COUNCIL OF THE CITY OF PHILADELPHIA

COMMITTEE ON PUBLIC HEALTH AND

HUMAN SERVICES

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Room 400, City Hall
Philadelphia, Pennsylvania
Wednesday, November 15, 2006
10:15 a.m.

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PRESENT:
COUNCILWOMAN MARIAN B. TASCO, CHAIR
COUNCILWOMAN BLONDELL REYNOLDS BROWN

RESOLUTION 060593 - Resolution authorizing the Council Committee on Public Health and Human Services to hold hearings regarding the City's inspection procedures for food establishments.

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COUNCILWOMAN TASCO: Good morning. Thank you for coming. I'd like to call the Committee on Public Health and Human Services to order. This being a hearing and not an ordinance, we're going to get started.

I'd like to recognize that Councilwoman Blondell Reynolds Brown is here and the other Councilmembers will join us soon.

I'd like to have the Clerk read the resolution, please, for the record.

MR. GREEN: Resolution 060593, a resolution authorizing the Council Committee on Public Health and Human Services to hold hearings regarding the City's inspection procedures for food establishments.

COUNCILWOMAN TASCO: Thank you.

According to the National Geographic Traveler magazine, Philadelphia is America's next great city. In selecting Philadelphia for this distinction, our City's restaurants were

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a key factor. From Susanna Foo to Le Bec-Fin, America is now learning what we always knew, Philadelphia has the best food in the world.

Although restaurants are a key part of Philadelphia's renaissance, it is important that the City's food establishments be safe and clean for visitors and for the local residents. Yet to maintain healthy food establishments, we must have a strong food inspection program.

According to the Philadelphia Inquirer story last spring, the City inspects food establishments once every 15 months, compared to at least once per year in America's largest cities and the minimum three per year as recommended by the U.S. Food and Drug Administration.

Regular food inspections are very important, because spoiled or uncooked food can cause illness and death. Also according to the Philadelphia article, in 2002, two City

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residents died from an outbreak of listeria. In 2004, 225 people were sickened by food-borne outbreaks, and in 2005, 171 people became ill from four outbreaks.

In this regard, it is important that the City have a thorough food inspection program so that we can protect our citizens and visitors and truly become what we know and what the world is learning, America's great city.

So we'd like now to call our Health Commissioner to come forward and present her testimony. We had invited some other individuals to come from other cities but could not make it today, but we will at the end of this session probably recess and reconvene at some point so that we can have their expert testimony.

But we'd like to welcome our Health Commissioner. Is it still "acting"?

COMMISSIONER PARIS: Interim,

yes, ma'am.

COUNCILWOMAN TASCO: Interim Health Commissioner, Ms. Carmen Paris. Would you introduce yourself, please.

COMMISSIONER PARIS: Good morning, Chairwoman Tasco and members of the Committee on Public Health and Human Services. I am Carmen Paris, Interim Health Commissioner. Thank you for the opportunity to speak about the City's food inspection program as it is carried out by the Department of Public Health.

Established by the Philadelphia Home Rule Charter, the Department has the power and duty to protect the health of the public through enforcement of those statutes, ordinances and regulations that pertain to our City's food establishments.

COUNCILWOMAN TASCO: Could you move your mike a little closer, please.

COMMISSIONER PARIS: Sure.

COUNCILWOMAN TASCO: Thank you.

COMMISSIONER PARIS: During

some periods of its history, this has been a much more daunting task than at others. At times, budget woes, fluctuations in staffing levels, changes in food service trends, a globalization of the food supply and increasing standards have all posed significant challenges to the Department. There was a period in the early 1990s when the sanitarian staffing level was at ten and the interval between initial inspections reached a high of 36 months.

