

Restaurant reports upset city officials

**BY MIKE WILKINSON
AND MICHAEL D. SALLAH**
BLADE STAFF WRITERS

Stung by reports that question how well Toledo monitors the cleanliness of its restaurants — some of which go years without an inspection — city leaders reacted with anger yesterday.

"The city is shaken up right now," city Councilman Bill Boyle said.

He was among several city leaders who called yesterday for a review and changes in how the health department polices restaurants. It may mean hiring more inspectors to watch over the estimated 625 eateries in town.

"Almost everybody eats at a restaurant, even if it's a McDonald's," said Councilman Edna Brown.

She and others were reacting to The Blade's series, "Who's Watching the Kitchen?" The reports, which

started Sunday, reveal the health department has missed mandatory inspections, often has failed to follow up on violations, and has reacted slowly to consumer complaints.

"Quite frankly, my stomach has been queasy since I read that article on Sunday," Ms. Brown said. She said council's housing, neighborhood development, and health committee, which she chairs, likely will talk about the findings during its meeting at 2:30 p.m. today.

Also yesterday, Mayor Carty Finkbeiner picked a committee of six to study the findings in The Blade series.

Named to the committee were:

▶ Mary Gregory, retired director of health promotions at St. Vincent Medical Center and a member of the Toledo health commission.

▶ Dr. Amira Gohara, vice presi-

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dent for academic administration and faculty affairs at the Medical College of Ohio.

► Doni Miller, executive director of the Cordelia Martin Health Center.

► Arturo Quintero, assistant administrator of the Northwest Psychiatric Hospital and a member of the Toledo health commission.

► Jerry Rotterdam, a retired Toledo health department supervisor and a member of the Toledo health commission.

► Lourdes Santiago, a senior attorney in Toledo's law department and a former Toledo environmental health director, who once supervised the city's restaurant inspection unit.

Mayor Finkbeiner said he would withhold comment until after his committee's review is complete at the end of the month.

The Blade series, which runs through tomorrow, shows that:

► For years, the city has violated state law by not inspecting restaurants annually.

► When inspectors do find problems such as insects, filthy kitchens, or unsafe food, they often do not return to make sure the violations are corrected.

► Some restaurants remain open despite repeat violations of the health code. No fines have been levied against violators in five years.

In the last five years, more than two-thirds of all Toledo restaurants have been cited for the same violation two years in a row.

State officials, in separate reviews, have found a host of problems. Since late 1993, the state has audited Toledo's inspection program. It has flunked each time.

The most serious violation: Up to 40 per cent of the local restaurants were not inspected in the previous 365 days as required by the state.

The Blade's findings triggered an outpouring of calls to Government Center yesterday, officials said.

Councilman Betty Shultz said no single issue besides the utility debate has generated more concern. "A lot of people are talking about it," she said.

With so much interest, she said council will have to address the findings.

But so far, who will be blamed for the problems is not clear. The Ohio Department of Health said the city health department has enough staff to handle the job. Some blame the mayor as well as past city administrations for not making the inspec-

tions program a funding priority and hiring more inspectors.

"It appears the health and safety of the community is not a priority of this administration," Mr. Boyle said. "Why are we just hearing about this now? This has been going on for two years."

As the acting chief of environmental/consumer health, John Meacham said he repeatedly asked the Finkbeiner administration for additional inspectors. But Mr. Meacham, who retired in June, said he and the department rarely succeeded.

He said the inspector ranks — now at eight — didn't increase as the number of food establishments did. He said the workload got too big for the work force.

Several restaurant owners interviewed yesterday said the presence of the health inspector has been waning over the years.

Gus Nicolaidis, a longtime owner of a number of Toledo and area restaurants, said he used to see inspectors up to four times a year at his restaurants. But now, he said, city officials have downgraded the inspection program with staffing cuts. "Why are we blaming the health inspectors? Ask the mayor and city council why they've allowed this," he said.

"When there is crime, you hire more police officers," Mr. Nicolaidis said. "When you need firefighters, you hire them."

Despite the problems, officials say the local program may be improving after a number of state audits. The most recent audit is expected to be released by the state this week.

But there are more problems on the horizon. Next year, some restaurants will require up to three inspections a year under a new state regulation.

Dr. James Patrick, chairman of the Toledo health commission and the Lucas County coroner, conceded that getting more funding for the health department has been tough — in Toledo and elsewhere.

"Obviously, the higher level of activity is going to require more manpower to accomplish that," Dr. Patrick said. "But then the question is: Where are the resources going to come from?"

Overall, he said, in cities across the country, public health has been relegated to a lower priority.

In a city where dining out is an intrinsic part of the local culture, officials are asking if priorities should change.

"One of my concerns is that [since] so much of Toledo's social life revolves around our restaurants, maybe we need to be a little more aggressive from the city's standpoint in inspecting on a regular and timely basis," Councilman Rob Ludeman said.

Eateries are safe, council assured

BY MICHAEL D. SALLAH
BLADE STAFF WRITER

Of all the questions asked of Dr. Joseph Fenwick yesterday, there was one that stood out.

Is it safe to eat in Toledo's restaurants?

"Yes," answered the director of the Toledo health department, but not before he was grilled by city councilmen over Toledo's failed restaurant inspection program.

For more than 1½ hours, he defended the program before council's housing, neighborhood development, and health committee, saying it now complies with state law.

The meeting was held just three days after The Blade began its series, "Who's Watching the Kitchen?," which showed the health department has failed to inspect restaurants annually and often does not return to restaurants to make sure problems are fixed.

State officials, in separate audits, have failed the program because it has not been inspecting restaurants every 365 days.

One by one, members of the committee yesterday fired questions at Dr. Fenwick, saying they have been receiving calls from concerned citizens over the past three days.

At times, tempers flared.

"Somehow, you have to assure the people of this community that it is safe to eat out," said councilman Bill Boyle. "We are getting into the busiest time of the year for restaurants."

Dr. Fenwick: "I'm telling you by and large the restaurants are safe . . . I can tell you that many of the violations the newspaper wrote about were minor, and they do not impede anyone's health."

The 63-year-old dentist, who has overseen the health department the past three years, told councilmen that in some instances, the newspaper was "incorrect," and that it painted a poor picture of the inspection program.

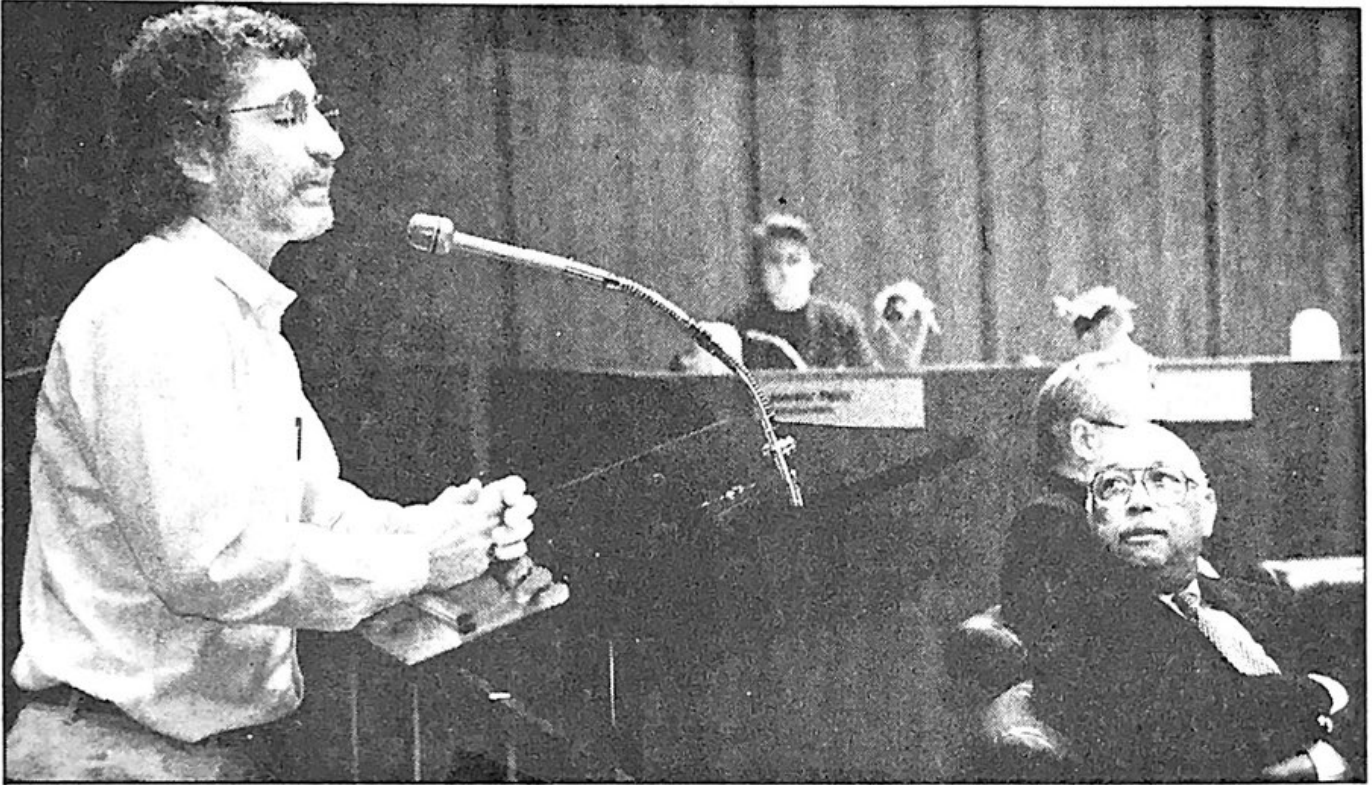
He admitted the program was hit hard by retirements over the years, and it was not always inspecting restaurants once a year — the state minimum.

He said at one time in the early 1990s, the city forced the health department to take on the building demolition program, which further strapped resources.

The demolition program eventually was removed, but "by that time, it had already disrupted long-standing programs," he said.

Last year, he asked the city for more inspectors, but never got them, he said.

But now, the inspection program



Dr. David Grossman, medical officer for the Toledo health department, tells council members about restaurant conditions as Dr. Joseph Fenwick, the department's director, right, listens.

Safe

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is now back on track, he insisted.

After another state audit last Friday, he explained, the local program is now in compliance with state law.

Although Dr. Fenwick told councilmen that he "asked for" the most recent audit, state officials say Dr. Fenwick didn't have any choice: it was mandatory because the city had failed the previous audit in June, and two others since 1994.

The city's inspection program has been on the state's trouble list since January, 1994.

The Blade series reported that food-borne illness complaints have increased by 70 per cent since 1990, with the largest food poisoning outbreaks over the past two years.

At one point, Mr. Boyle said The Blade, citing city records, reported that rat droppings were found in a restaurant.

"Are you saying that's not true?" Mr. Boyle asked.

"There may have been rat feces on the floor of some restaurants," Dr. Fenwick answered.

Councilman Rob Ludeman said he received several calls yesterday from citizens.

"They want to know if the people who we are paying with our tax money are doing their jobs and inspecting these places," he said.

Several members, including Edna Brown, who heads the committee, asked why the program, with nine inspectors, can't get to all the eateries once a year.

Another health official at yesterday's meeting, Dale Herzfeld, said the inspectors have to do more than just monitor restaurants. Overall, they are responsible for inspecting 1,428 restaurants, school cafeterias, and other food service operations; 837 grocery stores and carryouts, and 304 vending locations, he said.

