendered a Time/Temperature Control For Safety Food; and

(d) The food is marked otherwise identified to indicate the time that is 4 hours past the point in time when the food is rendered a Time/Temperature Control For Safety Food as specified in (B) (2) (a) and (b) of this section.

- 3. The food must be marked or otherwise identified to indicate the time that is four (4) hours past the point in time when the food is removed from temperature control;
- 4. The food must be cooked and served, served at any temperature if ready-to-eat, or discarded, within four (4) hours from the point in time when the food is removed from temperature control; and
- 5. The food in unmarked containers or packages, or marked to exceed a four (4)-hour limit must be discarded.

050.340 Reduced oxygen packaging without a waiver criteria

Cook-Chill or Sous Vide

- a) Cooled to $41^{\circ}F(5^{\circ}C)$ in the sealed package or bag as specified in Section 050.300 and:
 - i. Cooled to 34°F (1°C) within 48 hours of reaching 41°F (5°C) and held at that temperature until consumed or discarded within 30 days after the date of packaging
 - ii. Held at 41°F (5°C) or less for no more than seven (7) days, at which time the food must be consumed or discarded; or
 - iii. Cooled to 34°F (1°C) within 48 hours of reaching 41°F (5°C), removed from refrigeration equipment that maintains a 34°F (1°C) food temperature and then held at 41°F (5°C) or less for no more than 7 days, not to exceed 30 days from its date of packaging or bagging at which time the food must be consumed or discarded; or

HACCP Updates:

110.010 Contents of a HACCP Plan

The ingredients, recipes or formulations, materials and equipment used in the preparation of each specific food or category type and methods and procedural control measures that address the food safety concerns involved;

A critical control points summary for each specific food or category type that clearly identifies:

- 1. Each critical control point,
- 2. The significant hazards for each critical control point,
- 3. The critical limits for each critical control point,
- 4. The method and frequency for monitoring and controlling each critical control point by the designated food employee or the person-in-charge,

240.118 Conformance with approved procedures

If the Health Authority grants a waiver as specified in Section 240.115, or a HACCP plan is otherwise required as specified under Section 110.005, the permit holder shall:

A. Maintain the approved waiver at the food establishment; and

Mobile Portable Updates:

190.035 Mobile unit and portable unit for service of food, food equipment

Cold holding of time/temperature control for safety food must be accomplished by use of mechanical refrigeration. Ice may be used when all food is commercially prepackaged and hermetically sealed in waterproof containers

190.075 Mobile unit and portable unit for service of food, storage

Storage of portable units for service of food and mobile units at private homes or garages is allowed provided that the following activities occur at a permitted servicing area:

- A. Obtain all potable water supplied to the mobile unit or portable unit for service of food;
- B. Disposal of all garbage and refuse from the mobile unit or portable unit for service of food;
- C. Storage of all food except that which is non-time/temperature control for safety food and stored on the mobile unit or portable unit for service of food;

190.105 Mobile unit, food and food preparation

A. Preparation of time/temperature control for safety food on the mobile unit must be accomplished daily, for service that same day, or conducted at the approved servicing area.

Removed cooling restrictions from this section

190.130 Portable unit for service of food, water supply

A. A supply of potable water must be present on any portable unit for service of food where water is required for food preparation or handwashing.

- B. The tank which supplies potable water, pump and hoses must be flushed and sanitized before being placed in service after construction, repair, modification and periods during which they were not used.
- A potable water storage tank must have at least a five (5)-gallon capacity, except that a portable unit for service of food that is equipped with a three (3)-compartment sink must have a potable water storage tank of sufficient capacity of the total volume of the warewashing sinks plus a five (5)-gallon handwashing capacity, or be connected to an approved potable water supply system when set up for operation. Removed 40-gallon tank requirement
- C. The wastewater retention tank must be at least 15% more capacity than the potable water storage tank.

NEW CHAPTER:

CHAPTER 205

CATERING OPERATIONS

205.005 Catering operation, applicable requirements

Catering operations must comply with all applicable requirements of these regulations. When facilities or equipment are inadequate to protect the public health, the Health Authority may impose operational and/or menu restrictions on a catering operation to protect against potential health hazards.

205.010 Catering operation, operational plan required

An operational plan must be submitted to, and approved by, the Health Authority before an establishment may commence catering operations. The plan must include but is not limited to:

- A. List of equipment and materials used;
- B. Applicable standard operating procedures;
- C. Descriptions of the catering activities that will take place offsite at the venue;
- D. Food safety logs if applicable;
- E. List of menu items;
- F. List of offsite food service locations;
- G. Description of type of service (i.e., self service or served meals);
- H. Event site plan if applicable;
- I. An operating schedule;
- J. Description of vehicle used to transport all food and equipment.