An inspection of a food establishment no longer consists only of the visual observance of surfaces within the establishment to determine if they look clean. Today, before construction begins, a food establishment starts off with a technical review of the floor plans and food equipment specifications. Inspections of operating establishments are significantly more technical in nature than they were in the past, now designed to identify potential sources of

food contamination. We now track and approve sources of foods and food products brought into the City, and we have instituted training curricula and certification requirements for food handlers. The Food and Drug Administration, FDA, Model Food Code is now fully incorporated into our regulations. I believe we perform these functions well, and I would like to offer some detail on what we are currently doing.

I am pleased to report that by filling five open sanitarian positions in the later part of FY06 and adjusting work assignment distribution and with additional use of overtime, we were able to experience a dramatic reduction in the interval between initial inspections. During the first quarter of FY07, the initial inspection interval decreased from 16.6 months to 12.4 months. As we move into the future, we anticipate maintaining the ability of completing at

least one inspection for every type of food establishment on an annual basis. We have recently been approved to hire an additional five sanitarians and have begun recruiting candidates for these positions. As these positions are filled and as the new hires are trained, we anticipate further improvement in our abilities to monitor food establishment operations and provide those technical services associated with the food inspection program.

In the spring of 2006, the Department formally enrolled in the FDA's National Retail Food Program Standards. This will serve to evaluate the Philadelphia food inspection program in accordance with the current national standards. The first step in this process is our participation in a comprehensive year-long review of our existing program. We have agreed to the review and are prepared to implement the FDA findings and recommendations.

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At this time, I would like to note that FDA does not currently recommend any fixed number of inspections of food establishments per year. Rather, their recommendation is to provide a range of one to four inspections, depending on the risk category of the specific facility. At this point, we are inspecting at least once a year. A significant component of the National Retail Food Program Standards is to utilize a risk-based inspection program, conducting inspections that focus on those conditions that have known association with risks of food-borne illnesses and food contamination. The Department's current inspection program is a modified risk-based program, one that increases the inspection frequency of certain classes of higher-risk establishments, such as schools, nursing homes and hospitals.

To help us reach a full risk-based program, we have been

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successful in acquiring funding from the Pennsylvania Department of Agriculture to replace our aging computerized inspection system with the most recent version of the risk-based inspection model. Use of this model is encouraged nationally. In addition, FDA representatives have agreed to make their Regional Specialist available to the City of Philadelphia to assist in incorporating the new protocol into our program and in the training of our sanitarians who will use this tool. These significant upgrades will further enhance our ability to protect the citizens of Philadelphia.

In another area of the food inspection program, the Department is now posting food establishment inspection reports on its website. Currently, these reports are updated monthly, although upon implementation of this new software, citizens will have more timely and user-friendly access to reports of all food establishments and institutions in

Philadelphia.

I feel confident that the steps we have taken are in the right direction for instituting a food protection program fully in step with the recommendations of the FDA. I think it is important to note that many of these initiatives have been in the planning stages for a number of years. Such systems are costly to put into practice, and while the Department will be moving forward in implementing the risk-based inspection protocol, current resources will not necessarily permit us to institute the inspection frequencies that might be recommended by the FDA for some establishments. To fully implement a model program, I anticipate that we will need to continue to balance our ability to provide the optimum number of inspections with the resources needed to pay for them through a combination of raising revenue, locating additional grant funding sources and increasing budget allocations.

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Thank you for the opportunity to present testimony today and I will answer questions at this time.

COUNCILWOMAN TASCO: Thank you very much.

What type of businesses are included in the definition of "food establishments" and does this definition include food carts?

COMMISSIONER PARIS: Yes. Food carts are included, and we have a number of establishments, from those that prepare food for catering purposes to those that an over-the-counter establishment like one that just prepares hot dogs and sells them at the point or those that are a full-blown restaurant.

COUNCILWOMAN TASCO: Does that --

COMMISSIONER PARIS: It includes food carts, yes, ma'am.

COUNCILWOMAN TASCO: On-the-street food carts?

COMMISSIONER PARIS: Yes,

ma'am.

COUNCILWOMAN TASCO: Do you have any idea how many food establishments we have in the City?