There are presently eight inspectors (although one is on maternity leave) and an acting supervisor, he said.

That means each has a caseload of 321 operations annually.

The U.S Food and Drug Adminis-

tration recommends that inspectors be responsible for no more than 350 operations a year.

Although yesterday's committee meeting was held to discuss legislation to raise the fees for food operation licenses, the debate never steered in that direction.

In all centered on the inspection program — and the safety of local restaurants.

Ms. Brown said that the next committee meeting at 2:30 p.m. Dec. 19 will take up the proposed changes in the fee.

Part of the increase is to help pay for three additional inspectors next year when a new state law requires that restaurants be inspected up to three times a year.

Several restaurateurs spoke at yesterday's meeting, saying local restaurants have exemplary standards in the kitchen.

"Twenty-six million meals were served in Toledo restaurants last year," said Arnie Elzey, past president of the Northwest Ohio Restaurant Association. "And there were only 300 complaints [from customers] to the health department."

WHO'S WATCHING



THE KITCHEN?

Health office deluged with phone calls from diners

BY DAVID JACOBS
BLADE STAFF WRITER

Toledo-area diners are looking beyond restaurant reviews and word of mouth when deciding on a place to eat.

The Blade's four-part series, "Who's Watching the Kitchen," is prompting area residents to flood the city's health department with telephone calls inquiring about the state of their favorite restaurants.

The stories, which resulted from a four-month investigation, showed that Toledo's health department has

■ An editorial on Page 14.

■ Food editor Joe Crea's view on Page 15.

failed to inspect restaurants annually and often does not return to restaurants to make sure problems have been remedied.

Deficiencies have included roaches, rodents, raw sewage inside and outside restaurants, and food being stored at unsafe temperatures.

State officials have failed the city's restaurant inspection program the last two years because it has not been inspecting restaurants every 365 days, the state minimum.

The revelations have led to the deluge of questions at the health department by concerned diners.

"Every time I turn around, another phone call is coming in," said Dale Hertzfeld, acting chief of environmental/consumer health for the city. "There are so many that we are not even keeping track of them."

Residents are saying, "We are going out tonight. Let's call and pick the best one out of five," Mr. Hertzfeld said of the telephone inquiries.

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Diners

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One woman requested inspection reports on five or six restaurants, sought copies, and wanted to go through the records herself, Mr. Hertzfeld said.

Mr. Hertzfeld indicated that requests would be honored by his office staff of three as soon as they could find time. "They are in tears," he said.

Mr. Hertzfeld lashed out at The Blade for printing on Page 1 yesterday that the records are available for public review at the downtown health department, 635 North Erie St.

The last time a restaurant was inspected, violations found, and how many complaints have been received are open for inspection under the law.

"Can you believe what you have done to us?" Mr. Hertzfeld asked. "It is the worst thing anyone could have done."

"We don't have the staff to answer all of these calls. The girls are trying to get licenses out, plus type letters and inspection reports, and do the filing. You have not helped us one bit."

Arney Elzey, a past president of the Northwest Ohio Restaurant Association, said that while the reports are a public record, they provide only a glimpse of a restaurant's overall state.

Mr. Elzey described the inspections as a snapshot of a restaurant's state in a certain point in time.

The Ohio Department of Health is praising The Blade's exhaustive series, which was based on the review of 15,000 documents.

"They provide the public an overview of the local health department's role and they are educational," said Paul Panico, who oversees the state's food-service inspection program.

"They also inform the public on some general sanitation standards, such as the importance of temperature control, cleaning, and sanitizing of surfaces and food-handling processes."

The Blade stories also support the state's philosophy of a focus on training, Mr. Panico said.

"We have tried to talk to the sanitarians and train them that they shouldn't be viewed as an adversary at the restaurant, but more as a consultant who is there to help identify potential programs, and help the restaurant eliminate any potential problems that may be occurring," the state official said.

In a related development yesterday, Lucas County offered to loan restaurant inspectors to Toledo so that the city's restaurants can be reviewed in a timely manner and be subject to follow-up inspections.

"Part of the contract would be that we are not going to debate the issue of cost with the city," said Sandy Isenberg, president of the board of Lucas County commissioners.

“This would not have happened if you had one large sanitation inspection division . . .”

Sandy Isenberg
president of the board of Lucas County commissioners.

The three county inspectors, who review about 1,300 restaurants outside Toledo's corporate limits, would supplement eight city inspectors and one acting supervisor.

"It will be a nonnegotiable cost to the city of Toledo based on exactly what it costs the county," Ms. Isenberg said, noting that the city has dragged its feet in paying for previous services.

Mayor Carty Finkbeiner said that he was delighted to learn of Ms. Isenberg's offer.

"I just don't know that our own people can't handle it," he said.

Mr. Finkbeiner has appointed a

committee to review The Blade's findings. It will meet for the first time at 4 p.m. today in the mayor's conference room on the 22nd floor of Government Center.

Mr. Finkbeiner has declined to comment on specifics of The Blade series, other than to discuss the committee's role.

Councilman Gene Zmuda said the mayor should deal with the problem of missed restaurant inspections himself and not appoint another committee.

"He certainly is taking credit for everything positive that is occurring under his watch. By rights, he should accept blame for things that are not going well under his watch as well," Mr. Zmuda said.

"Why doesn't he just go in and deal with his own employees?"

Ms. Isenberg said that Toledo's problems are another example of why the city and county health departments should be merged.

"This would not have happened if you had one large sanitation inspection division, as opposed to two separate inspection divisions. You could have utilized personnel to make those appropriate inspections," she said.

WHO'S WATCHING



THE KITCHEN?

Inspection, follow-up at eateries still subpar

BY MICHAEL D. SALLAH
AND DAVID JACOBS
BLADE STAFF WRITERS

Toledo's restaurants still are not being inspected once a year despite claims by city health officials that the troubled inspection system is following state law, a survey by The Blade shows.

And inspectors still are failing to follow up after inspections to make sure problems — like dirty ovens, bugs, and unsafe cooking practices — are corrected.

"I'm just hearing this for the first time," said Dr. Joseph Fenwick, director of the health department. "It's essential that we get to all these restaurants."

Two days ago, Dr. Fenwick assured city councilmen the struggling program, highlighted in a Blade series this week, finally was fulfilling the law by inspecting all restaurants once a year.

He said the most recent state audit last week did not show any missed inspections.

Most of The Blade's findings in the series "Who's Watching the Kitchen" were based on records from 1990 through mid-1995.

But a review by the newspaper in the last two days of the most recent records shows that the program still is failing.

Of 129 restaurants that should have been inspected from September through November, at least three eateries still had not been visited by health inspectors.

In fact, when Blade reporters informed the health department of the missed inspections, officials went to two of the restaurants that same day and turned up numerous violations.

In one case, a restaurant was found to be serving chicken and other items in a buffet line at unsafe temperatures that were conducive to bacteria growth, which causes food poisoning.

In addition, in those cases where officials performed their inspections, they failed to return to the restaurant in 14 cases to make sure the violations were corrected.

In some cases, they never both-

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Eateries

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ered to check if toilets were working or if poor food preparation practices had been stopped.

One time, they returned to a restaurant five months after they said they would return, and only when someone complained of food poisoning.

The findings are the latest in a series of developments involving the embattled inspection system, which has been on the state's trouble list over the last two years.

The Blade's series, based on a computer analysis of inspection records since 1990, revealed a host of problems:

► For years, the city has violated state law by missing scores of inspections, with some eateries going as many as three years between reviews.

► When inspectors do find problems like insects, filthy kitchens, or uncovered food, they did not return nearly half of the time to ensure the violations are fixed.

► Some restaurants remained open despite repeated violations of the health code.

Since the series, hundreds of people have called Government Center as well as The Blade, expressing concern over the local program.

Mayor Carty Finkbeiner, whose office has been aware of the problem for most of this year, appointed a special six-person committee on Monday to study the system.

Since 1990, there has been a 70 per cent increase in foodborne illness complaints, according to The Blade's computer analysis.

In the last week, local officials have been questioning why the state, which flunked the Toledo inspection system in four audits since 1994, has not stepped in to ensure it's doing its job.

The state has the power to take over a local program if it repeatedly misses inspections.

Paul Panico, head of the state Department of Health's food protection program, which regulates local inspection systems, said he considered coming in and shutting down the program.

But he said yesterday that Toledo's inspection system showed improvement after every survey, even though it didn't pass any of them. He said his survey officer told him after last Friday's audit that it appeared Toledo finally passed its most recent review.

But he said he was surprised yesterday after hearing The Blade found that even more restaurants had gone without inspections.

"I would have expected that they would have all been inspected," he said. "We may have to check it out.

We may have to go in there and see it for ourselves."

No other city in Ohio has failed as many consecutive state surveys, said Mr. Panico.

"To fail more than two in a row is almost unheard of," said Terry Wright, a former state survey officer who now is a Dayton area health official. "I'm very surprised to hear that."

In a typical state survey, officials check a sampling of 25 restaurant files to see if there has been an inspection in the last 365 days. In January, 1994, the state found as many as 40 per cent were not inspected in Toledo's files.

Such a sampling has a 5 per cent margin of error.

"That's why you found some missing, but the state did not," said Randy Hertzler, a spokesman for the state health department.

The difference: The Blade looked at restaurants that should have been inspected in the last three months.

The head of the Ohio Department of Health, Dr. Peter Somani, has not responded to repeated telephone calls from The Blade.

Some city officials are upset about the most recent findings.

"We were told [by Dr. Fenwick] that all of the restaurants are now being inspected every 365 days," said councilman Bill Boyle.



Dr. Joseph Fenwick assured city councilmen two days ago that the health department was fulfilling state law by inspecting all restaurants once a year. A Blade survey shows otherwise.

"Maybe the city council should be taking the lead in this. The mayor's office has known about this for some time, and now all of a sudden this is a priority? I don't understand. Did it have to hit the papers first before he started caring?"

Mr. Finkbeiner yesterday ordered that immediate steps be taken until the committee he appointed completes its review of the inspection program.

The steps ordered by the mayor include:

- ▶ Improved routes to improve the efficiency of the inspections.
- ▶ An increased daily workload for existing inspectors.
- ▶ An examination of inspection processes in other cities.
- ▶ A study of the current filing system and use of computers.

"We feel that [The Blade's] four-part series raises some very important questions and issues that need to be dealt with," the mayor said.

The Blade's series highlighted the vulnerabilities involving the health department, he acknowledged.

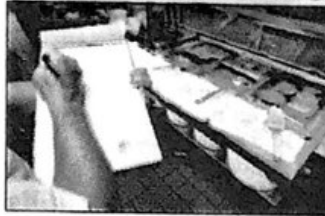
Mr. Finkbeiner said he was not aware of the scope of the inspection problems until the articles began appearing. However, during The Blade's four-month investigation, at least one top health commissioner, John Meacham, who has since retired, said the mayor's office was

well aware of the inspection program's failings.

Mr. Meacham said he took his concerns to representatives of the mayor's office earlier this year.

"The response from the mayor's office was: If the state says we need more inspectors, then let the state pay for them," Mr. Meacham said.

WHO'S WATCHING



THE KITCHEN?

