



# Compliance – Environmental Public Health (EPH)

Harris County Food Safety Summit  
June 1<sup>st</sup>, 2015

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# Overview



## What does the HCPHES food program do?

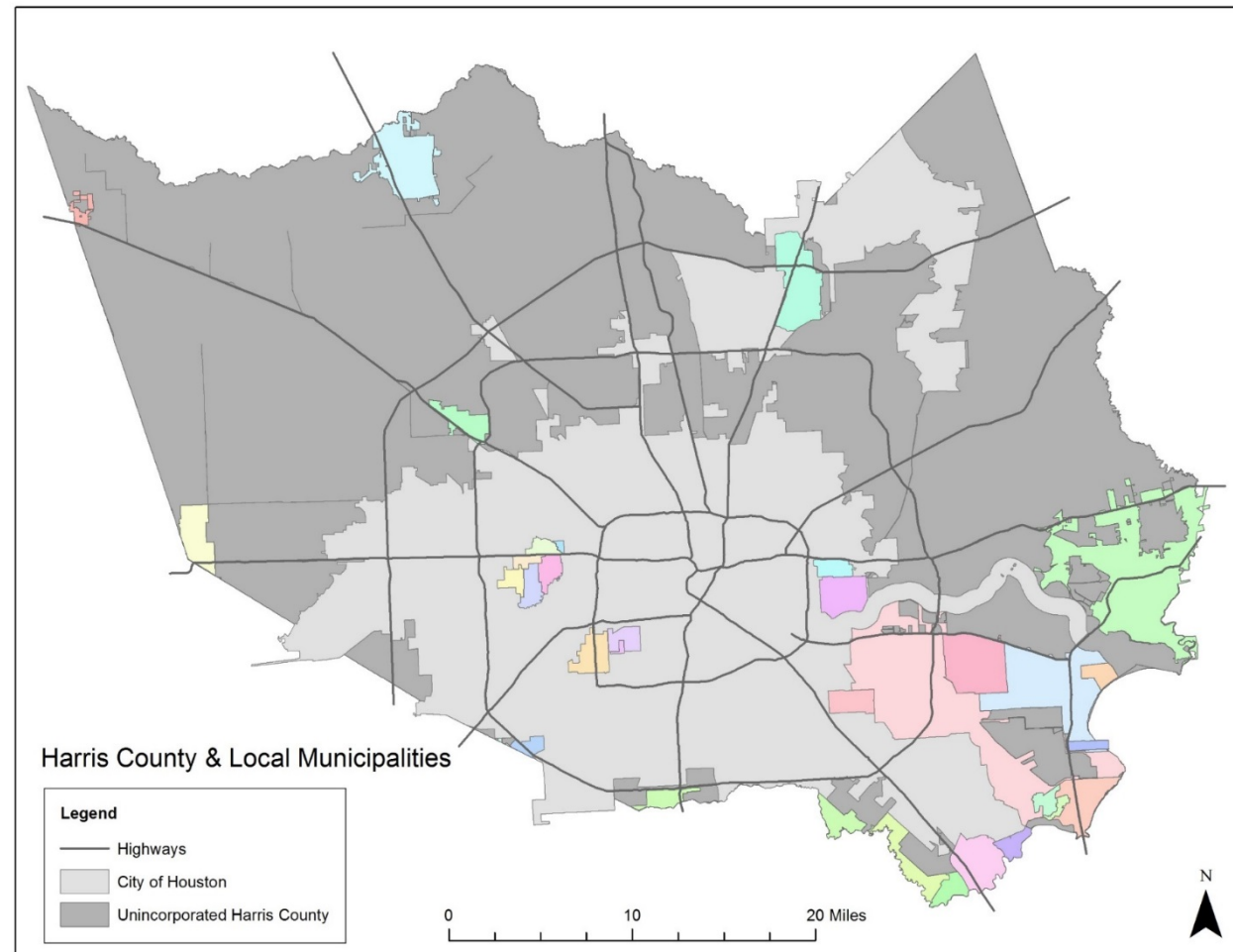
- Protects the public from food borne illness.
- Regulates, permits & inspects all types of food establishments in the unincorporated areas of Harris County.
- Harris County Food Establishments consists of (Restaurants, Bars, Schools, Day Cares, Hospitals, Retirement Homes, Mobile Food Units, Temporary Events, and Farmers Markets)

Basically anywhere that food will be prepared, stored or served.



