

TEXAS DEPARTMENT OF STATE HEALTH SERVICES



**DIVISION FOR REGULATORY SERVICES
ENVIRONMENTAL AND CONSUMER SAFETY SECTION
POLICY, STANDARDS, AND QUALITY ASSURANCE UNIT
PUBLIC SANITATION AND RETAIL FOOD SAFETY GROUP**

**PUBLIC SANITATION AND RETAIL FOOD SAFETY GROUP
REGULATORY CLARIFICATIONS**

September 26, 2006 (Revised: August 27, 2015)

PSRFSGRC - No. 11

SUBJECT: COMPETENCY OF INSPECTORS

Applicable Texas Food Establishment Rules (TFER) Sections:

Section 228.250 Competency of inspectors and access

Question:

What are the qualifications necessary for an individual to demonstrate competency to conduct inspections of retail food establishments?

Response:

An individual conducting inspections of retail food establishments should be a Registered Professional Sanitarian in Texas or a Sanitarian-in-Training in Texas, as defined in §265.142 of 25 Texas Administrative Code, Registration of Sanitarians (relating to Definitions), or should meet the Food and Drug Administration (FDA) Voluntary National Retail Food Regulatory Program Standards basic curriculum and field training elements.

The FDA Voluntary National Retail Food Regulatory Program Standards basic curriculum and field training is a 5-step process designed to achieve the level of competency necessary to adequately perform the required duties of a food safety inspection officer.

Step 1. Completion of curriculum courses designated as “Pre” in the document entitled “FDA Voluntary National Retail Food Regulatory Program Standard #2 Curriculum for Retail Food Safety Inspection Officers.” The document is included as an attachment to this clarification. There are 2 options for demonstrating successful completion of these courses.

Option 1: Successful completion of the FDA ORA-U Courses; and
Training on the jurisdiction’s statutes, regulations, and/or ordinances.

Option 2: Successful completion of courses equivalent to FDA ORA-U Courses; and

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Training on the jurisdiction's statutes, regulations, and/or ordinances; and successful passing of one of these four examinations:

- a) Certified Food Safety Professional Examination offered by the National Environmental Health Association (NEHA)
- b) State sponsored food safety examination
- c) Food Manager Certification examination provided by an ANSI/CFP accredited certification organization
- d) REHS or RS examination offered by NEHA or a State Registration Board

Step 2. Completion of a Minimum of 25 joint field training inspections.

The joint inspections should be conducted with a trainer or staff member who has successfully completed all five training steps. The joint inspections should be conducted at medium risk, high risk, and establishments that serve a highly susceptible population as defined in the Texas Food Establishment Rules, §228.2 (69).

Step 3. Completion of the curriculum courses designated as "Post" in the FDA Voluntary National Retail Food Regulatory Program Standard #2 Curriculum for Retail Food Safety Inspection Officers and completion of a minimum of 25 independent inspections. The independent inspections should be conducted at medium risk, high risk, and establishments that serve a highly susceptible population as defined in the Texas Food Establishment Rules, §228.2 (69).

Step 4. Completion of a standardization process similar to the FDA Standardization procedures.

Field standardization should be completed within 18 months of beginning employment as food safety inspection officer. Continuing standardization shall be maintained by performing a minimum of four joint inspections with the "training standard" every three years.

Step 5. Completion of 20 contact hours of continuing food safety education every 36 months after the initial training is completed.

Support:

§228.250 (a) requires that individuals conducting inspections of retail food establishments be able to:

- 1) apply basic scientific principles, including HACCP principles of food safety, during inspections;
- 2) properly conduct foodborne illness investigations;
- 3) assure uniformity in the interpretation of these rules; and
- 4) assure fair and uniform enforcement of these rules.

Inspectors need proper training in order to adequately perform their duties. Training can include a combination of classroom training, field training, standardization, and continuing education. Documentation of training can be done through successfully passing competency examinations such as the Registered Sanitarian examination or the Sanitarian-in-Training examination, or

through certificates of completion of training. Training curriculums should include the following components:

- 1) Prevailing statutes, regulations, or ordinances
- 2) Public health principles
- 3) Communication skills
- 4) Epidemiology
- 5) Microbiology
- 6) HACCP principles and plans

The FDA Voluntary National Retail Food Regulatory Program Standards, Program Standard 2 at <http://www.cfsan.fda.gov> has specific recommendations for training curriculums. FDA's ORA-U (<http://www.fda.gov/ora/training>) provides internet based training free of charge to local, state, and tribal regulators. This allows an agency to conserve time and funding resources while providing current technical and regulatory information. In addition, a food safety inspector may receive training that is equivalent to the FDA ORA-U courses. Field training is on-site training that focuses on obtaining the investigative, communication, and reporting skills needed to properly conduct an inspection. Standardization is a process that documents the uniformity in the application and interpretation of regulations, inspection methodology, and report writing. Standardization should be completed after the food safety inspector completes classroom and field training. The *FDA Procedures for Standardization and Certification of Retail Food Inspection/Training Officers* may be found at <http://www.cfsan.fda.gov>. Standardization is coordinated through the Foods Establishments Group of the Department of State Health Services.