COMMISSIONER PARIS: Yes, I do. The total food establishments here in the City is 11,223.

COUNCILWOMAN TASCO: And that includes the street carts, food vendors?

COMMISSIONER PARIS: Yes, ma'am.

COUNCILWOMAN TASCO: And how many sanitarians do you have for inspection?

COMMISSIONER PARIS: We currently have 32 sanitarians.

COUNCILWOMAN TASCO: So --

COMMISSIONER PARIS: I'm sorry. There's five vacancies.

COUNCILWOMAN TASCO: So what would be the adequate complement you need to service the inspections for, you say, once a year?

COMMISSIONER PARIS: For once a

year, we are currently doing the 12 months interval with the staff that we have currently, but once we have determined that there are going to be changes based on the risk model that we're going to be implementing in accordance to the national standards, we think that we're going to need more sanitarians in order to justify the number of inspections that different establishments are going to require. For example, a small establishment might only require, based on the risk, a once-a-year visit, where another establishment, such as a school or a nursing home, will require more visits in a year.

COUNCILWOMAN TASCO: Nursing homes are regulated by the state, basically. Do they have inspections, food inspections, from the state or is that the City's responsibility?

COMMISSIONER PARIS: The City is responsible for inspecting the food area and the food-handling process, and

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we have in the City about 51 of those facilities that we inspect at least twice a year.

COUNCILWOMAN TASCO: Do other counties have to provide the inspection of the nursing homes in their jurisdiction? I guess my question is, does the state provide any funding or support for the food inspection --

COMMISSIONER PARIS: No, ma'am.

COUNCILWOMAN TASCO: -- process?

COMMISSIONER PARIS: No, ma'am.

COUNCILWOMAN TASCO: Is that something that could be considered?

COMMISSIONER PARIS: Well, we'll be very happy to talk to the state about it, absolutely. But the state regulates the care provided at those facilities. We regulate anything that has to do with the handling of the food.

COUNCILWOMAN TASCO: Now, you have 36, you say -- 34 sanitarians?

COMMISSIONER PARIS: We

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currently have 32 sanitarians and five additional positions that have been approved that are still vacant and we are aggressively in the pursuit of hiring new individuals.

COUNCILWOMAN TASCO: So what kind of experience or background does a sanitarian need?

COMMISSIONER PARIS: We need people with a Bachelor's degree with at least 30 credits directly related to sciences.

COUNCILWOMAN TASCO: And how much does the position pay? What's the starting salary?

COMMISSIONER PARIS: The starting salary is $34,000.

COUNCILWOMAN TASCO: Is that competitive in that we can hire people? Are we recruiting people for those positions at that salary level?

COMMISSIONER PARIS: Yes, we are.

COUNCILWOMAN TASCO: So when do

you think those positions will be filled?

COMMISSIONER PARIS: What happens is that normally the best time for recruitment is when they're graduating from college, and we are very fortunate that we have been able to recruit a lot of young people that we train and that come on board with us and stay with us for many years. The challenge that would present right now is that, of course, this is not a time when we have those newly graduated individuals, so we have to tap into individuals that are already employed in other facilities.

But we are very aggressive working with schools and other institutions and advertising. We think that at least by the end of the year we will be able to have all those vacancies filled.

COUNCILWOMAN TASCO: By the end of the year, you mean by the end of --

COMMISSIONER PARIS: Calendar

year, ma'am. I apologize.

COUNCILWOMAN TASCO: Beg your pardon?

COMMISSIONER PARIS: By the end of the year, calendar year, by December.

COUNCILWOMAN TASCO: By December you hope to have those slots filled?

COMMISSIONER PARIS: Yes.

COUNCILWOMAN TASCO: Does your office do the recruiting or is it done by the Personnel Department?

COMMISSIONER PARIS: We do the recruiting. Our Director of Environmental Health Services goes out there with some of our young sanitarians and they talk in colleges, they visit different facilities. We do the recruiting. We have found that it's a lot easier when we do it, because then there's an exchange of information and they come to us with an understanding of what the job entails.