## Harris County Stats

- Population: 2,140,939 in the unincorporated areas as of 2013.
- 3<sup>rd</sup> largest county in the United States
- If the unincorporated areas were a city it would be the 5<sup>th</sup> largest city in the United States.
- <http://quickfacts.census.gov/qfd/states/48/4835000.html>



# What does the Compliance Dept. do?



Ensure that food establishments are following the rules & regulations set forth by HCPHES-EPH in order to protect the public wellbeing & prevent foodborne illness outbreaks.

## This is done by the following process:

- Representing EPH in court for citations issued &/or criminal charges.
- Performing Compliance Inspections at food establishments.
- Placing conditions on active food establishment permits
- Issuing EPH Administrative Hearing Notices.
- Representing EPH during EPH Administrative Hearings
- Carrying out HCPHES Executive Orders & Directives

# So what is a Conditional Permit?



- A Conditional Permit is a permit that has had certain conditions or requirements placed on it by EPH.
- Conditions &/or requirements placed on a permit will be determined by an establishments risk assessment.
- Risk assessments are determined by a cumulative number of critical and non-critical violations that an establishment has accumulated.

# Conditional Permit Requirements (Active Managerial Controls)



- Submitting log sheet or checklist for a specific period of time.
- Obtaining Certified / Trained Food Manager licenses for employees
- Obtaining Food Handler training for employees.

# So where does the ability to issue Conditional Permits come from?



- Harris County Court Order (1-7-14), Sec. IV. (B)
- If your establishment is issued a Conditional Permit this will be done during your permitting inspection.



# EPH Administrative Hearings



There are 3-types of permit hearings

- Permit Denial Hearing
- Permit Suspension Hearing
- Permit Revocation Hearing

# So where does the ability to deny, suspend or revoke a permit come from?



- Texas Health & Safety Code Sec. 437.014
- Harris County Court Order (1-7-14) Sec. V

# What to do if your establishment is issued a hearing notice or denial, suspension or revocation?



- A request must be made in writing to appear the findings of the inspection which led to the issuance of the hearing notice.
- This written request must be submitted to EPH within 3-working days.
- The request must be made via mail, fax or in person.
- If a request is not made during the allotted time the denial, suspension or revocation will go into effect & an EPH-Directive will be issued.



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ENVIRONMENTAL PUBLIC HEALTH DIVISION

**NOTICE OF PERMIT SUSPENSION, REVOCATION OR DENIAL  
AND  
NOTICE OF THE RIGHT TO A HEARING**

An inspection conducted by a HCPHES – Environmental Public Health Division Investigator of the following food establishment described as:

Est. Name: \_\_\_\_\_  
Physical Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

- ☐ has found that conditions are not acceptable for continuing operation as a food establishment under the guidelines set forth by the department leading to the recommendation that the food establishment permit be suspended or revoked.
- ☐ has found that conditions are not acceptable for ☐ issuance or ☐ renewal of a food establishment permit leading to the recommendation that the application for a food establishment permit be denied.

You are hereby notified that you may request a hearing to appeal the findings of this inspection. This request must be made in writing and submitted to the Environmental Public Health Division of Harris County Public Health and Environmental Services within three (3) working days upon the receipt of the notice. A signed request must be made in person or by mail to 101 S. Richey Suite G, Pasadena, Texas 77506 or by FAX to 713-274-6375. Failure to request the hearing will be considered an acceptance of the denial, suspension, or revocation of the food establishment permit.

- ☐ Operating after the permit is suspended or revoked will result in charges being filed under Chapter 437 of the Texas Health & Safety Code. Once a permit has been revoked or suspended, your establishment must be brought into compliance with applicable Texas statutes, rules, and regulations.
- ☐ Operating after a permit is denied will result in charges being filed under Chapter 437 of the Texas Health & Safety Code.

If you have any questions, please call (713) 274-6300.

Issuing Investigator \_\_\_\_\_ Print \_\_\_\_\_ Date \_\_\_\_\_

Person in Charge \_\_\_\_\_ Print \_\_\_\_\_ Date \_\_\_\_\_

[www.hcphe.org](http://www.hcphe.org)

# EPH-Administrative Hearing Process



- Hearing Notice issued
- Hearing Request received
- Hearing schedule & held
- Results will come from the HCPHES Executive Directors office
- Results will be delivered by EPH Compliance personnel