Agree to form and substance:



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This Regulatory Clarification preempts any previous clarification/guidance/policy letters on this subject and remains in effect until superseded in writing by the Public Sanitation and Retail Food Safety Group. Attributed use or reproduction of this information is freely granted.

Attachment: FDA Voluntary National Retail Food Regulatory Program
Standard #2
Curriculum for Retail Food Safety Inspection Officers

FDA Voluntary National Retail Food Regulatory Program Standard #2 Curriculum for Retail Food Safety Inspection Officers

For state, local & tribal regulators to register on-line for free access to web courses, go to:
<http://www.fda.gov/ora/training/>

Pre-requisite (“Pre”) curriculum courses

(to be completed during the 25 joint inspection period AND prior to conducting any independent inspections)

PUBLIC HEALTH PRINCIPLES

Public Health Principles (90) FDA36

MICROBIOLOGY

Food Microbiological Control (series):

1. Overview of Microbiology (60) MIC01
- 2A. Gram-Negative Rods (60) MIC02
- 2B. Gram-Positive Rods & Cocci (90) MIC03
3. Foodborne Viruses (60) MIC04
4. Foodborne Parasites (90) MIC05
Mid-Series Exam (30) MIC16
5. Controlling Growth Factors (90) MIC06
6. Control by Refrigeration & Freezing (60) MIC07
- 7A. Control by Thermal Processing (90) MIC08
- 7B. Control by Pasteurization (90) MIC09
10. Aseptic Sampling (90) MIC13
12. Cleaning & Sanitizing (90) MIC15

PREVAILING STATUTES, REGULATIONS, ORDINANCES

Basic Food Law for State Regulators (60) FDA35

Basics of Inspection:

Beginning an Inspection (90) FDA38

Issues & Observations (90) FDA39

An Introduction to Food Security Awareness (60) FD251
(ORA U internet site)

2005 Food Code*

NOTE: Specific state/local laws & regulations to be
addressed by each jurisdiction

COMMUNICATION SKILLS

Communication Skills for Regulators*

Curriculum (“Post”) courses

(to be completed prior to Standardization AND within 18 months of hire or assignment to the regulatory retail food program)

MICROBIOLOGY

Food Microbiological Control (series):

- 7C. Control by Retorting (90) MIC10
8. Technology-Based Food Processes (120) MIC11
9. Natural Toxins (90) MIC12

HACCP

Basics of HACCP (series):

1. Overview of HACCP (60) FDA16
2. Prerequisite Programs & Preliminary Steps (60) FDA17
3. The Principles (60) FDA18

EPIDEMIOLOGY

Foodborne Illness Investigations (series):

1. Collecting Surveillance Data (90) FI01
2. Beginning the Investigation (90) FI02
3. Expanding the Investigation (90) FI03
4. Conducting a Food Hazard Review (90) FI04
5. Epidemiological Statistics (90) FI05
6. Final Report (30) FI06

“Application” Courses and “Hands-On” Training

To provide application of skills and transfer of web instruction to the jurisdiction’s work environment, although not required at this time, it is recommended that FSIOs complete one of the following three options within 18 months of hire or assignment to the regulatory retail food program:

1. Classroom Course: Application of the Basics of Inspection/Investigation FD170 (class schedule available at www.afdo.org/ or course content available on CD via FDA’s Division of Human Resource Development’s lending library.)
2. Courses developed by State or local regulatory jurisdictions or other entities containing learning objectives and exercises equivalent to Option 1 above.
3. Discussions Questions & Exercises * (conducted in the office or during the 25 joint inspections)

* Under construction

() Average time in minutes required to take the course, 60 minutes equals .1 CEU, 90-120 minutes equals .2 CEUs

Estimated total hours for “Pre” courses are 42 hours.

Estimated total hours for “Post” courses are 13 hours.

Estimated total hours for completion of all Program Standard #2 coursework are 54 hours