COUNCILWOMAN TASCO:

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Councilwoman, do you have any questions?

COUNCILWOMAN BROWN: Good morning.

COMMISSIONER PARIS: Good morning, ma'am.

COUNCILWOMAN BROWN: Councilwoman Tasco mentioned two that I was interested in, and that was qualifications and the like. So the status of the prospective candidates is that they are in the pipeline? You've identified prospective candidates for the vacancies that you have?

COMMISSIONER PARIS: Not yet. We are in the process of recruiting.

COUNCILWOMAN BROWN: You're in the recruitment process.

COMMISSIONER PARIS: Yes, ma'am. For the five vacancies that we have approval, we're in the process of recruiting.

COUNCILWOMAN BROWN: And what types of things does someone in your leadership capacity do to recruit

professionals of that type?

COMMISSIONER PARIS: Well, we have established relationships with the different colleges that graduate individuals that have the qualifications required, which is a Bachelor's degree with 30 credits in science. We also have developed relationships with out of town but pretty close institutions, like universities in New Jersey and so on.

We advertise in local papers, because it is important for us to recruit individuals that are bilingual and bicultural. So we have established our relationships with community-based organizations where we send out notifications that these positions are available.

But we will be more than happy for any suggestions you might have to lead us in that direction. We'll be more than glad to follow on them.

COUNCILWOMAN BROWN: Well, that's exactly what I will do.

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Relationships are fine and important, but a direct individual in the career department of Temple University gets you closer to identifying prospective candidates so that they can get into the pipeline.

COMMISSIONER PARIS: Absolutely. We will appreciate that.

COUNCILWOMAN BROWN: So those positions are available as we speak?

COMMISSIONER PARIS: Yes, ma'am.

COUNCILWOMAN BROWN: And the dollars are there once those professionals have been identified?

COMMISSIONER PARIS: Yes, ma'am. For the five, yes.

COUNCILWOMAN TASCO: So they're in your current budget?

COMMISSIONER PARIS: Yes, ma'am, they're in the current budget.

COUNCILWOMAN BROWN: Okay. Thank you, Madam Chair.

COUNCILWOMAN TASCO: On

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Paragraph 3 of your testimony you talk about the determination of what a food facility would require prior to construction. You said today before construction begins, a food establishment starts off with a technical review of the floor plans and food equipment specifications.

Are you a part of that?

COMMISSIONER PARIS: Yes, ma'am. We are the entity responsible to go into the facilities to make sure that the space that has the planning where they're planning to cook the foods and so on meet the standards according to how large the institution is. We look at the equipment; for example, is the sink big enough for the amount of food that is going to be handled. We look at those plans and we will then approve or not approve. And if there's any kind of problem, we will provide the establishment with all the technical assistance they need.

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COUNCILWOMAN TASCO: Now, who on your staff does that?

COMMISSIONER PARIS: We have two individuals that are supervisors and we have three sanitarians that are working on the plan review component.

COUNCILWOMAN TASCO: Now, how do you know that a restaurant is going to be constructed? Is that one of the requirements? If a contractor or developer is constructing a restaurant or rehabbing a restaurant, they have to notify you about what are the requirements?

COMMISSIONER PARIS: It is part of the licensing process, yes. They come to us, and with our sign of approval, they go to Licenses and Inspections.

COUNCILWOMAN TASCO: So with all the activity going on in the City today, how long does that process take? Is there a backlog where people are waiting for you to review their plans?

COMMISSIONER PARIS: It is very

challenging to keep up with the demands on plan review approval, on the turnaround, and more times than often there is a waiting period.

COUNCILWOMAN TASCO: What's an average waiting period?

COMMISSIONER PARIS: 60 to 90 days.

COUNCILWOMAN TASCO: So when a developer files for a permit at the permit office, they are told these are the requirements you have to meet, and you're one of the requirements, the Health Department is one of the requirements?

