

June 15, 2006

FOOD PREMISES REGULATION AMENDMENTS

The government is protecting farmers' markets from the rigid requirements of Regulation 562 (Food Premises) under the Health Protection and Promotion Act (HPPA). The government has also expanded the current exemption provided in the Food Premises Regulation for religious organizations, service clubs and fraternal organizations where special events are open to the public. Regulation 562, in place under the HPPA since 1984, spells out food storage, handling, sanitation, and preparation provisions for food premises for large operations like supermarkets and restaurants.

Beginning this summer the ministry will undertake a proactive \$1.5 million education campaign to widely promote safe food handling and preparation practices at farmers' markets and community-based events.

Farmers' Markets

Recognizing the distinct nature of farmers' markets, the government has exempted them from having to follow the requirements of the Food Premises Regulation under the HPPA.

While market vendors are now exempted from the Food Premises Regulation, the HPPA will still apply. The sections that are particularly relevant are:

- Section 10 (duty to inspect re: health hazards),
- Section 13 (power to issue an order re: health hazard)
- Section 16 (intent to commence the operation),
- Section 17 (prohibition on sale of food unfit for consumption)
- Section 18 (prohibition on sale of unpasteurized milk and milk products)

The sale of uninspected meats, unpasteurized milk and ungraded eggs at farmers' markets continues to be prohibited. Public health inspectors will continue to have the duty and authority to investigate and intervene – on a case by case basis - should a health hazard exist.

Religious Organizations, Service Clubs, and Fraternal Organizations

Previously, religious organizations, service clubs and fraternal organizations fell under the Food Premises Regulation when they prepared and served meals for special events that were open to the general public. Now, decades-old events like pot luck suppers and bake sales held by these organizations are exempted from the regulation and will be protected from overly-aggressive inspections from public health officials.

When high risk food is served at a special event that does not originate from a food premise that is

inspected under the Food Premises Regulation, these organizations are now required to post a notice stating whether or not the facilities have been inspected by the local public health unit. They will also be required to keep a log of providers of high risk foods to be given to the local public health inspector upon request.

Foods considered high risk

Food items deemed high risk are generally those that contain raw eggs, dairy products, meat, poultry and fish. Some examples would include the following:

Cakes/pastries with whipped cream, cheese or synthetic cream fillings

Dairy products (e.g., milk, cream, cheese, yogurt)

Food containing raw eggs as ingredients (e.g., custards, salads)

Fresh or processed meat, sausages.

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