



Food code violations rampant; food poisoning outbreaks rare

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By

*This is part of a Chronicle series on **Muskegon County health department** inspection records from 2007-10. [Click here to view the entire series.](#)*

Restaurants in Muskegon County racked up thousands of food code violations between 2007 and 2010, some of which could make the public sick, The Chronicle has found.

Raw chicken and crabmeat sitting out at room temperature, food kept past its expiration date, cockroaches, mice and fruit flies living in kitchens, employees not following proper hand washing procedures — all are just a taste of the most serious mistakes The Chronicle found after analyzing more than 22,000 local food code violations spanning four years.



Chronicle illustration/ Linda DeVogd

Restaurants weren't the only food servers cited for violations.

Schools, hospitals, and food stands found in places such as Michigan's Adventure Amusement Park were cited for breaking the rules, too. Thirty-seven percent, or 8,249, of all violations accumulated during the period examined by The Chronicle were deemed "critical," meaning they carry a greater chance of making the public sick.

"These critical violations, especially for repeat offenders, I really think that's very problematic," said Nancy Donley, president of STOP Foodborne Illness, a national food-safety advocacy group.

Food code violations aren't uncommon. Nearly every restaurant — from greasy spoon diners to posh, upscale eateries — receives them. They're written for everything from cracked floor tiles to food being improperly cooked.

Not included in The Chronicle's analysis: records from nearly 2,000 follow-up inspections. In many of those inspections, the violations were found to have been corrected. But in some, the violations were still present — meaning some establishments had even more violations than The Chronicle counted.

To find the most serious violations, we focused on what the U.S. Centers for Disease Control and Prevention considers some of the riskiest violations: keeping food at unsafe temperatures, employees who exhibit poor personal hygiene, failing to keep food contact surfaces properly cleaned, food obtained from unsafe sources, and improper cooking times and temperatures.

Among the findings:

- Restaurants were cited more than 1,900 times for violations that include cutting boards and kitchenware that weren't completely clean, and improperly storing raw meat, chicken or fish — a practice that can spread harmful bacteria to ready-to-eat items, like vegetables or lunch meat.
- More than 1,100 times establishments were cited for violations that include not keeping hot foods hot enough and cold foods cold enough. For example, harmful bacteria can thrive when hot food, such as refried beans or taco meat creeps below 135 degrees — what food safety advocates refer to as the temperature danger zone.
- Kitchen employees were cited more than 300 times for not following rules aimed toward preventing the spread of bacteria or viruses to food. Among them: employees who didn't properly wash their hands or wear gloves when handling ready-to-eat food such as hamburger toppings.
- Numerous establishments repeatedly racked up violations during the four-year period examined by The Chronicle, sometimes for the same offense. But some of the restaurants that were once among the biggest violators have cleaned up, and are now, largely, following the rules.
- Schools and hospitals, together, were cited for more than 700 critical violations from 2007 to 2010. Like other restaurants, their violations included failing to keep foods at the proper temperature, not keeping kitchen utensils completely clean, and forgetting to label foods with a discard date.

Ted Sietsema, who manages **Public Health-Muskegon County's** inspection program for food establishments, said it's important to keep in mind that when a restaurant is issued a violation, even one considered "critical," it doesn't mean contaminated food is being served.

What a violation shows, Sietsema said, is that a restaurant is not complying with a procedure within the food code — a set of guidelines crafted by the U.S. Food and Drug Administration that aim to reduce risk factors known to cause foodborne illness.

"It doesn't eliminate the possibility; what it does is it reduces their risk that something will happen,"

Sietsema said. "They're interventions, they're control measures; because somebody didn't cook their steak to 145 degrees doesn't mean somebody is going to get sick."

Still, it's important that restaurants avoid violations, said Ken Kraus, director of Public Health-Muskegon County. He likened restaurants that accumulate lots of violations to drivers who don't follow traffic laws — violating rules within the food code doesn't mean you'll make someone sick, but it increases the likelihood.

"You can run a stop sign and not hit anything, but the more often you do it, the more often you're going to hit something," Kraus said. "And it's possible to do it on the very first try."

Foodborne illness is no small problem. The CDC estimates that **one in six Americans suffers** from food poisoning each year, resulting in 128,000 hospitalizations and 3,000 deaths.



Ken Kraus

Sarah Klein, staff attorney at the Center for Science in the Public Interest, based in Washington D.C., said some of the violations identified by The Chronicle pose a threat to public health.

"Some of the violations are violations that could immediately lead to serious foodborne illness," Klein said.

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