COMMISSIONER PARIS: Yes.

COUNCILWOMAN TASCO: So then they contact you, right? Tell us what the process is.

COMMISSIONER PARIS: I'm going to ask the Director of the -- the Chief of Food Protection to come and explain the process, ma'am.

COUNCILWOMAN TASCO: Sure.

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MR. ZAMESKA: Chairwoman Tasco, my name is George Zameska and I'm the Chief of the Office of Food Protection.

COUNCILWOMAN TASCO: Pull the mike to you, please. Would you repeat your name again?

MR. ZAMESKA: My name is George Zameska and I'm the Chief of the Office of Food Protection.

Your question was what is the process for submitting plans and getting approved?

COUNCILWOMAN TASCO: Yes.

MR. ZAMESKA: When any business wants to entertain changes or new construction, they are required to submit plans. That information is mailed out to prospective builders, designers, owners. It's on the City's website and available to all. And we also participate in various community and business-oriented groups to provide the resources needed to identify for prospective businesses what they need to do to go through the

processes.

But when a plan is submitted, we're asking for information about the nature of their food business, what type of foods they want to produce and want to understand what their design is going to be for producing this food, what equipment they want to use, how the equipment will be spatially oriented in the facility and how their staffing and resources will provide for a safe food production process.

COUNCILWOMAN TASCO: Are there standards that are codified that would help in the process if they know that you have to have so many -- if you have so many feet, this is what you have to have? Are there guidelines for the developers?

MR. ZAMESKA: We do have a comprehensive plan review guideline that is consistent with the state's model throughout the state. We, as a participating partner with the state's food protection programs, have tried to

have a unified approach to this process, and we do identify for each prospective operation the type of things that we're interested in knowing about. There are standards for equipment pieces. There are standards for how you physically locate a piece of equipment in a facility. There's standards for what type of sinks you might need to have, sizes of different items. So, yes, there is quite a few standards that apply to the food business.

COUNCILWOMAN TASCO: And so your role is to review their plans to see if they're meeting the standards?

MR. ZAMESKA: Yes. That's correct.

COUNCILWOMAN TASCO: And that process, because of the limited staff, takes about 60 to 90 days?

MR. ZAMESKA: Yes, it can.

COUNCILWOMAN TASCO: Is that normal? I mean, is that the standard compared to other places, other cities

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that you know of?

MR. ZAMESKA: I really can't speak to other cities and processes. We're saying 60 to 90 days because the review process may involve an exchange of information from the prospective project. There might be an initial submission of information. There might be clarifying information. There may be changes that are needed in the process, and all this is an exchange of information back and forth. So the average time we're looking at is a 60-to-90-day process. There are occasions when a plan is submitted and approved in essentially a day if everything works wonderfully well and it's the right timing and all the right information is provided. But on average, we're looking at what this process takes.

COUNCILWOMAN TASCO: Now, once the construction is completed, do you inspect prior to opening?

MR. ZAMESKA: Yes. A comprehensive inspection is conducted and

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the facility is evaluated according to the plans and specifications submitted, and we ensure that the facility is ready to operate safely, and then we give approval for operation.

COUNCILWOMAN TASCO: Do you have any questions?

COUNCILWOMAN BROWN: Yes.

Good morning.

MR. ZAMESKA: Good morning.

COUNCILWOMAN BROWN: I was reflecting on the need for this discussion, what prompted the hearings.

What systemic changes have you made since the articles that appeared in the paper in early summer in response to the incidents that appeared in the paper?

COMMISSIONER PARIS: At that time when the article was written, we had five vacancies. So out of the 32 -- we only had 27 sanitarians that were on board at that point. Since then, we have five sanitarians added to the roster.

We made some changes in terms

of how we prioritize inspections, because our sanitarians are not only responsible for food inspections, they're also responsible for inspections of swimming pools in the summer, tattoo parlors, nursing homes, schools. I mean, there's a number of establishments. So what we did was --

COUNCILWOMAN BROWN: That's important information, because even I sitting here thought it was just restaurants. That's not the case at all. So state that again for the record.