City's top restaurant inspector demoted in shake-up

BY DAVID JACOBS
BLADE STAFF WRITER

Mayor Carty Finkbeiner yesterday removed the top supervisor of Toledo's restaurant inspection program following revelations that the city has not been inspecting all restaurants annually as required by state law.

The mayor ordered that Robert Kurtz, who had supervised the program since May, be replaced by inspector James Fall.

In a related development, Dr. Peter Somani, director of the Ohio Department of Health, said he has ordered his department to make unannounced spot checks in Toledo to ensure that the city is complying with state laws.

The spot checks of Toledo health department records are unprecedented in Ohio, state officials said. The checks will occur at least every six months for an undetermined period of time.

"That starts today," said Mark Anthony, spokesman for the state department of health. "We will just show up at the door."

Until now, the inspections of a sampling of restaurant files occurred at least once every three years, Mr. Anthony said.

The tougher state standards and Mr. Kurtz's demotion are the result of The Blade's four-part series, "Who's Watching the Kitchen?"

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Shake-up

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The four-month newspaper investigation showed that Toledo's health department has failed to inspect restaurants annually and often does not return to restaurants to make sure problems are remedied.

Records have shown that up to 40 per cent of Toledo restaurants were not inspected every 365 days.

Problems uncovered in the series included roaches, rodents, mold, raw sewage, and food being stored at unsafe temperatures in many Toledo restaurants.

State officials, in separate audits, have failed Toledo's program three times because it has not been inspecting restaurants annually.

"We will go back and work with them one more time. We will start the process of spot-checking ourselves and make sure the restaurants are appropriately inspected," Dr. Somani said.

Asked why his department did not use its authority to shut down Toledo's programs for previous failures, Dr. Somani said, "We have done everything possible.

"We have brought them to Columbus on at least three or four occasions for training their folks to go out and do the inspections. We have explained all the rules to them

about how they should be implementing them."

Records show that in late 1994, after failing yet another state inspection, state health officials scheduled a meeting in Toledo to discuss the missed inspections, but that Dr. Joseph Fenwick, the city's health director, failed to show up.

"On Nov. 30, 1994, a meeting was held with John Meacham of your department to discuss the situation. It is unfortunate that you were unable to attend this meeting," Paul Panico, head of the state Department of Health's food protection program, wrote in a letter to Dr. Fenwick.

"It is imperative that your department evaluate its environmental health program priorities and make the necessary staff assignment adjustments to achieve compliance in the Food Service Operation Program," Mr. Panico added in the December, 1994, letter to Dr. Fenwick.

Dr. Fenwick said yesterday that he does not recall the meeting but that he may have missed it as the result of being called away on other business.

And why didn't state health officials notify the mayor's office about the problems in the city's restaurant inspection unit?

■ **Lack of staff blamed for lax inspection of Toledo restaurants. Story, photos on Page 19.**

That was not the state's role, Dr. Somani said.

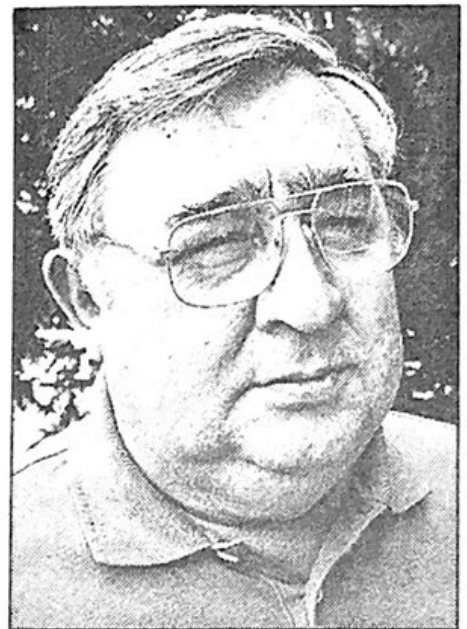
Mayor Finkbeiner confirmed yesterday that city health officials had notified his office earlier this year of inspection troubles.

He said city health officials told him that the state was ordering the hiring of additional inspectors. But the issue was not the number of inspectors the city had, only the number of inspections being carried out, the mayor said.

Mayor Finkbeiner said he thought the current inspection staff could handle the work load and that if the state wanted more inspectors it should pay for them.

Mr. Kurtz yesterday called his demotion unfair and said he would contact his union, the American Federation of State, County and Municipal Employees, for assistance.

BLADE PHOTO



Kurtz: calls demotion unfair.

"I've been pushed out of my job," Mr. Kurtz said. "I have only been in this job less than six months. This [missed inspections] has been going on for years."

Mr. Kurtz will continue with the city as a restaurant inspector.

Dr. Fenwick told city council earlier this week that all city restaurants are now being inspected each year as required by state law, but a review by The Blade this week found that is not true.

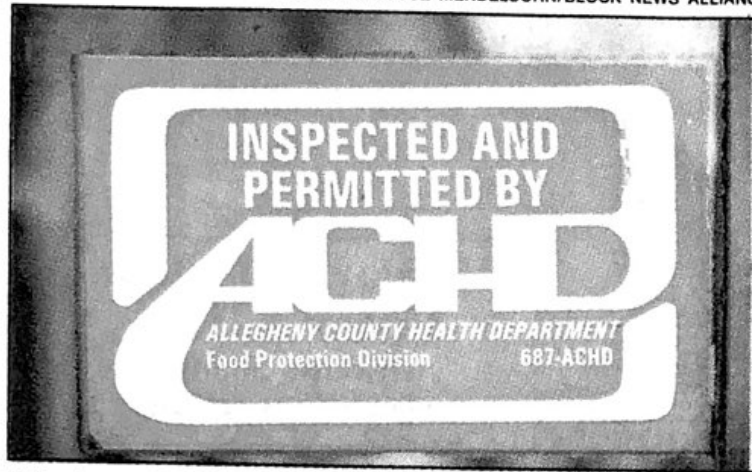
A check of 129 restaurants that should have been inspected from September through November, determined that at least three restaurants had not been visited by city health inspectors. In addition, inspectors failed to return in 14 cases to make sure that violations found in earlier visits had been corrected.

Yesterday's changes also include the hiring of Jerry Rotterdam, a retired city health department official.

Mayor Finkbeiner plans to wait until his health committee issues a report next month before determining whether further personnel changes are needed.

"There is no question that from the top, down to the supervisor of inspectors, we have not done a satisfactory job of overseeing the establishments in the city of Toledo," he said.

PHOTO BY JOYCE MENDELSON/BLOCK NEWS ALLIANCE



Allegheny County restaurants post green, yellow, or red signs so diners know how they scored on inspections.

Grading eateries suits public taste

BY MIKE WILKINSON
BLADE STAFF WRITER

RALEIGH, N.C. — On Nov. 21, Bob Nenno received the news that no restaurateur in North Carolina wants to hear — his Italian restaurant had received a B rating, which by law must be posted.

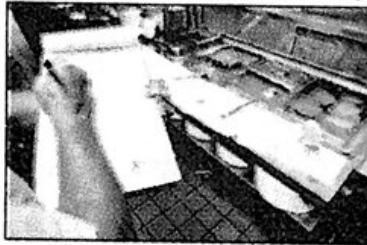
"The customers expect the A," said Mr. Nenno, the restaurant's manager. "It's like death warmed over when you get a B. It's like the plague."

Within days of getting rapped for poor hand washing, insecticides over dishes, lack of hair restraints, and other problems, Mr. Nenno and his staff launched a full-court press of cleaning that included the hiring of an exterminator to eliminate roaches from a cabinet.

Upon reinspection last week, the restaurant netted an A.

He said he was surprised there is no grading system in Ohio to give customers an idea of how clean the restaurant was. "Medi-

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ocre response is easy when you don't have the pressure," he said.

In Ohio, diners only can take it on faith what goes on in the kitchen. But in North Carolina, Allegheny County, Pa., and elsewhere, consumers are given an additional tool: a visible grading system that lets them know how the establishment fared in recent health inspections.

Clearly, some Toledoans have an appetite for such information.

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Grading

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Since The Blade began a series that raised tough questions about the ability of the city's health department to police restaurants, hundreds of people have called the newspaper and the health department asking about individual restaurant's inspections.

The most recent inspection, a list of violations, and how many complaints have been lodged against a restaurant are open for review under state law. The health department is located at 635 North Erie St.

At times controversial, public grading programs are not without flaws or critics. Some say hard-nosed inspectors unfairly can taint a restaurant with criticisms of missing floor tiles or burned-out light bulbs when no food-related problems exist. Others suspect there is pressure to inflate grades and keep owners happy.

"It puts a lot of pressure on the operator and the inspector to give good grades," said Steve Grover, assistant director of technical services for the National Restaurant Association, based in Washington.

But in the Tar Heel state, where barbecue is an art form and basketball is king, consumers have had the ability for decades to gauge at a glance what's going on behind the kitchen door.

And that, for most restaurant managers and owners here, forces them to be vigilant.

"I have my first B rating and I didn't particularly like it," said Steve Foster, a manager for an O'Charley's restaurant in North Raleigh.

Mr. Foster, who has worked in restaurants in both North Carolina and Ohio, had an angry reaction to his score of 85. "He was a volcano," recalled the bartender at the restaurant.

Immediately, Mr. Foster set about to correct the problems, which included having wet dishes stored in a dirty area and employees smoking near the preparation of food. He already has asked for a new inspection.

In Ohio, his reaction may have been somewhat tempered, he said. "There was less of a sense of urgency to deal with an 85 in Ohio than an 85 in North Carolina," Mr. Foster said.

The North Carolina grading system is all Robert Grigston has known. As supervisor for the Wake County health department's food and lodging program that inspects roughly 1,400 eateries in the greater Raleigh area four times each year, Mr. Grigston oversees a program that has been in place for decades.

When an inspector walks into a North Carolina restaurant, the establishment starts off with 100 points. For every violation — em-

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ployees without hair nets, uncovered food, poorly ventilated kitchens — they start knocking off points. If the final tally is above 90, the store gets an A. From 80 to 89.5, a B. And from 70 to 79.5, a C.

Mr. Grigston has his own personal standard. The restaurants he goes to must have an A rating. Those with a B or less, he said, aren't on the menu. "I just make it a habit not to [go there]," he said.

A restaurant can remain open without fear of imminent closure with all of the ratings. But clearly, most strive for the highest grade. And it is the grade most get.

A review of roughly 250 inspections from November showed that the Wake County health department's inspectors doled out an A about 94 per cent of the time. Five per cent got a B; there was one C.

Toledo inspectors do not generate a point score as they do in North Carolina. Instead, they identify various violations of the state health code at each establishment, make out an inspection report, and file it at the city health department.

North Carolinians have come to expect more.

When she's really hungry, Dahl Etchison will leave her Between Friends card shop in Garner, N.C., and get a sandwich next door. The folks at the Subway Sandwiches and Salad store do something special for Ms. Etchison; they toss out the formal menu and concoct her a chicken-cheese-lettuce-tomato-and-barbecue-sauce sandwich on a bun.

They do something else special there — keep a perfect kitchen. The Subway establishment earned a perfect score in its last inspection and two previous 100 per cents.

But Ms. Etchison did not know that. Although the grade proudly is displayed on the wall, she hadn't noticed the A or the 100 per cent score in the lower right hand corner. Her own eyes, however, did notice the spotless preparation area.

"That place is so clean," she said.

A middle-aged woman who frequently eats out, Ms. Etchison conceded she did not know the ratings have been on display for years. She relies on her own instincts and the advice of friends.