205.015 Catering operation, equipment

All equipment and utensils must be transported back to the permitted food facility for cleaning. Approval for cleaning equipment and utensils at the offsite food service location may be granted by the Health Authority following review of the operational plan and if the offsite food service location site meets the requirements of these regulations.

205.020 Catering operation, handwashing and toilet facilities

- A. A handwashing station approved by the Health Authority must be readily accessible, conveniently located, and have dispenser-fed soap and paper towels. The handwashing station may be one of the following:
 - 1. The catering operation must provide an ANSI certified self-contained handwashing station that includes pressurized potable water and a potable water tank of sufficient capacity to provide water for the duration of the event; or
 - 2. The venue must have a handwashing sink installed per Section 070.030 and used per Section 070.035.
- B. The catering operation must provide a waste receptacle for paper-towel waste.
- C. Toilet facilities for catering operation employees must be available at the offsite food service location.

205.025 Catering operation, preparation and service of food

- A. The preparation and cooking of food must be completed in the permitted food establishment before the food is transported to the offsite food service location. Approval for limited food handling at the offsite food service location may be granted by the Health Authority following review of the operational plan and if the offsite food service location meets the requirements in these regulations.
- B. All food products that have been prepared or cooked for the offsite food service location are to be discarded at the end of each day.

205.030 Catering operation, transportation of food and equipment

- A. All food products requiring temperature control must be transported and stored in equipment intended for temperature control; and
- B. The vehicle(s) used for transportation must be in good condition and should be sufficient in size to accommodate all food and equipment.

205.035 Catering operation, outdoor service of food

- A. All outdoor catering operations must be located in a manner as to minimize the risk of contamination from external sources such as sewage, flooding, dust and vector or vermin;
- B. Food must be protected from contamination by the use of overhead protection; and
- C. Each individual piece of hot and cold holding equipment must be separately covered or have overhead protection.

205.040 Catering operation, liquid waste disposal

All liquid waste must be disposed of in sanitary sewer.

205.045 Catering operation, record retention

The catering operation shall maintain records for all offsite food service activities for at least 90 days after each event. The catering operation shall provide these records to the Health Authority upon request and must include the following information:

- A. Location and date of the offsite food service activity;
- B. Description of type of service provided by the catering operation; and
- C. Complete menu of food provided.

205.050 Catering operation, compliance and enforcement

Catering operations are subject to enforcement action as outlined in these regulations and NRS 446.

205.055 Catering operation, interference with performance of duty

No person shall refuse entry or access to the Health Authority who, upon presentation of appropriate credentials, requests to inspect any catering operation, or any related facility of that operation for the purpose of ascertaining compliance with these regulations. Per NRS 446.885(3), it is unlawful for any person to interfere with the Health Authority in the performance of his or her duties.

Temp Food Updates:

210.105 Temporary food establishment, thawing time/temperature control for safety foods

- A. Time/temperature control for safety foods shall be thawed
- 1. in accordance with Section 050.295 of these regulations.

B. If mechanical refrigeration as specified in Subsection 050.295(A) is not available, time/temperature control for safety foods can be thawed in an insulated container with enough ice to maintain 41° F (5°C).

210.125 Temporary food establishment handwashing facilities

- A. A handwashing facility must be readily accessible inside or directly adjacent to, but not more than 10 feet from, the preparation area of a temporary food establishment. Temporary food establishments without hot and cold running water must provide a container with a spigot or other apparatus that will dispense water without continuous manual contact holding a minimum of two (2) gallons of water for the purpose of handwashing. Wastewater generated must empty into a spill-proof container.
- B. Pump soap and single-service towels must be available at the handwashing sink.
 - C. A waste receptable shall be located adjacent to the handwashing facility

FPHAB Updates:

240.085 Creation of the Food Protection Hearing and Advisory Board

There is hereby created a Food Protection Hearing and Advisory Board of the Washoe County Health District. The Food Protection Hearing and Advisory Board shall hold hearings to consider variance requests or appeals to compliance action taken by the Health Authority on any permit required by these regulations.

