



Office of the City Manager

CONSENT CALENDAR

November 13, 2012

To: Honorable Mayor and Members of the City Council
From:  Christine Daniel, City Manager
Submitted by: Jane Micallef, Director, Health, Housing & Community Services
Subject: Revenue Grant: U.S. Food and Drug Administration for Local Retail Food Safety Program Plan

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to apply for and accept a five year revenue grant award from the U.S. Food and Drug Administration (FDA) in the total amount of \$350,000, beginning in FY 2013 through FY 2017, for developing and implementing a local Retail Food Safety Program Plan and executing any resultant revenue agreements and amendments.

FISCAL IMPACTS OF RECOMMENDATION

Subject to the availability of funds and satisfactory progress of the project, the City of Berkeley will receive funds in the amount of \$70,000 annually, starting in fiscal year FY 2013 through FY 2017 for a total amount of \$350,000, for the purpose of developing and implementing a local Retail Food Safety Program Plan. This FDA Grant requires no local matching funds. The FY 2013 grant award will be included in the second Amendment to the Annual Appropriation Ordinance (AAO) and each fiscal year after that it will be included as part of the Adopted Appropriations Ordinance . Revenues will be collected in Fund 421 (Miscellaneous 1-Time Grant Fund) and all expenditures will be out of this same fund. The contract has been entered into the City's Contract Database System and assigned CMS No.TET5Y.

CURRENT SITUATION AND ITS EFFECTS

As a local health jurisdiction, the City of Berkeley is mandated to permit and inspect all local food facilities such as restaurants, markets, schools, institutions and events to ensure food sold to the public is safe and meets minimum sanitation standards contained in the California Retail Food Code. The local retail food safety program is administered by the Division of Environmental Health and funded by permit fees paid by local food facilities and the General Fund.

The City of Berkeley Division of Environmental Health Retail Food Safety Program is one of 70 retail food safety inspection programs in the nation to be awarded funds to promote the use of the FDA Voluntary National Retail Food Program Standards (Program Standards) at the local level.

BACKGROUND

As part of its efforts to promote national uniformity among regulatory programs responsible for retail food protection, the FDA developed the Voluntary National Retail Food Program Standards on or about the year 2001. In developing the Program Standards, FDA recognized that the ultimate goal of all retail food regulatory programs is to reduce or eliminate the occurrence of illness and deaths from food produced at the retail level and that there are different approaches toward achieving that goal. While the Program Standards represent the food safety program to which we ultimately aspire, they begin by providing a foundation upon which all regulatory programs can build through a continuous improvement process. The Standards encourage regulatory programs to improve and build upon existing programs. Further, the Standards provide a framework designed to accommodate both traditional and emerging approaches to food safety. The Program Standards are intended to reinforce proper sanitation (good retail practices) and operational and environmental prerequisite programs while encouraging regulatory agencies and industry to focus on the factors that cause and contribute to foodborne illness. The nine Program Standards are:

- Standard 1- Regulatory Foundation
- Standard 2- Trained Regulatory Staff
- Standard 3- Inspection Program Based on Hazard Analysis Critical Control Point (HACCP) Principles
- Standard 4- Uniform Inspection Program
- Standard 5- Foodborne Illness and Food Security Preparedness and Response
- Standard 6- Compliance and Enforcement
- Standard 7- Industry and Community Relations
- Standard 8- Program Support and Resources
- Standard 9- Program Assessment

In 2006 the City of Berkeley enrolled in the FDA Program Standards to assess the existing retail food regulatory program and develop a plan for improvement. Since then the City has instituted several program improvements, such as implementing a new health inspection form and data management system to bring the regulatory program in line with best management practices contained in the Program Standards. Staff reassessed the program in 2012 and determined that although there were improvements, the City program did not meet any of the nine Program Standards. This is primarily due to a lack of funding to develop and implement certain elements of the Program Standards.

With this new funding, the City will develop and implement a comprehensive Retail Food Safety Program Plan that complies with FDA Retail Program Standards through the development of various written administrative policies and procedures. By doing so, Berkeley will improve the effectiveness of the local retail safety food program, reduce Center for Disease Control and Prevention risk factors at retail food facilities and promote active managerial control by facility operators. This effort will lead to disease prevention and improved public health outcomes for the community.

RATIONALE FOR RECOMMENDATION

These new grant funds support vital public health protection services required to prevent food borne illness in the Berkeley community. Safe food and a sanitary environment in retail food facilities is an important element of a healthy community.

ALTERNATIVE ACTIONS CONSIDERED

If the award is not accepted, the City will not have the necessary resources to meet FDA Program Standards.

CONTACT PERSON

Manuel M. Ramirez, Manager of Environmental Health, HH&CS, (510) 981-5261

Attachment:

1. Resolution

RESOLUTION NO. -N.S.

REVENUE GRANT AWARD AND REVENUE AGREEMENT: U.S. FOOD AND DRUG
ADMINISTRATION FOR LOCAL RETAIL FOOD SAFETY PROGRAM PLAN

WHEREAS, funds are allocated and available from the FDA for cooperative agreements for local retail food safety regulatory programs; and

WHEREAS, it is necessary to protect the residents of Berkeley from possible food borne illness associated with retail food facilities; and

WHEREAS, the City of Berkeley Department of Health, Housing & Community Services is committed to public health disease prevention and control activities to ensure adherence to State and Federal standards; and

WHEREAS, the Department of Health, Housing & Community Services, through these FDA cooperative agreement funds, will provide vital disease prevention and control activities to ensure plans and resources are available to promote active managerial control by food facility operators and to respond quickly and adequately to the threat of foodborne illness in restaurants, markets, schools, institutions, and other places of retail food sales; and

WHEREAS, revenues will be collected in Fund 421 (Miscellaneous 1-Time Grant Fund) and all expenditures will be out of this same fund. The contract has been entered into the City's Contract Database System and assigned CMS No.TET5Y; and

WHEREAS, the City of Berkeley should seek and obtain external funding wherever possible to fund vital health protection services.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is hereby authorized to submit a grant application to the US Food and Drug Administration for funding in the amount of \$70,000 annually subject to funding availability and the satisfactory progress of the project, for a Cooperative Agreement Grant for a five year period beginning FY 2013 through FY 2017; to accept grant funds; execute any resultant revenue agreements and amendments; and implement the projects and appropriation of funding for related expenses, subject to securing the grant. A record signature copy of said agreements and any amendments to be on file in the Office of the City Clerk.