"I assume the health department is taking care of it for me," she said.

Once told about the ratings, Ms. Etchison and a friend, Ann Bagwell, became curious. They asked about the ratings of other restaurants in the shopping center and those around the Raleigh area.

"I'm going to start looking," Mrs. Bagwell said.

Grading systems are not panaceas and are not insulated from criticism. In Guernsey County, Ohio,

east of Columbus, the health department there adopted a grading system in 1990. It lasted one year before it was scrapped, said Rick Van Fleet, director of environmental health.

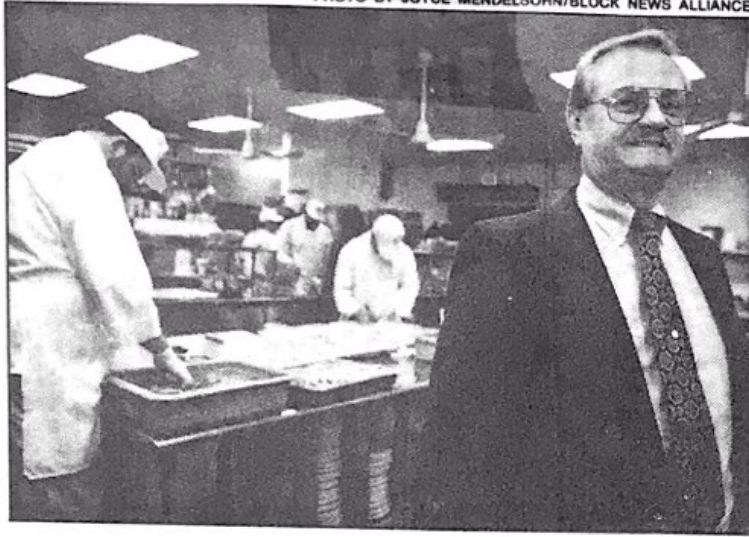
The program started as a way to inform the public. But by the time the rules were written, the new system did not work. A restaurant that got a score that could lead to a B or C, he said, could keep its A for weeks while it worked on fixing the problems. The restaurant would get three chances to fix the problem before a new, lower grade would appear.

It rarely happened. "The way it was written, it was almost impossible not to get an A," Mr. Van Fleet said.

In Pittsburgh, Allegheny County health department officials faced criticism of their A-B-C grading system for several years. In 1993 they made changes that went to a color-coded warning system. The new rules, covering some 8,500 permanent facilities, took affect in 1994.

George Bradley, owner of a Baldwin, Pa., catering company, worked on the changes as part of the health department's advisory board. He said the letter-grade system had problems because a restaurant could get marked down if it had structural problems unrelated to food safety.

Consumers, he said, also had become immune to the letter system.



George Bradley, owner of The Bradley House, in Baldwin, Pa., lobbied to change Allegheny County's grading system.

Some would eat at C restaurant without knowing how poorly that establishment had done. "I think they walked in and didn't care," he said.

Now, most restaurants get a green card that clears them for business. The second level get a yellow warning card that announces a "consumer's alert," said Guillermo Cole, of the Allegheny County health department. A red card indicates the health department has closed the establishment. The cards are posted in public view.

As far as a grading system goes, if it's a positive thing for our industry and the consumer and the restaurant, it would be good for everybody. ♪

Gus Mancy
Mancy's restaurant

Since the new system was adopted in February, 1994, the county has doled out 43 consumer alerts and has closed 14 places, Mr. Cole said.

Neither Michigan nor Ohio requires restaurants to post their inspection reports or a grade derived from them. In Ohio, the inspections must come at least once a year; in Michigan most restaurants are checked twice a year.

But one major chain, the Big Boy operation owned and franchised by ~~Ellis~~ Bros., in Warren, Mich., is working on plans to post its inspec-

tion reports at its 255 restaurants in Michigan, Ohio, Pennsylvania, and West Virginia, said Tony Michaels, a vice president for marketing.

"We think an informed customer is a pleased customer," he said. The idea is still in the planning stages.

The 21 Frisch's Big Boy restaurants in northwest Ohio are owned by Bennett Enterprises, based in Perrysburg, said Paul Schilling, chief executive officer for Bennett.

If Big Boy takes the leap, both Mr. Michaels and Mr. Schilling expect others to follow.

"I think they're probably going to do something along those lines," Mr. Schilling said. "They're going to have to. Good operators have nothing to hide."

Local restaurant operators said last week a grading system might be worth a try in Toledo.

But the grades would have to be the product of objective inspectors who clearly spelled out how they will grade a restaurant, they said. And if a grade was lowered, the restaurant would have to have the chance to get reinspected quickly — no year-long waits for a second chance.

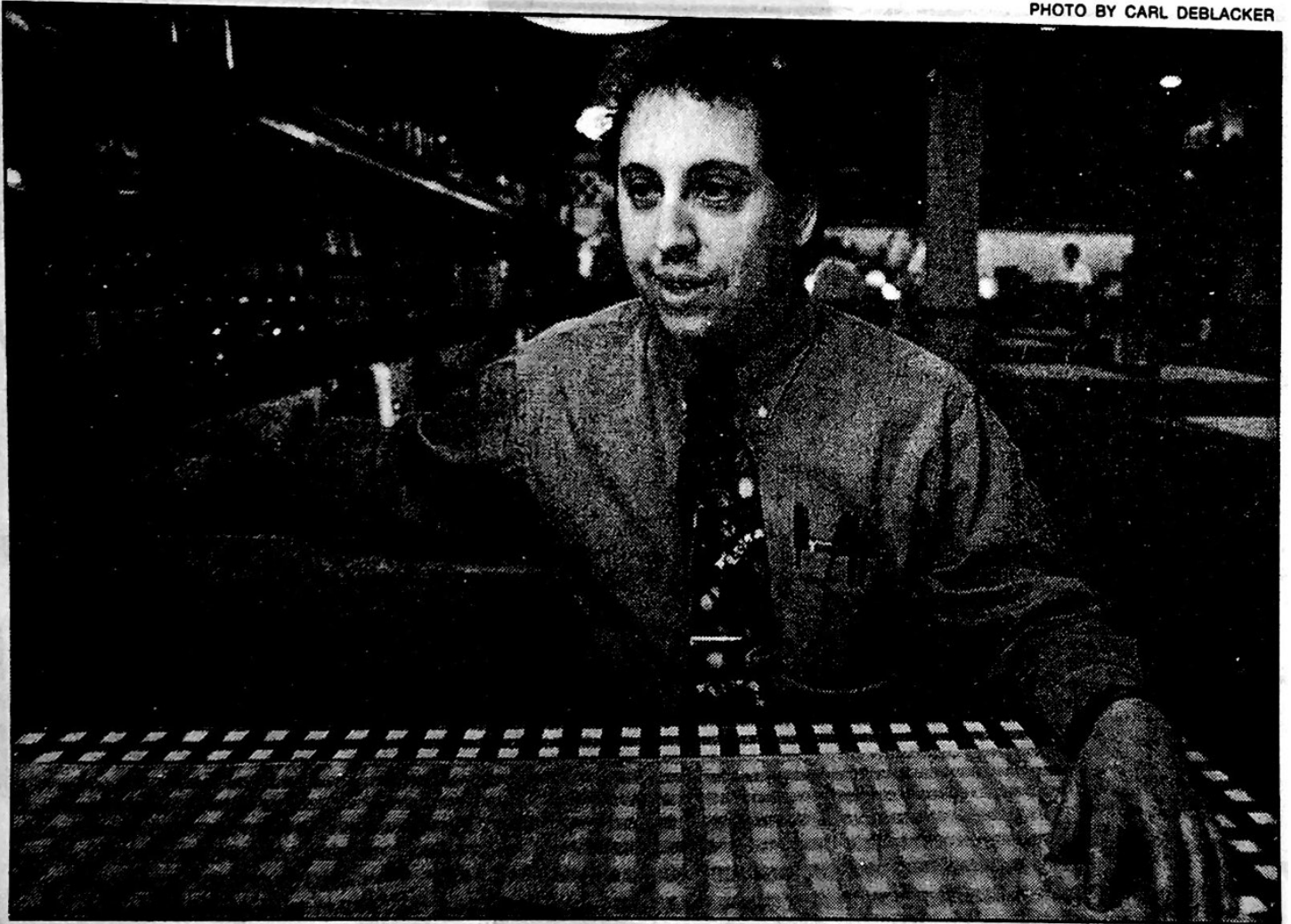
"As far as a grading system goes, if it's a positive thing for our industry and the consumer and the restaurant, it would be good for everybody," said Gus Mancy, a third-generation member of the Mancy restaurant family.

Mr. Mancy is general manager of the Phillips Avenue steak house and president of the Northwest Ohio Restaurant Association.

At the Charcoal House on Talmadge Road, owner Bruce Saba said a grading system could work.

"That sounds like a pretty good idea as long as everything is spelled out," he said. "You have to know exactly what you have to accomplish to receive the grade you are going to receive."

PHOTO BY CARL DEBLACKER



Bob Nenno, manager of the Italian Oven, a restaurant in Raleigh, N.C., worked hard to clean up his eatery after receiving a B rating. The work paid off; his restaurant now has achieved an A rating.

Mayor tells restaurants: Clean up or be shut down

BY DAVID JACOBS
BLADE STAFF WRITER

BLADE PHOTO

Toledo restaurants that fail to meet orders to comply with sanitary standards will be ordered closed, Mayor Carty Finkbeiner warned yesterday.

"We're going to shut you down, plain, cut, dried, and simple," he said. "We are not going to horse around. We're going to shut you down, baby."

Mayor Finkbeiner made his comments on his weekly radio show aired on WTOD-AM in Toledo.

His warnings are the result of The Blade's four-part series last week, "Who's Watching the Kitchen?"

The four-month investigation revealed that Toledo's health department has failed to inspect restaurants annually and often does not return to restaurants to make sure problems are fixed.

Records have shown that up to 40 per cent of Toledo restaurants were not inspected every 365 days as required by state law. State officials, in separate audits, have failed Toledo's inspection program three times.

Problems have included roaches, mold, raw sewage, and food being stored at unsafe temperatures.

As a result of the track record of Toledo's health department, the state plans to conduct unannounced spot checks of city inspection records.

In addition, Mayor Finkbeiner has demoted the city's top inspection supervisor, Robert Kurtz; brought former city health official Jerry Rotterdam out of retirement, and formed a health committee to look into the revelations.

Mayor Finkbeiner said on his radio show yesterday that the state gave Toledo's restaurant inspection program a "clean bill of health" last month. But that is not the case, according to the Ohio Health Department, which still is reviewing the matter.

A check last week by The Blade of 129 Toledo restaurants that should have been inspected from September through November determined that at least three restaurants had not been visited by city health inspectors.



Finkbeiner: wants standards fit for President, First Lady.

In addition, they failed to return in 14 cases to make sure that violations found in earlier visits had been corrected.

As a result, Mayor Finkbeiner has ordered that inspections and follow-up work be carried out on a timely basis, that supervision be enhanced, and that inspection productivity be boosted.

"Let the word go forth this morning, that the mayor of the city of Toledo is somewhat of a fanatic upon neatness and cleanliness as his directors and his commissioners know in the appearance of this city," Mr. Finkbeiner told his radio audience yesterday.

