

## Pro/Con Listing for 2-102.11(C)

### **2-102.11 Demonstration**

**Based on the RISKS inherent to the FOOD operation, during inspections and upon request the PERSON IN CHARGE shall demonstrate to the REGULATORY AUTHORITY knowledge of foodborne disease prevention, application of the HAZARD Analysis and CRITICAL CONTROL POINT principles, and the requirements of this Code. The PERSON IN CHARGE shall demonstrate this knowledge by:**

**C) Responding correctly to the inspector's questions as they relate to the specific FOOD operation. The areas of knowledge include.....**

**Pro 1:** This gives the inspector the opportunity to ask customized questions directly related to operation being observed; not just utilizing standard questions.

**Pro 2:** This gives the PIC the opportunity to explain the processes performed in their food establishment which can often be validated with operations manuals and other training tools.

**Pro 3:** Gives a clear understanding for regulators and industry of the requirements and rationale to demonstrate Food Code knowledge as it pertains to their operations.

**Pro 4:** PIC is able to demonstrate food safety knowledge by successfully answering questions pertaining to their operation.

**Pro 5:** It addresses the importance of the PIC having knowledge of the risks and how they relate to foodborne illness.

**Pro 6:** If completely and correctly answered, the PIC can establish him/herself as properly trained, knowledgeable and engaged in the management of food safety in the establishment. It reflects that systems for managing food safety are in place even if momentary execution might be lacking.

**Pro 7:** Through Q&A the inspector is able to determine training needs.

**Pro 8:** This essentially amounts to an abbreviated CFPM oral exam. If the PIC is able to successfully answer all questions posed, they clearly have a solid understanding of basic food safety principals pertaining to their operation.

**Con 1:** Inspector's questions could be easily misunderstood by a PIC, especially if the inspector is not properly trained on asking appropriate questions relevant to the establishment's operation. This could also result in a degree of inconsistency based on the types and numbers of questions asked of the PIC by the inspector. For instance, there is no standard for how many questions a PIC must answer correctly to demonstrate knowledge.

**Con 2:** Inspector may focus on the questions and may not make observations of behaviors a higher priority.

**Con 3:** Regulators need to ensure only questions relevant to the operation are asked and that answers given for a food establishment's procedures that exceed the minimum requirement (such as temperatures) are not debited if in compliance with food establishment's standards.

**Con 4:** If a PIC is not accompanying an inspector at the time the inspector has a question, the inspector may need to take extra time at the end of the inspection to return to an area with the PIC to question the food establishment's procedure, thereby adding additional time for completion of the inspection. In some cases, if the PIC is not with the inspector, the inspector may have entirely forgotten the question he had regarding that process by the time the PIC rejoins the inspection.

**Con 5:** The number of questions asked and the percent that must be answered correctly in order to "pass" these criteria for demonstration of knowledge is not standardized resulting in inconsistent application from one inspector to another.

**Con 6:** The quality of an interview is as much a function of the interviewer's ability as it is the interviewee's competence. If the inspector does not ask questions properly/clearly, then the PIC's ability to successfully answer them will be limited. This "oral exam" also assumes that the inspector is a subject matter expert, has no competency issues, and knows the correct answers to the questions posed. On a more practical level, in many establishments English is not the primary language of the PIC or kitchen staff. Clearly, communication barriers are difficult to overcome in these situations. CFPM classes/exams overcome this by way of bilingual instructors and translated study materials/exams; however, it is far more challenging to overcome this in an on-site interview with an inspector.

**Con 7:** Nervousness, intimidation, and anxiety are all factors that may affect the employee's ability to relay accurate answers to the regulator's questions.