- A. All members serving on the Hearing Board as of July 1, 2021 shall expire on July 1, 2022. New applications will be made available for all prospective members of the Hearing Board beginning January 1, 2022.
- B. The Food Protection Hearing and Advisory Board shall consist of seven (7) members appointed by the Board of Health. At least two (2) members of the Food Protection Hearing and Advisory Board shall be representatives of the local food industry.
- C. Three (3) members shall be appointed for a term of one (1) year.
- D. Three (3) members shall be appointed for a term of two (2) years.
- E. One (1) member shall be appointed for a term of three (3) years.
- F. Each succeeding term shall be for a period of three (3) years.
- G. The Hearing Board shall select a chairman, vice-chairman, and such other officers as it deems necessary. Officers of the Board shall serve at its pleasure.
- H. Subject to the approval of the District Board of Health, the Board may adopt a manual of procedure to govern its operation.
- I. Any member appointed by the District Board of Health may be removed for cause upon majority vote of the total membership of the District Board. Cause for removal includes:
 - 1. Unjustified absence from more than two (2) consecutive meetings of the Food Protection Hearing and Advisory Board.
 - 2. Failure to adhere strictly to the provisions contained in these regulations.

If the District Board of Health determines after hearing that cause for removal exists, it shall remove the member and appoint a member with appropriate qualifications to fill the unexpired term of the member removed.

240.087 Food Protection Hearing and Advisory Board, vacancies

- A. Upon the expiration of a term of office, a member may continue to serve until a successor is appointed.
- B. If a vacancy occurs in the Hearing Board, the Health Officer shall notify the District Board of Health and the District Board of Health will appoint a person to serve the remainder of the unexpired term.





| Met | Standard | Progress | Standard Elements (Incomplete elements identified in red and completed elements identified in strikethrough text) |
|--------------|---|-------------|--|
| ✓ | 1 REGULATORY FOUNDATION | Fully Met | 1a 1b 1c 2a 2b 3a 4a |
| × | 2 TRAINED REGULATORY STAFF | 88.9% met | 1a 1b 2a 2b 3a 3b 4a 4b 5a |
| √ | 3 INSPECTION PROGRAM BASED ON HACCP PRINCIPLI | S Fully Met | <u>1a 1b 1c 2a 3a 4a 4b 4c 8a 6a</u> |
| × | 4 UNIFORM INSPECTION PROGRAM | 93.8% met | 1a 1b 1c 2 2i 2ii 2iii 2iv 2v 2vi 2vii 2viii 2ix 2x 3a |
| | 5 FOODBORNE ILLNESS AND FOOD DEFENSE PREPAREDNESS AND RESPONSE | Fully Met | 1a 1b 1c 1d 1e 1f 1g 1h 1i 2a 2b 3a 3b 4a 5a 5c 6a 7a 7b17b27b37b47b57b67b77b87b97c |
| × | 6 COMPLIANCE AND ENFORCEMENT | 75.0% met | <u>1a 1b 2a 2b</u> |
| \checkmark | 7 INDUSTRY AND COMMUNITY RELATIONS | Fully Met | <u>1a 1b</u> |
| × | 8 PROGRAM SUPPORT AND RESOURCES | 61.5% met | 1a 2a 2b 3a 3b 4a 4b 4e 4d 4e 4f 4g 4h |
| × | 9 PROGRAM ASSESSMENT | 85.7% met | 1a 1b 1c 2a 2b 3a 3b |

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- Updated public health interventions and control measures for risk factors known to contribute to foodborne illness
- Science-based regulatory foundation
- Uniform regulation of industry

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Mobile Portable Updates:

- 190.035 Mobile unit and portable unit for service of food, food equipment Cold holding of time/emperature control for safety food must be accomplished by use of mechanical refrigeration. Ice may be used when all food is commercially prepackaged and hermetically sealed in waterproof containers
- 190.075 Mobile unit and portable unit for service of food, storage
 Storage of portable units for service of food and mobile units at private homes or garages is allowed
- provided that the following activities occur at a permitted servicing area:
- A. Obtain all potable water supplied to the mobile unit or portable unit for service of food;
- B. Disposal of all garbage and refuse from the mobile unit or portable unit for service of food
- C. Storage of all food except that which is non-time/temperature control for safety food and stored on the mobile unit or portable unit for service of food;

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| FPHAB Upd | ates: |
|--------------------------------|---|
| 240.085 | Creation of the Food Protection Hearing and Advisory Board |
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| Board of Healt | occurs in the Hearing Board, the Health Officer shall notify the District n and the District Board of Health will appoint a person to serve the e unexpired term. |
| | |





Full Regulations with Track Changes

 <u>https://www.washoecounty.us/health/</u> programs-and-services/environmentalhealth/food-protectionservices/index.php

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