"That includes the expectation that our general public can sit down in any place in the city . . . and that which is put in front of them is going to be up to every standard of excellence in terms of the sanitary conditions."

Mayor Finkbeiner did not provide details of a plan to shut down unsanitary restaurants. But he called for standards "that we would want if the President of the United States and Mrs. Clinton were going to be the anticipated guests for a meal."

He offered assurances that the majority of Toledo restaurants are meeting cleanliness standards.

Gus Mancy, president of the Northwest Ohio Restaurant Association, notes that Toledo already has the power to close restaurants.

But even when problems persist, the city rarely shuts down restaurants; only two since 1990. That's far below the 100 closed by both Columbus and Dayton over the same period.

In an interview yesterday, Mr. Mancy said that Mayor Finkbeiner should provide some clear criteria for ordering restaurants closed, for example, if repeated sanitary violations are not corrected.

"I believe that restaurant owners and managers will comply with the health inspectors," said Mr. Mancy, general manager of Mancy's Restaurant in Toledo. "No one wants their restaurant closed."

Mayor Finkbeiner has offered varying accounts of how much the mayor's office knew about troubles in the city's restaurant inspection program.

Thursday, the mayor indicated that he knew little about the seriousness of the situation until The Blade's articles began appearing Dec. 3.

Friday, Mayor Finkbeiner confirmed that city health officials had notified his office of problems shortages earlier this year. "They were making the case that the state was ordering" the hiring of additional inspectors, "which, in fact, is not the case," Mayor Finkbeiner said.

The state was "asking for more inspections to be made annually, and they're not ordering that we put on . . . additional people," he continued.

"I said if they [the state] want to order it, let them pay for it. . . . My primary point was that I was not of the mind that we could not get the job done with the people that we had."

Yesterday, he said that he had not made a final judgment on the matter. He said that he had requested a study comparing the number of inspections by Toledo employees versus inspections made in other communities.

"I have not yet received such a report."

Mayor Finkbeiner called The Blade's series a public service that will make the restaurants of Toledo and the city's inspectors better.

"The truth has a tendency to hurt," he said.

WHO'S WATCHING



THE KITCHEN?

Restaurant inspections get priority in changes

BY SAM ROE
BLADE STAFF WRITER

The Toledo health department yesterday announced sweeping changes in its restaurant inspection unit, including adding a supervisor, providing more training for workers, and using a computer to flag eateries that need checking.

"Our department has to get over [the recent controversy] and develop some credibility," Director Joseph Fenwick said in an interview.

The biggest change: adding a supervisor to ensure that all restaurants are inspected annually and that reinspections are conducted quickly.

"We need a person sitting right on top of that division," Dr. Fenwick said. "We are the only large city in Ohio that does not have a supervisor of food service."

Currently, he said, one supervisor oversees both restaurant inspections and other health concerns, such as public swimming pools or the disposal of hospital medical waste.

Under the restructuring, which will not cost taxpayers extra money, two supervisors would split the duties, with one official concentrating solely on restaurants.

"I'm pleased they are implementing these changes," said Dr. Peter Somani, director of the Ohio Department of Health, which has tried for two years to get Toledo's inspection unit to shape up. "They seem to be steps in the right direction. I believe they are doing the right thing."

The changes follow The Blade's recent four-day series, "Who's Watching the Kitchen?" The articles detailed how the city's restaurant inspection system is one of missed inspections, sloppy follow-up, and slow response to complaints.

Among the changes ordered by Dr. Fenwick:

- ▶ An internal review process will be created so inspectors know which restaurants need inspecting.

- ▶ Workers who do not normally inspect restaurants will receive training in that area so they can conduct checks as needed.

- ▶ Data on all restaurants will be entered into a computer so officials "have the ability to punch in and find out when a restaurant needs to be inspected," Dr. Fenwick said.

In addition, Dr. Fenwick said that the 1996 city budget calls for three inspectors to be added to the nine-member unit. That would help ensure that all restaurants are inspected on time, he said.

Most of the changes, he said, could start immediately.

The Blade review found that To-

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Inspections

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do has violated state law for years by not inspecting restaurants at least annually. And when inspectors do discover problems — roaches, filthy kitchens, uncovered food — nearly half the time they do not return to the restaurants to see that the violations have been fixed.

After the series, the state health department announced it would conduct unannounced spot checks in Toledo to ensure the city is complying with state laws; Mayor Carty

Finkbeiner demoted the city's top restaurant inspection supervisor and named a six-member committee to study The Blade's findings, and hundreds of citizens concerned about the safety of their favorite restaurants swamped city officials with telephone calls.

Mr. Finkbeiner said last night he would withhold judgment on Dr. Fenwick's moves until he talked with him personally and reviewed the findings of the six-member committee.

That panel has until Jan. 15 to report back to the mayor's office, Mr. Finkbeiner said. Several committee members did not return telephone messages yesterday.

Boyle wants council to act as watchdogs

BY JAMES DREW
BLADE STAFF WRITER

BLADE PHOTO

Councilman Bill Boyle wants city lawmakers to serve as "watchdogs" over the Toledo health department's restaurant inspection program in light of The Blade's four-part series, "Who's Watching the Kitchen?"

At last night's council meeting, Mr. Boyle asked the law department to draft legislation that would require the health department to report each month to council on the number of restaurant inspections, number of violations, and number of violations corrected.

Reached for comment, city health director Dr. Joseph Fenwick said: "I think we should [do that], and that's not a problem."

Mr. Boyle said he didn't want to interfere with the committee that Mayor Carty Finkbeiner formed in the wake of the series.

"But it's quite obvious that we're going to have to bring the health department in line somehow with police and fire [departments] on critical situations. It's going to have



Boyle: requests legislation.

to be in the forefront instead of being the stepchild," Mr. Boyle said.

In an interview, Mr. Boyle said he wants Dr. Fenwick or his proxy to report monthly in person to council.

District 6 councilman Jeanine Perry said Mr. Boyle's proposal is an "excellent suggestion." Mrs. Perry noted that the police and fire departments provide monthly reports to council on their activities.

"We've also had an issue in the past with the health department about rodent control. At one time, we were several hundred calls behind. I'd like to track that on a regular basis," she said.

WHO'S WATCHING



THE KITCHEN?

New law will boost visits by inspector

BY MICHAEL D. SALLAH
BLADE STAFF WRITER

Ohio's food-protection law — created to protect millions of diners — is one of the weakest in the nation when it comes to making sure restaurants are thoroughly inspected, public health officials say.

And that's one reason the law is going to change in 1996, they add.

Beginning in January, restaurants will have to be inspected for violations — dirty kitchens, bugs, and uncovered food — up to three times a year, instead of just once annually.

For now, Ohio is one of only a dozen states that requires restaurants to be visited by the inspector once a year, a standard that falls below even industry recommendations.

"This is overdue. People have been asking for these changes for years," Terry Wright said. He is a former state health official who oversees restaurant inspections in Dayton.

For cities such as Toledo, the law has a greater impact, since health inspectors have failed to visit restaurants even once a year.

In the Blade's recent series, "Who's Watching the Kitchen," the newspaper reported up to 40 per cent of Toledo's 625 restaurants did not receive inspections in the last year.

In addition, there also has been a 70 per cent increase in food-poisoning complaints since 1990.

Because of the shortfalls, the state has debated taking over Toledo's failed inspection program.

That raises an even greater question: Would the state make a major improvement?

Boost

► Continued from Page 1

Ohio's food-protection system, which is supposed to make sure cities and counties are monitoring local restaurants, has experienced its own problems.

Eight years ago, a federal study lambasted the state program, calling it "marginal," with less-than-exemplary oversight.

One of the big reasons: The average scorecard for Ohio's restaurants was 66 per cent in meeting the state health code, not a good score, federal officials say.

That was blamed partly on Ohio's minimum once-a-year inspection law, which does not send a strong enough message to restaurants to

correct violations, officials said. No federal reviews have been done since.

"One inspection a year is not enough," Arthur Banks said. He is food safety director for the U.S. Food and Drug Administration, which performed the survey in the late 1980s.

"Too many things can happen in a year. And there is also the need to let [operators] know that they will be inspected again, soon and not a year from now."

But since the 1950s, this has been Ohio's law.

While other states such as Florida, Indiana, and Michigan raised the number of yearly inspections over the years, Ohio resisted such changes. Part of the reason was a lack of a unified effort to change the law, state health officials say.

At a time when food-borne illnesses are increasing nationally, and more people are dining out, Ohio has failed to follow the trends of other states, food industry consultants say.

"Ohio has been in the dark ages," Donald Pierce says. He is a south Florida fast-food consultant whose home state requires that restaurants be inspected four times annually.

"There is no way that you can find patterns and practices of a restaurant in one inspection a year. You can go there one day, and it's in good shape. Another day, it's not so good. But you will never get a

complete, overall picture of a place. Say what you want, but it's not a good public health policy."

Ohio officials agree.

Over the last four years, the state has been pushing for sweeping changes in the law.

Under the law that takes effect Jan. 21, there are clear provisions for shutting down restaurants that violate the law, something not spelled out in the current law.

The new measure also calls for three inspections a year for full-service restaurants, twice a year for most fast-food outlets, and once a year for places such as carryouts.

For Toledo, it could mean adding at least three more inspectors to its staff of eight to help carry the load.

The new law won't hit such cities as Columbus and Dayton as hard, since they have been inspecting restaurants three to four times annually for several years, officials say.

"It's been shown time and time again that if you inspect a place more than once a year, you get [restaurant] operators to comply more," Nick Malagrecia said. He is a supervisor in the Columbus health department, which inspects restaurants up to three times annually.

Mr. Wright of Dayton says his department has been visiting restaurants up to four times a year since 1984.

Through the increased visits, the Montgomery County-Dayton health department was able to improve its compliance rate of restaurateurs, correcting violations by 25 per cent in the first two years.

For its efforts, the department was given a national award as one of the top units in the nation.

"Ohio has never really had a strong law," Mr. Wright said. "But I think the new law is a big improvement. In food safety, it's probably the most significant piece of legislation we've seen in a long time."

City taking bigger steps to aid restaurant safety

BY SAM ROE
BLADE STAFF WRITER

More help is on the way for the city's troubled restaurant inspection department: Officials have announced several more policy changes, including a step-by-step plan on how to close eateries that refuse to clean up.

"Other cities have closed 100 restaurants in recent years, and we've closed two. That doesn't balance," said Jerry Rotterdam, the mayoral aide coordinating efforts to fix problems in the inspection unit.

One reason Toledo has shut so few restaurants, Mr. Rotterdam said, is that inspectors simply do not know how. With a detailed plan now being devised by city lawyers, inspectors can be tough on troublesome eateries, he said.

The changes follow the recent Blade series "Who's Watching the

Kitchen?" Among the findings: Toledo is breaking state law by not inspecting restaurants annually; officials often skip reinspections on serious infractions, and inspectors are taking longer to respond to complaints, if at all.

Other moves officials have taken in the last few days:

► Health supervisor Jim Fall has ordered inspectors to give citizen complaints priority over their regular work.

The Blade series reported that inspectors have been taking an average of eight days to respond to complaints, many of them serious: roaches, filthy kitchens, and missing toilets.

Mr. Fall also ordered his staff to record the names and telephone numbers of citizens who complain. Previously, this rarely was done, hampering investigations.

Earlier this year, records show, a

WHO'S WATCHING



THE KITCHEN?

