

**Conference for Food Protection
2010 Issue Form**

**Internal Number: 042
Issue: 2010 I-003**

Council Recommendation:	Accepted as Submitted _____	Accepted as Amended _____	No Action _____
Delegate Action:	Accepted _____	Rejected _____	

All information above the line is for conference use only.

Title:

Addition to Section 8-4 Inspection and Correction of Violations

Issue you would like the Conference to consider:

The Model Food Code recognizes that the results of restaurant inspections are public documents and should be available for public review. However, complex rules regarding public access create difficulty for consumers who wish to consider inspection results.

Public Health Significance:

Consumer access to the results of these inspections plays an important role in maintaining the efficacy and credibility of the inspection system, and allows consumers to consider critical food safety information when making restaurant choices. Recent data show that nearly half of all foodborne illnesses are contracted from food prepared outside the home. Although food establishments are routinely inspected, the results of those inspections are not readily available to consumers-who thus have no way of minimizing their risk by knowing how an establishment performed on its most recent food safety assessment. In some jurisdictions, consumers must submit a formal Freedom of Information Act request to the regulatory authority to access an inspection report. The addition of the following language to the Model Food Code will ensure public access to inspection results at the food establishment, improving consumer access and decision-making, without placing any additional or undue burden on food establishments. For more information, see <http://www.cspinet.org/dirtydining/index.html>.

Recommended Solution: The Conference recommends...:

that a letter be sent to the FDA recommending the addition of the following language to Section 8-4 *Inspection and Correction of Violations*:

8-403.50 Public Information.

Except as specified in § 8-202.10, the regulatory authority shall treat the inspection report as a public document and shall make it available for disclosure to a person who requests it at the FOOD ESTABLISHMENT and otherwise as provided in law.

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*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name
or a commercial proprietary process.*