

FROM PAGE ONE

Patrons can ask for latest inspection report

Restaurants must turn them over upon request

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Under Florida law, restaurants must provide their latest health inspection reports upon request. But many patrons don't know they have that right, and many restaurant owners admit they have not educated their staffs about what the state requires.

A *Sun-Sentinel* reporter visited 10 restaurants — five each in Broward and Palm Beach counties, chosen randomly — to request the latest inspection reports.

In Broward County, one restaurant complied with a reporter's request while the others either refused or said the report was not available. Two Palm Beach County restaurants complied, and three did not — even though the Palm Beach County Commission recently approved an ordinance requiring restaurants to post a sign informing consumers that their latest inspection report is available upon request.

The measure went into effect Jan. 1, but county officials said they have yet to notify the 2,593 licensed food retailers.

"We wanted to make sure the report is available because many consumers don't know that they can ask for it," said Todd Bonlarron, legislative affairs director for Palm Beach County.

At Nicole's Village Tavern in Wellington, the hostess seemed confused when a *Sun-Sentinel* reporter and Roy Costa, a former state food inspector, re-



HERE IT IS: Carlos Rodriguez, owner of Charlie's Bar-B-Q in Dania Beach, shows his latest health inspection report, which noted violations. Rodriguez said all the infractions were corrected the next day. *Staff photos/Susan Stocker*

BEHIND THE SCENES: Maria Borges, below, cooks rice at Chico Mineiro Express in Margate. Though restaurants are not required to post their latest inspection, they must provide the reports upon request.



quested the restaurant's latest food inspection report. She declined the request.

Owner Ron Miranda admitted that his hostess did not know about the regulation on providing the report.

"In 14 years, nobody has ever asked me that," Miranda said, noting that he plans to educate his staff. "I don't have a problem showing the inspections to customers."

Nicole's was cited in January after an inspector found several violations. Miranda said he has since resolved the infractions and an inspector made a follow-up visit recently to confirm the improvements.

Carlos Rodriguez, owner of Char-

lie's Bar-B-Q in Dania Beach, handed over a copy without asking a question.

"Nobody has ever asked for this [inspection report], but I have no problem," said Rodriguez as he gave a reporter a copy of the health inspection conducted on Jan. 3, which found several deficiencies that were corrected the next day, according to Rodriguez. "I have nothing to hide."

Ian Barland, a regular customer of Chico Mineiro Express in Margate, said he didn't know restaurants were supposed to provide copies of inspection reports when asked. But now that he knows, he said, "I think inspections should be posted in plain view."

Chico Mineiro Express staff called

manager Francisco De Souza after a reporter requested the report because it was not available. De Souza offered to deliver the inspection report from his Deerfield Beach office.

The *Sun-Sentinel* obtained a copy of the report through the Division of Hotels and Restaurants Web site after the inspection was conducted on Jan. 2. The state inspector had issued a warning after noting 20 critical violations, including deficiencies in sanitation, management certification and staff training.

On April 5, an inspector recommended an administrative complaint, a disciplinary procedure, after a follow-up inspection revealed the restaurant

management had failed to correct most of the violations noted in January, a copy of the inspection shows.

De Souza said he thought he had corrected all the violations, but he acknowledged some deficiencies in staff training and management. He said he wasn't present at the time of the inspection and added that the inspector didn't talk to his staff.

"Whatever is wrong we try to correct right away," De Souza said.

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How to check a restaurant's safety record

INSPECTION

CONTINUED FROM PAGE 1A

the latest figures from the Florida Department of Health. But experts say the confirmed cases are probably a small percentage of actual illnesses because most consumers don't report them.

Roy Costa, a national expert and consultant to the food industry, said a single inspection provides a snapshot of a restaurant's operations but doesn't always indicate whether an establishment has serious problems that might contribute to a food-borne illness outbreak.

"Food becomes unsafe in a number of ways," said Costa, who is also a professor at the Hospitality and Tourism Institute at Valencia College in Orlando. "You have to look at the history of preparation of food. Even good restaurants could have problems."

The U.S. Food and Drug Administration Food Code suggests that restaurants be inspected three times annually, but every state handles inspections differently. In California and New York, local health departments are responsible for routine inspections. Los Angeles health officials conduct inspections at least twice a year while inspections are done annually in New York City, depending on the size of the restaurant, the complexity of the menu and how well the restaurant has complied with inspections in the past.

In Florida, the Department of Business and Professional Regulation oversees the Division of Hotels and Restaurants, which regulates 43,216 licensed food retailers in the state. A team of 168 inspectors conducts unannounced inspections twice a year and follow-up visits to restaurants, mobile food carts and vending machines.

Health inspections record what is taking place in a restaurant when an inspector walks in. Inspection reports are complex, and they don't tell the whole story. But they provide some general information about a restaurant's cleanliness, food-handling and overall operation. They also can spotlight deficiencies and sanitation problems, such as the presence of insects or rodents, and when food isn't properly maintained at appropriate temperatures.

"Food inspectors and restaurant owners must cooperate, communicate and educate themselves to develop risk-based sanitation inspections," said David Weidner, a former food inspector who is now vice president for EHA Consulting Group, an environmental health consulting company based in Baltimore. Weidner said inspectors should place more emphasis on hand washing, temperature control, sanitation conditions and cooking food the proper way.