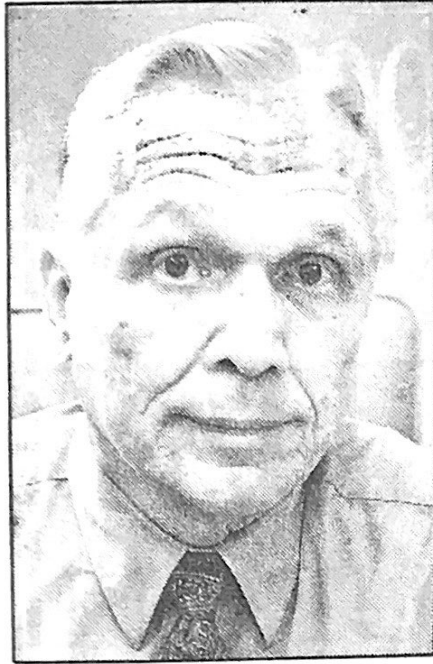
caller reported a food-poisoning case at a local restaurant, but inspectors could not thoroughly investigate because they did not have her name or number.

► City officials vow they will name a permanent chief of environmental and consumer health — a position that oversees restaurants and which has not been filled permanently in years.

"Having four acting chiefs in the last five years has not helped anything," Mr. Rotterdam said. "You just can't have a cohesive unit."

Officials currently are reviewing

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Rotterdam: says restaurant inspection staff 'starting over.'

Steps

► *Continued from Page 1*

resumes, he said, adding that he would like to see other supervisory positions in the restaurant inspection unit filled permanently.

► Two inspectors from another section of the health department now are checking food service operations. Their first stops: schools and day-care centers run out of private homes.

These changes follow several other ones announced in recent days. Mayor Carty Finkbeiner named a six-member panel to study The Blade findings; the state said it would conduct unannounced audits of Toledo's inspection unit every six months, and the top city restaurant inspector was demoted.

Helping oversee these changes is Mr. Rotterdam, 67, a former city health supervisor who retired in 1990. Mayor Finkbeiner hired him out of retirement a few days ago to serve as a liaison between his office, the health department, and the six-member panel.

Mr. Rotterdam said he has been busy interviewing the nine-member restaurant inspection staff.

"It's very important to talk with them to find out what they think is wrong and what can be improved. We are starting over, so to speak."

Hertzfeld not on list to run health agency

BY MICHAEL D. SALLAH
BLADE STAFF WRITER

Toledo officials are moving quickly to hire someone to head the troubled restaurant inspection program, but the job won't be going to the man who has run the unit for the last six months.

Dale Hertzfeld, whose program has come under fire, is not on the list of candidates for the chief of the Toledo health department's environmental and consumer health division.

"This is the first time I'm hearing this," said the longtime supervisor, who has been acting chief since June.

"If I'm not qualified to do this job, then why have I been asked to do it for the past six months?"

So far, there is just one local candidate and four applicants from other areas who are being considered for the job, which includes the role of overseeing restaurant inspections. City officials want to hire someone by next month.

WHO'S WATCHING



THE KITCHEN?

The search comes just two weeks after The Blade's series, "Who's Watching the Kitchen," revealed that officials are violating state law by not inspecting restaurants annually and are failing to go back to eateries to make sure violations — filthy kitchens, bugs, poor cooking practices — are corrected.

The stories reported that some restaurants were being allowed to stay open despite repeated violations of the health code.

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Health

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Mr. Hertzfeld, who said the program has improved, said he was expecting to get the job or at least be a finalist.

But he and others speculated that the search for someone else was because of criticism of the inspection program raised in The Blade's series.

"It's because of the stories," said Mr. Hertzfeld, a former U.S. Navy health official. "I don't know why else . . . I've been here for 28 years. I have the credentials."

The candidates for the chief's job, which pays between \$41,000 and \$62,500 annually, are:

- Bill Burkett, 35, current chief of Toledo's environmental compliance unit, which oversees industrial cleanups.

- Seldon Carsey, director of environmental health and safety at the University of South Florida in Tampa.

- Bruce Dart, 40, a health supervisor for the Douglas County health department in Omaha.

- Dennis Murray, 38, director of environmental health for the Holmes County health department in Ohio.

- Larry Vasko, a health commissioner in Auglaize County, Ohio.

So far, Mr. Hertzfeld is the second official whose job has been affected by the newspaper's revelations.

Just last week, another veteran health official, Bob Kurtz, was demoted in a shake-up of the food protection unit.

A supervisor for only six months, Mr. Kurtz was bumped down to an inspector's post as a result of the missed inspections, officials said.

The longtime sanitarian, who said he's being singled out unfairly, argued the missed inspections began years before his watch.

He indicated last week he would ask his union representatives to contest the move.

So far, no one's saying why Mr. Hertzfeld is not on the list of candidates for the chief of environmental health.

The director of the health department, Dr. Joseph Fenwick, said that Mr. Hertzfeld would more than likely continue as a supervisor — and not a chief — in some capacity.

But he did not know immediately if it would be in the restaurant inspection unit or another area, possibly environmental health.

"That is Dale's strong area of expertise," he said.

Both Dr. Fenwick and Mayor Carty Finkbeiner's office will select the finalist for the top job.

For now, the names of the candidates have been passed on to a special committee appointed by the mayor to look into The Blade's findings.

Dr. Fenwick speculated that Mr. Hertzfeld may not be on the final list because he did not have at least one of the qualifications that have been advertised for the job: a bachelor of science degree.

But Mr. Hertzfeld said he is fully qualified: a registered sanitarian and city health official for 28 years, including numerous years as a supervisor. He also has led several statewide public health association committees.

"I may not have initials after my name," he said, "but I bring a lot more practical experience."

He said that during his tenure, his staff performed "quality inspections" of eateries. But he said the unit was strapped for manpower and resources.

"We were late in getting to some places because we didn't have enough people," he said.

One of the reasons the program lost ground over the years was because of the turnover in leadership, said Dr. Fenwick.

There have been five "acting chiefs" in the last six years, and two were not health experts.

"There were people here who had no experience," he said. "We've needed a permanent person for a long time who is constantly looking for ways to make the program more efficient. Someone who looks for problems and areas that need attention."

WHO'S WATCHING



THE KITCHEN?

Inspections found lax at schools, health sites

BY SAM ROE
BLADE STAFF WRITER

Restaurants are not the only kitchens in Toledo not being inspected on time by local officials: Many school cafeterias, hospitals, and nursing homes have not been checked annually as required by state law, a Blade review of health records shows.

Among the places overlooked: the Food Service Center of Toledo Public Schools, which distributes 6 million meals a year to students.

It has had only two full inspections since 1990, records reflect.

"We have gone through a transitional period, and what we are trying to do is stabilize," said city health director Dr. Joseph Fenwick, who blamed staffing problems for the missed inspections. "I think the current [city] administration will help us stabilize."

Toledo's health department has been under fire in recent weeks following The Blade's four-part series, "Who's Watching the Kitchen?" The articles reported that city inspectors are not checking restaurants annually and are failing to go back to eateries to make sure violations — roaches, filthy kitchens, unrefrigerated food — are fixed.

In recent days, The Blade reviewed the health records since 1991 of schools, hospitals, and nursing homes — other "food service operations" that restaurant inspectors are required to check at least once a year.

Included were Washington Local

Inspections

► Continued from Page 1

and Toledo Public schools, six hospitals, and the city's seven largest nursing homes.

In 56 instances, or 14 per cent of the time, inspectors went more than 365 days between examinations.

One Toledo high school went 26 months before an inspector checked the cafeteria.

One South End nursing home went more than 25 months without a check.

One hospital's main kitchen has had only two, on-time inspections in five years.

"I'm very much surprised that that's the situation," said Harry Kessler, Toledo school board member. "It looks like a shake-up [in the inspection unit] is necessary."

The Blade review also found that when inspectors do find serious problems, a third of the time they do

not return to see that the problems were remedied.

The good news is that all schools, hospitals, and nursing homes reviewed by The Blade were inspected in 1995.

But in several cases, more than 365 days had elapsed between the 1994 and 1995 checks.

And no food-poisoning cases were reported since 1990 at any of the schools, hospitals, and nursing homes reviewed.

In fact, those places generally fare better in inspection reports than traditional restaurants. For example, it is not uncommon for a school to go for years without a serious problem in the cafeteria.

But concern remains.

"Laws are made for specific reasons, for protective measures, and I think [the inspectors] should comply with what the law states," said Crystal Ellis, Toledo schools superintendent.

"My main concern," said Dorothy Fletcher, president of the Toledo Parent Teacher Association, "is that

if [inspectors] are not checking [the schools], sooner or later some kids are going to come up with food-poisoning."

The Blade review also found that inspectors are not checking the school grounds on time.

By state law, they must check rest rooms, drinking fountains, locker rooms, and stairwells at least twice a year.

The same inspectors who check restaurants also check the school grounds. Problems range from broken toilets to crumbling stairs to exposed wiring.

But records show that inspectors have missed 34 checks since 1990. Whitmer High School, for example, has been overlooked by inspectors five times since 1991.

The most disturbing finding, though, may be that the food distribution center for Toledo Public Schools has not been inspected annually.

The school's lunch program works this way: Cooked food is trucked from a firm in Cleveland to the

schools' Food Service Center at 1025 Hoag St. There, workers assemble the meals — making sandwiches and salads, for example.

Then the meals are distributed to the schools. No cooking is done at the schools or the food center, only reheating and cooling.

At the center, records show, there were annual inspections in 1989, 1991, and 1992. Last year, the inspection was three months late.

And this year, an inspector showed up in early August, when the center was closed. She returned a week later, but a full inspection could not be conducted because school was not in session and there were no workers or food on-site.

There has not been an inspection since, records show.

Anna Brown, the schools' food service director, said she was surprised to hear that inspectors have overlooked the center.

"We are one of the best-run places," she said. "Our ladies do the best job keeping our place clean."

In the last five inspections, re-

records show, no serious problems were found.

A nursing home that has not been inspected on time: Fairview Manor Nursing Center, 4420 South Ave.

Its 1992 inspection was two months late and there is no record that the home was checked in 1993.

Fairview Manor administrator Frank Swinehart said there are internal checks to ensure the kitchen is up to code, and he notes that state inspectors check nursing homes annually.

There have been no critical violations at Fairview Manor in the last five inspections, records show.

Hospitals also have been overlooked in inspections, but their report cards are also good.

"They are top of the line, as far as we are concerned," said city health supervisor Jim Fall.

Two of the last three city inspections at St. Vincent Medical Center have been late, records show. But there have been no serious infractions in the last five years.

Mary Bottoni, St. Vincent's direc-

tor of dietetic services, attributes the good marks to a well-trained and educated staff.

Plus, she said, "we built in a lot of checks and balances because we know we [are serving] a high-risk population."

In the wake of The Blade's "Who's Watching the Kitchen?" series, officials have sought changes:

- Mayor Carty Finkbeiner named a six-member panel to review the problems.

- The city's top restaurant supervisor was demoted.

- In an unprecedented move, the state announced it would conduct unannounced reviews of Toledo's restaurant inspection unit every six months.

When told that Toledo's schools, hospitals, and nursing homes also have gone unchecked, state health department spokesman Mark Anthony said the state would continue to closely monitor the situation.

"We have a job to do, and we need to make sure the local board of health is up to the task."

