

## Enforcement Protocol Outline

<b>PROGRESSIVE ENFORCEMENT ACTIONS TAKEN TO ASSURE COMPLIANCE WITH THE FOOD LAW</b>	
<b>Step 1</b>	<p style="text-align: center;"><b>Routine evaluation determines that establishment is in substantial compliance because:</b></p> <ul style="list-style-type: none"> <li>▪ No Priority or Priority Foundation violations were found – <b>or</b> –</li> <li>▪ Priority or Priority Foundation violations were found but corrected immediately or by the time allowed – <b>and</b> –</li> <li>▪ Amount of core violations was not substantial – <b>and</b> –</li> <li>▪ No repeat violations were found</li> </ul>
<b>Step 2</b>	<p style="text-align: center;"><b>Follow-up evaluation required because:</b></p> <ul style="list-style-type: none"> <li>▪ Priority or Priority Foundation violations were not corrected at the routine inspection and time was allowed for correction – <b>or</b> –</li> <li>▪ Amount of Core violations was substantial – <b>or</b> –</li> <li>▪ Repeat violations were found</li> </ul>
<b>Step 3</b>	<p style="text-align: center;"><b>Office conference required because:</b></p> <ul style="list-style-type: none"> <li>▪ Priority or Priority Foundation violations were not corrected after Step 2</li> <li>▪ Core violations were substantial and not corrected after Step 2</li> <li>▪ Chronic repetition of violations at routine evaluations despite correction after Step 2</li> </ul> <p>A compliance schedule is set at the office conference and signed by operator.</p>
<b>Step 4</b>	<p style="text-align: center;"><b>Notice of intent to limit, suspend, or revoke a license issued and informal hearing required because:</b></p> <ul style="list-style-type: none"> <li>▪ Compliance schedule from Step 3 not met</li> <li>▪ Violations are still present or repeated after Step 3</li> </ul> <p>Licensee may submit 2 page summary of his/her case 3 business days before the hearing. Corrective actions ordered, based on status of violations.</p>
<b>Step 5</b>	<p style="text-align: center;"><b>Order to limit, suspend, or revoke a license issued because:</b></p> <ul style="list-style-type: none"> <li>▪ Corrections not made in accordance with orders issued in Step 4</li> <li>▪ Other situations warrant this action to protect public health</li> </ul> <p>Licensee offered the right to appeal the limitation, suspension, or revocations at a formal hearing.</p>
<b>Step 6</b>	<p style="text-align: center;"><b>Formal hearing before the Food Licensing Board of Review convened because:</b></p> <ul style="list-style-type: none"> <li>▪ Licensee appeals the order issued in Step 5</li> </ul> <p>Licensee may submit 2 page summary of case to the board 5 business days before the formal hearing. The Board of Review upholds or overturns the decision of the LHD to deny, limit, suspend or revoke a license, based on evidence presented. The decision is final.</p>
<p><b>Other situations, listed below, may require action to protect public health. In every case, except when a hold/destruction order is issued for suspect food or beverages, a licensee or operator may appeal the order (see Steps 5 and 6 above).</b></p>	
<b>Imminent Health Hazard</b>	
<p>Operation ordered closed immediately until hazard is eliminated. Hazards include, but are not limited to:</p> <ul style="list-style-type: none"> <li>▪ Lack of power, water, hot water, refrigeration, sewer, or presence of sewage</li> <li>▪ Severe insect or rodent infestation</li> <li>▪ Damage due to fire, flooding, or severe weather</li> <li>▪ Unchecked foodborne illness outbreak and continued exposure of patrons to disease causing organisms</li> </ul>	
<b>Operation Without a License</b>	
<p>Operation ordered closed immediately until license is approved.</p>	
<b>Operation Beyond Capability</b>	
<p>Operation ordered limited immediately:</p> <ul style="list-style-type: none"> <li>▪ Menu scaled back to the point where food safety can be assured – <b>or</b> –</li> <li>▪ Operation (hours, number of seats, etc.) scaled back to the point where food safety can be assured</li> </ul>	
<b>Construction or Remodeling Without a Permit</b>	
<p>Stop work order issued immediately. Order stays in effect until plans for the construction or remodeling are approved by the LHD.</p>	
<b>Safety of Foods or Beverages Suspect</b>	
<p>Hold order placed on the food or beverage. Order is lifted when the operator provides laboratory proof that the food or beverage is safe. Otherwise, the food or beverage is destroyed.</p>	
<b>Denial</b>	
<p>Issuance of license is denied for failure to meet minimum requirements.</p>	