Florida's health division follows a model of food safety codes developed nationally by the Conference for Food Protection, a multidisciplinary independent group of industry, regulatory and academic food safety professionals that works closely with the U.S. Food and Drug Administration to make changes in the FDA Food Code. Inspectors use a 60-point list to eval-

Restaurant health inspections

Florida state food inspectors use a 60-point list to ensure restaurants are following food safety procedures. Inspectors look for evidence of inadequate cooking techniques, food from unsafe sources, improper temperatures, contaminated equipment and poor staff personal hygiene. Other areas include:

Dumpster lid should be closed and drain plug in place to avoid leaks.

Hand washing stations, soap, hot water and paper towels should be accessible.

Food must be a safe temperature to avoid bacterial growth.

No obviously ill workers or infected cuts.

Eating areas should be clean without any evidence of rats, mice, roaches, flies or ants.

Kitchen should have clean cutting board utensils, mixers and other kitchen gadgets.

Prepping surfaces and floors should be clean.

Liquid and solid waste should be properly disposed.

Bathrooms should be clean with running water and working toilets. Soap, toilet paper and paper towels should be available.

SOURCES: Environ Health Associates, Inc., Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants

Staff graphic/Renee Kwok



CHECKING IT OUT:

Roy Costa, a national expert and consultant to the food industry, visits Nicole's Village Tavern in Wellington. According to Costa, a single inspection provides a snapshot of a restaurant's operations but doesn't always indicate whether an establishment has serious problems that might contribute to a food-borne illness outbreak. *Staff photo/ Jim Rassol*

uate food temperatures and handling, hand washing, equipment and utensils, water, fire safety and sewage, among other areas.

Violations are categorized as critical and non-critical. Critical violations — such as failing to keep food at proper temperatures, possible cross-contamination and staff failure to wash hands — could lead to food contamination. Restaurants must correct infractions within hours or days, depending on the severity.

"Most people don't know that 60 to 70 percent of food-borne illness outbreaks are caused by someone who didn't wash his hands," said Peter Snyder, president of the Hospitality Institute of Technology and Management, a food safety teaching-consulting firm based in St. Paul, Minn. Non-critical violations, such as fail-

ing to keep a dumpster lid closed, are less severe, but if left uncorrected could lead to critical violations, experts said.

Costa said when an inspector issues a warning, that's an indication that a follow-up visit will take place to be sure an infraction is corrected.

A disciplinary action is taken against a restaurant when violations are not corrected after inspectors have given oral and written warnings. Restaurants could be fined or face sanctions if infractions are not corrected as expected.

In December, the state issued disciplinary actions against 276 restaurants in the state — 94 of them in South Florida — and collected a total of \$253,550 in fines, the *Sun-Sentinel's* analysis shows. South Florida's restaurants paid a total of \$101,950 in fines.

State officials said an emergency closure is issued when the conditions pose an immediate risk to the public's health, including lack of approved utilities or hot water, sewage backup or overflows, fire damage, pest infestation or inadequate refrigeration. A daily fine usually is imposed.

But Costa noted some violations, such as infestation of rodents and insects, show a pattern of neglect by the restaurant owner.

"This doesn't happen overnight," Costa said. "Why did it get to the point where they [restaurants] had to be closed?"

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THINGS TO LOOK FOR WHEN DINING OUT

Consumers should look for signs that restaurant workers maintain proper hygiene and follow food temperature control and food-safety guidelines.

Things to watch for:

Restaurants should look clean. Bathrooms should have soap, toilet paper and paper towels. Clogged toilets and water backing up are signs of plumbing problems.

Staff should wash hands frequently, especially after using the bathroom.

Insects, such as roaches, and rodents should not be inside a restaurant.

Food should be thoroughly cooked, especially chicken and ground beef. All food should arrive at proper temperatures.

If you become ill after eating in a restaurant, seek medical attention and call your local county health department.

Save suspect food from a restaurant by freezing it in a clean container with a lid.

People at risk — pregnant women, seniors and people with weakened immune systems — should avoid undercooked animal products, soft French-style cheeses, pates, uncooked hot dogs and sliced deli meats, which have been sources of food-borne illnesses, according to the Centers for Disease Control and Prevention.

Resources:

To file a complaint call the Florida Department of Business and Professional Regulation at 850-487-1395 or online at www.MyFloridaLicense.com.

To search for restaurant inspection reports, citations or complaints check with the Florida Department of Business and Professional Regulation at www.myfloridalicense.com/delinquency_search.asp?SID=.

To learn more about food-borne illness and food inspections go to FightBac.org, an organization that provides food safety education; or the National Center for Infectious Diseases at www.cdc.gov/ncidod/diseases/food/index.htm; or EHA Consulting Group, an environmental consulting group at www.ehagroup.com.

To search the Sun-Sentinel's database of restaurant inspection reports, a list of restaurants closed since 2003 because of health problems or to download a complaint form, go to: Sun-Sentinel.com/restaurantsinspections.

The Sun-Sentinel's online database was created by staff researcher Jeremy Milarsky, staff writer Mc Nelly Torres and online producer Brian Wacker.