Inspection agency earns passing mark in two state audits

BY SAM ROE
BLADE STAFF WRITER

Toledo's restaurant inspection department, under fire in recent weeks for not checking eateries at least once a year, finally has received some good news: It has passed two recent state audits.

But local officials conceded that some city eateries still are not being inspected annually as required by state law.

"We really don't have a handle on that yet," said Jerry Rotterdam, the mayoral aide coordinating efforts to improve the inspection division.

Timely inspections will not be guaranteed until next week, he said, when computers can flag restaurants that need checking.

Yesterday, state officials announced that Toledo passed two recent audits. On Dec. 1, state investigators reviewed city records of 25 local restaurants. Twenty-five more were reviewed Tuesday.

The results: All 50 eateries had up-to-date health inspections.

A state audit last year found that an estimated 40 per cent of Toledo's restaurants were not being inspected annually.

"We're pleased," said Paul Panico, Ohio's food protection director. "[Toledo officials] have made vast improvements."

Still, the findings are limited because only 50 of the city's 1,600 restaurants, bars, and food stores were reviewed.

WHO'S WATCHING



THE KITCHEN?

State officials say they will continue the unprecedented action of auditing Toledo's department every six months for an indefinite period.

That order came from Dr. Peter Somani, the director of the Ohio Department of Health, shortly after The Blade's four-part series "Who's Watching the Kitchen?"

Published Dec. 3-6, the articles reported that city inspectors are not checking restaurants annually and are failing to return to eateries to make sure serious violations — roaches, filthy kitchens, unrefrigerated food — are corrected.

And in a follow-up article Sunday, The Blade reported that many school cafeterias, hospitals, and nursing homes also have not had timely inspections in recent years.

For example, the Food Service Center of Toledo Public Schools, which distributes 6 million meals a year to students, did not have annu-

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Inspection

▶ Continued from Page 1

al inspections in 1989, 1991, and 1992. Last year, the inspection was late; this year, it was incomplete, records reflect.

Those findings sparked Mayor Carty Finkbeiner on Tuesday to ask local health officials for a report on why schools and various health sites are not properly inspected.

Mr. Rotterdam responded in a report yesterday, saying that late inspections of hospitals and nursing homes "are part of the overall inspection problem," which officials have blamed on staffing.

"At this time, we just do not know if all the inspections have been completed," the report said. "This is a problem we are working on to correct."

The aide also wrote that inspectors are behind on checking school grounds. By law, officials must inspect the restrooms, drinking fountains, and locker rooms twice a year. The Blade review found 34 missed inspections since 1990.

City council OK's law requiring health unit to report on checkups

BY DAVID JACOBS
BLADE STAFF WRITER

Toledo council members voted 12-0 last night to require the city's health department to report to them each month on the number of restaurant inspections, the number of violations found, and number of violations corrected.

The ordinance, approved as an emergency measure, is the result of

■ *Mayoral campaign kick-off?*
Page 13

The Blade's four-part series "Who's Watching the Kitchen?" published Dec. 3-6.

The series and subsequent stories revealed that the city for years has violated state law by failing to inspect restaurants on an annual basis.

In addition, when inspectors find problems — such as insects, filthy kitchens, or unsafe food — they often do not return to ensure the violations are corrected, and some restaurants remain open despite repeated violations.

WHO'S WATCHING



THE KITCHEN?

The legislation directs the city's health director to provide the monthly restaurant report within 10 days after the end of each month.

Although not stated in the legislation, the reports also are to detail city inspections of food-service operations in hospitals, nursing homes, and school cafeterias. They also have not been inspected annually by the city as required by the state.

Councilman Bill Boyle sponsored the measure, his first legislative initiative since being appointed to council in September to replace the late Eleanor Kahle.

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Health

► *Continued from Page 1*

"Every place they inspect, we want a report," Mr. Boyle said.

Dr. Joseph Fenwick, city health director, has supported passage of the ordinance and said providing the reports would not be a problem.

The legislation, which amends the Toledo Municipal Code, also calls for a similar monthly report on rodent inspections conducted by the city.

That is the result of a suggestion by council member Jeanine Perry, who said that rodent control had been an issue. The city was several hundred calls behind at one point, she said last month.

The restaurant/rodent measure will be presented to Mayor Carty Finkbeiner for his signature. The mayor will approve the measure, said his chief of staff, John Alexander.

The ordinance was approved as an emergency because it "is necessary for the immediate preservation of the public peace, health, safety, and property," the legislation states.

Mr. Boyle asked that the first report detailing December, 1995, inspections be presented in the middle

Mr. Boyle also blasted the mayor for closing the meetings of the panel studying the problems.

of this month, and that permanent dates be set in the following months.

He also blasted the Finkbeiner administration for closing the meetings of the mayor's hand-picked committee studying the problems in the city's restaurant inspection unit.

"We will wait to see what they come up with," Mr. Boyle said. "So far, I haven't been impressed by the secret meetings being held."

In the interim, the reports to council are "a concrete step in trying to help the situation," Mr. Boyle added.

Committee chairman Arturo Quintero has defended closing the meetings to the public. He claims the secrecy is needed so discussions among committee members will not be interfered with during working sessions that include "brainstorming and planning."

Stickers in windows head list of reforms to assure diner safety

BY SAM ROE
BLADE STAFF WRITER

In a report aimed at cleaning up Toledo's restaurants and the city's troubled inspection system, a mayoral task force yesterday called for numerous reforms, including placing stickers in the front windows of eateries to show diners which ones have passed inspections.

The stickers not only would tell diners that a restaurant has been inspected within the last 365 days — an assumption they could not have made in recent years — but also that all serious infractions have been corrected.

Restaurant that refuse to correct violations, or are slow to act, would not receive stickers.

"It's just a level of confidence that the public needs," said Arturo Quintero, co-chairman of the task force. "The confidence has got to go up."

Mayor Carty Finkbeiner said he liked the sticker idea, "but I can't tell you how soon you will see them around town."

He said he would study the report for a week before making decisions on any of the recommendations.

The mayor appointed the six-member committee last month following The Blade's four-part series "Who's Watching the Kitchen?"

The articles found that Toledo has not been inspecting restaurants annually — a violation of state law — and that officials often fail to return to eateries to make sure infractions are corrected.

State audits also found problems — so much so that the Ohio Health Department threatened to take over the city's restaurant inspection unit. When more recent audits showed improvement, the state backed off that position.

The mayor's task force was charged with examining what went wrong and recommending how Toledo officials could right it.

After interviewing health officials, inspectors, and restaurant owners, the committee concluded that staff shortages, poor management, and outdated policies led to the woes.

The report was especially critical of the health supervisors: "Basic management practices were lacking throughout the administration of the program."

Among the report's recommendations, some of which are already in the works:

- A supervisor should be added to oversee restaurant inspectors. This position previously existed but was eliminated in 1991.

- Computers should be set up to



From left, Arturo Quintero, Amira Gohara, Lourdes Santiago, and Mary Gregory discuss ways to correct the problems raised in recent Blade stories on city inspections of restaurants.

Reforms

► *Continued from Page 1*

track which restaurants need inspecting.

- Inspectors should use pagers and portable radios to ensure prompt response to complaints.

- The inspectors' procedural manual, which has not been used or updated since 1991, should be resurrected.

- City attorneys and the health department should draw up a step-by-step procedure on how inspectors may shut stubborn operators.

- Inspectors should submit to supervisors weekly itineraries of

restaurants that need checking.

Dr. Amira Gohara, the task force's co-chairman and an administrator at the Medical College of Ohio, also said the committee would like to have all restaurant owners keep a daily or weekly log of critical items, such as food temperatures. Operators who do not keep such a record, she said, could be cited.

But for diners, the most visible change would be the stickers.

"The stickers would be like the license plates for restaurants," said Dr. David Grossman, the health department's medical officer.

The stickers would not give the restaurants a letter grade, as is the case in some other cities.

Mr. Quintero said that the task force discussed such a system but decided against it because of the disputes it might cause between inspectors and restaurant owners.

"We'd have a lot of disagreement, and what we would end up doing is spending an inordinate amount of time on the disagreement and not enough time on what is important: seeing that we have healthy places to eat in."

Gus Mancy, association president and the general manager of Mancy's restaurant, said yesterday that members were receptive to the idea.

"The association feels it is a fair and very doable program, something that could be implemented in all of the restaurants in our city."

Burkett to oversee restaurant inspections

BY DAVID JACOBS
BLADE STAFF WRITER

William Burkett, whose legwork as Toledo's chief of environmental compliance helped secure a state prison for the city, was named to oversee the city's troubled restaurant inspection program yesterday.

As chief of environmental and consumer health, Mr. Burkett will guide several health department programs, including food-service inspections.

"I think he is one of the most enthusiastic and dynamic young men in the city of Toledo," Mayor Carty Finkbeiner said in announcing the appointment. "I think he will do a bang-up job."

Mr. Burkett, 35, is a registered sanitarian and a former Cincinnati restaurant inspector. He holds undergraduate and graduate degrees from Bowling Green State University, where he focused on biology and environmental studies.

He is to begin his duties in the health department Monday at a salary that has not been determined.

Mr. Burkett replaces Dale Hertzfeld, who had held the vacant position on an acting basis since last June. Mr. Hertzfeld was not among the candidates considered.

Mr. Finkbeiner indicated that Mr. Burkett will have sweeping authority to shape up the city's inspections of food-service establishments.

The Blade's four-part series, "Who's Watching the Kitchen," and subsequent stories found wide-ranging problems in the city's examinations of restaurants and food-service operations in nursing homes, school cafeterias, and hospitals.

The four-month investigation found that Toledo's health department failed to inspect restaurants annually, and often did not return to make sure problems were fixed.

Records showed that up to 40 percent of Toledo restaurants were not inspected every 365 days as required by state law. State officials, in separate audits, failed Toledo's inspection program three times.

Mayor Finkbeiner said he expects Mr. Burkett to implement a more aggressive program to make sure inspectors follow up on complaints.

"I want them back within 24 to 48 hours of when they say they will return," the mayor added.

Mr. Burkett plans to continue pursuing three additional sanitarians for Toledo, computerization, and recommendations of a task force formed because of The Blade's series.

The suggestions included placing stickers in the front windows of eateries that pass inspections.

Blade is watching the kitchens' inspection results

(Restaurants- Blade- Who's Watching... SAT APR. 13 1996

BY SAM ROE
BLADE STAFF WRITER

Diners concerned about the cleanliness of local restaurants now will have some vital information at their fingertips.

Starting today, The Blade begins publishing...

restaurants. They will appear every Saturday in Today's log.

Listed will be the restaurant's name, address, the date of inspection, the name of the inspector, and all critical and noncritical violations. Critical infractions are those that must be fixed immediately.

If no violations are found, that will be made as well.

Today's listing can be found on Page 14.

"We feel that publishing restaurant inspections will be a service to our readers who otherwise would have no way of obtaining this information," said Ron Royhab, managing editor of The Blade. "Many readers asked us to provide this information after

reading our recent series of articles on restaurant inspections. We are delighted to be able to do so."

All restaurants and "food service operations" will be included in the new log, except "Class 1" facilities, or those that generally serve only prepackaged food.

See RESULTS, Page 5 ►

PAGE 5

Results

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Only routine inspections will be published. Under state law, most restaurants are required to be checked twice a year.

Toledo's restaurant inspection system has been under fire since December, when The Blade published the four-part series "Who's Watching the Kitchen?" It detailed how city inspectors were not checking restaurants annually and were failing to see that serious problems were fixed. The series sparked several reforms, including increased surveillance by the state.

Toledo health official Bill Burkett welcomed the newspa-

per's decision to publish the inspection reports, saying the listings will educate consumers and restaurateurs alike.

But Gus Mancy, past president of the Northwest Ohio Restaurant Association and general manager of Mancy's Restaurant, cautioned that several variables can affect the number of infractions found, such as the size of a restaurant's kitchen, the complexity of the operation, and customer volume.

"A lot of these inspections are just a snapshot of a restaurant on a particular day... and not necessarily a true picture of the conditions the whole year," he said.

Still, he said diners may discover how few infractions there really are at restaurants, and spotless establishments will be rewarded with good publicity. "The strong will survive," he said.

SAT APR 13 1996 TODAY'S LOG

Restaurants - Bled - Who's Watching... Births

Toledo Hospital

Peggy Grabarczyk, boy, Wednesday.
Nicole and Bob Gelardi, Toledo, girl, Thursday.
Roberta and William Sanders, Toledo, girl, Thursday.

Riverside Hospital

Helen Kille, Toledo, girl, Thursday.
Jodi Rosiak, Perrysburg, Thursday.

St. Charles Hospital

Eva and Scott Nickles, Toledo, boy, April 8.
Tracy and Gerry Symington, Toledo, girl, April 10.

St. Vincent Medical Center

Lashonda Davis, Toledo, boy, Thursday.
Roxane and Richard McCullough, Toledo, girl, Thursday.
Ebony Hughes, Toledo, girl, Thursday.
Julie and Scott Fornwald, Temperance, Mich., boy, Friday.

Flower Hospital

Karen and William Bixler, Maumee, girl, April 9.
Amy and Joseph Piorkowski, Sylvania, boy, April 9.
Carol and Dennis Durnwald, Perrysburg, girl, April 9.
Sherry and Robert Young, Maumee, girl, April 10.
Becky and Glen Stewart, Sylvania, girl, April 10.
Susan and Terrence Rood, Oregon, girl, April 10.
Rebecca Merino, Toledo, boy, April 10.

Restaurant inspections

Recent inspection reports for Toledo food service operations:

- Subway**, 4956 Monroe. Inspection date: April 3. Critical violation: Chicken on line 64 degrees. Discarded at time of inspection. Potentially hazardous food must be held at 45 degrees or below or 140 degrees or above. Others: Provide a metal stem type product thermometer 0 to 220 degrees; provide drain stoppers that hold in three compartment sink; provide test strips to accurately measure the concentration of sanitizer in three compartment sink; clean interior of cupboard on prep line and maintain clean; provide lighting in walk-in freezer; all pressurized tanks must be chained to wall or fixed equipment. Inspector: Rosemary Dressel.
- Villa Pizza**, 5001 Monroe. Inspection date: April 3. Critical violations: none. Others: Obtain appropriate test strips to accurately measure the parts per million concentration of sanitizer. Inspector: Jennifer Jennewine.
- Papa Johns**, 3392 Lagrange. Inspection date: April 3. Critical violations: Manual dishwashing technique improper (no sanitizer); Lysol on counter-top - store toxic chemicals in areas designated for "chemical storage only"; toxic chemicals must be properly labeled. Others: Provide toilet tissue in men's restroom; provide soap for men's restroom; provide towels in women's restroom; do not store items directly on floor of walk-in. Inspector: Harold Parks.
- Marco's Pizza**, 5248 Monroe. Inspection date: April 3. Critical violations: none. Others: Clean all non-food contact surfaces of equipment as often as is necessary to keep free of accumulation of dust, food particles, and other debris (shelving - front counter, condiment holder, pizza oven and hood.) Inspector: Dressel.

Holy Trinity Greek Orthodox Church, 740 N. Superior. Inspection date: April 3. Critical violations: none. Others: Keep the table-mounted can opener free of iron filings as shown; the inside of the dishwasher is to be kept free of mineral deposit build-up as needed. Inspector: Bruce Mason.

Little Caesars Pizza, 2600 Sylvania. Inspection date: April 4. Critical violations: none. Others: Clean all non-food contact surfaces as often as necessary to keep free of dust, food particles, and other debris; eliminate water in floor of sub prep cooler. Inspector: Dressel.

Lucas County Corrections Center, 1622 Spielbusch. Inspection date: April 4. Critical violations: none. Others: Refinish walk-in cooler floor; repaint table legs as needed. Inspector: John Neeper.

The Coffee Shop, 1622 Spielbusch. Inspection date: April 4. Critical violations: none. Others: Store ice scoop out of ice; bleach cutting board back to original white. Inspector: Neeper.

Shell, 429 W. Alexis. Inspection date: April 8. Critical violations: none. Others: Clear/clean back room (general organization); do not store items (towels, etc.) in hand washing sink; display current food service license. Inspector: Parks.

Mr. Philly, 3550 Executive Parkway. Inspection date: April 8. Critical violation: Tuna salad 51 degrees. All potentially hazardous foods must be held at an internal temperature of 45 degrees or below to prevent the growth of pathogenic bacteria. Others: Food items stored on floor in walk-in freezer. All food items must be stored at least 6 inches off floor to prevent contamination and facilitate cleaning; obtain an accurate product thermometer to assure maintenance of proper food temperatures; remove ice accumulation from walk-in freezer; keep single use containers and lids wrapped until use; single-service utensils shall face the same direction to prevent contamination; repair one compartment of three-compartment sink so it holds water to facilitate proper washing, rinsing, and sanitizing equipment and utensils; provide a constant supply of soap in women's restroom; also provide a covered trash can for women's restroom; provide a toilet paper dispenser for men's restroom and repair/replace inoperable mechanical ventilation in men's restroom; clean all surfaces of all hoods and replace all broken filters in hoods; CO2 tanks must be chained at all times to prevent accidental tipping; provide a mop and broom hanger for the mop sink area. Inspector: Jennewine.

Al Ahmed's Steak House, 1923 W. Alexis. Inspection date: April 8. Critical violations: none. Others: none. Inspector: Dressel.

Yorkshire Banquet Hall, 4017 Lagrange. Inspection date: April 8. Critical violations: none. Others: none. Inspector: Parks.

Haukedahl Foundation, 4017 Lagrange. Inspection date: April 9. Critical violations: none. Others: Display 1996 food service operation license. Inspector: Parks.

Agency is dishing out inspection stickers to 1,300 eateries in city

TUE JUN 25 1996

RESTAURANTS - BLADE "WHO'S WATCHING"

BY SAM ROE

THE KITCHEN

Diners may notice a new wrinkle at local restaurants: stickers showing the last time the eateries were inspected.

Yesterday, the Toledo health department sent out the blue-and-white stickers to the city's 1,300 "food service operations": restaurants, country clubs, nursing homes, and any other place serving food.

Every eatery will be mailed a sticker showing the last time an inspection took place, whether that was last week or last year. Beginning today, only those that pass a recent inspection get updated stickers.

The stickers not only tell diners a restaurant has been inspected recently, but also that all serious infractions have been corrected.

"It will show people that someone was recently there to put them straight," said Bill Burkett, the city's chief of environmental and consumer health.

Restaurants that refuse to correct serious violations, or are slow to act, will not receive updated stickers.

The program will be voluntary. Restaurant owners can put the stickers in the window or in the trash. The city considered making the program mandatory, Mr.

See **STICKERS**, Page 10 ►

BLADE PHOTO BY JEREMY WADSWORTH



Bill Burkett: 'It will show people that someone was recently there to put them straight.'

Stickers

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Burkett said, but state law would not allow it.

He said he thought all restaurants would display their stickers; otherwise, diners might become suspicious.

The stickers will not show how many infractions an eatery has had, nor will they give letter grades, as in some other cities. Officials decided against a grading system because of the disputes it might cause between inspectors and restaurant owners.

The city spent roughly \$4,500 on the program, the money coming from restaurant license fees.

This morning, Mayor Carty Finkbeiner and city health officials will hold a press conference to

unveil the stickers. In a statement released yesterday, Mr. Finkbeiner said: "The sticker program is being implemented to assure the public of the safety of Toledo restaurants."

The program is one of several reforms sparked by The Blade's four-part series in December "Who's Watching the Kitchen?" The series found that inspectors were not checking restaurants on a regular basis and often did not return to make sure problems were fixed.

Records showed up to 40 per cent of local eateries were not inspected every 365 days, as required at the time by state law.

Now, Mr. Burkett said, all restaurants are being checked at least once a year.

But new state rules require even more inspections; some eateries now must be checked three times a year.

City restaurant inspections given positive reviews

RESTAURANTS - BLADE "WHO'S WATCHING THE KITCHEN?"
BY GEORGE J. TANBER

BLADE STAFF WRITER

The state has given the Toledo health department's restaurant-inspection program high marks in a recent review of its performance.

As a result, the state will conduct fewer program reviews.

"It was no surprise to me," said Bill Burkett, the Toledo health department's chief of environmental and consumer health. "We've been performing our own in-house audits ... and we've been in pretty good shape the last couple of months. We felt confident we were going to be just fine."

The department has been criticized since a four-part series, "Who's Watching the Kitchen?" was published in The Blade in December. Blade reporters found inspectors had failed to perform inspections of up to 40 per cent of the city's restaurants.

When the inspectors did uncover problems, nearly half of the time they did not return to see whether

■ Toledo council is scheduled to vote today on staggered terms for members. Story on Page 14.

the problems were corrected. Some restaurants repeated the same violations year after year.

The articles sparked many changes, including the demotion of Toledo's top restaurant inspection supervisor and increased state oversight.

Soon after the series was published, the state conducted a review of the city's inspection program. The evaluation concluded that:

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"Due to past problems with this program, the director of health will conduct frequent surveys of the Toledo city health department food service program until it is assured that you will continue to maintain the program at a level of quality needed to meet the criteria for approval."

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Inspections

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The state decided it would conduct similar reviews every six months. Typically, such reviews are conducted once every year or two, Mr. Burkett said.

The most recent follow-up inspection by the state gave Toledo excellent ratings for inspection frequency and for plan review of food service operations.

"Based upon the results of this resurvey, the Toledo city health department is maintaining

the Ohio Department of Health's criteria for approval," the state review concluded.

Toledo's health department has said that its restaurant inspection unit is understaffed. In April, the unit added a member, bringing its total to 10. But one of the 10 transferred out of the department in July, leaving the unit understaffed again, Mr. Burkett said.

The unit does about 2,800 inspections a year at 1,300 restaurants, he said. "We also do grocery stores, schools, liquor permit inspections, and massage and bath parlors."

Dr. Joseph Fenwick, city health commissioner, has asked the mayor for permission to hire an inspector, Mr. Burkett said, but the city has frozen all hiring, even though the inspection

unit is budgeted for 10 inspectors.

One alternative would be to transfer someone from the department's environmental unit into the inspection unit. But the environmental unit is understaffed by two people.

"We would be short three" employees, Mr. Burkett said. "It would be impossible."

One possibility, he said, would be to change the city's inspection visits at the grocery departments of food stores from once every 12 months to once every 18 months.

Mr. Burkett said Toledo inspectors might collaborate with state agriculture department inspectors, who check grocery stores, to try to reduce the city's workload.