COMMISSIONER PARIS: Absolutely. We inspect institutions like nursing homes. We inspect daycare facilities. We go to schools, beauty shops and barber shops and swimming pools.

COUNCILWOMAN BROWN: So the number that you provided to the Chair Lady on the number of restaurants, it's not a true number once you add all these other --

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COMMISSIONER PARIS: All the facilities.

COUNCILWOMAN BROWN: -- facilities that you're responsible for?

COMMISSIONER PARIS: That's correct. Chairwoman Tasco asked me food establishments and that's what I gave her, but in terms of all the establishments that we inspect, there are over 15,000 establishments.

COUNCILWOMAN TASCO: So you inspect swimming pools?

COMMISSIONER PARIS: Yes, ma'am, we inspect swimming pools. We have to test the water environmentally.

COUNCILWOMAN BROWN: Public swimming pools?

COMMISSIONER PARIS: Yes, ma'am. Public and private swimming pools. Private swimming pools that are, for example, hotels, institutions where the public will utilize the facility.

COUNCILWOMAN BROWN: I see.

COUNCILWOMAN TASCO: But that's

not done by these 32 sanitarians?

COMMISSIONER PARIS: Yes, ma'am.

COUNCILWOMAN TASCO: So if you totaled everything you do, how many establishments --

COMMISSIONER PARIS: Well, we're talking about 14,854 facilities that we inspect.

COUNCILWOMAN BROWN: Okay.

COUNCILWOMAN TASCO: Is there a requirement on how often you inspect the nursing homes, the swimming pools, non-food -- well, nursing home is food. The other non-food establishments?

COMMISSIONER PARIS: We are inspecting -- our goal is to inspect all these establishments at least once a year. We inspected 25 percent of them so far in the first quarter of the year. We estimate that with the frequency working at the rate that we're working right now and with the addition of the five sanitarians, that we will be able to do

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at least once a year for all these 14,000 and so establishments. But once we have implemented the risk-based program that I mentioned before, then we know that it's going to become a real challenge, because some of these facilities are going to require three, four inspections a year, not once or twice.

COUNCILWOMAN TASCO: So let me go back to one of my earlier questions. To adequately fulfill your obligation, what would be the staff complement that you would require, for the record? Not that you may get that, but at least we need to know what your needs are.

COMMISSIONER PARIS: If we go into a risk-based, we will need to at least almost duplicate the number of sanitarians.

COUNCILWOMAN TASCO: We'll say double it. Don't say duplicate. I read on the fifth grade level. Tell me what you're talking about in plain old English, please.

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COMMISSIONER PARIS: We have 32 sanitarians right now. We will need at least 60.

COUNCILWOMAN TASCO: 60?

COMMISSIONER PARIS: 60.

COUNCILWOMAN TASCO: That's a lot of people.

COUNCILWOMAN BROWN: What would be helpful, if you could provide to the Chair what the history has been over the last ten years, a grid that speaks to the number of all the establishments you mentioned and the staff complement so that we can get some historical perspective here on where we were and where we've been and clearly where we need to go going forward. That would be very, very useful.

COMMISSIONER PARIS: We will. We will be able to provide that.

COUNCILWOMAN TASCO: Let's just go back. So our responsibility, in addition to making sure that the restaurants are inspected and that we

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protect the citizens who eat, you also have to protect those citizens who come to our City who use the public facilities, who use the private pools are also protected, because they too can have a problem there also, right?

COMMISSIONER PARIS: Yes, ma'am.

COUNCILWOMAN TASCO: Let me ask you a question about reporting. In the newspaper they talked about the various outbreaks in those years. I think I read them in my statement.

Is the Health Department made aware of all illnesses that people may feel that occurred as a result of -- let's just go to the food establishments right now. If they got sick or felt they had food poisoning, how do you know that?

COMMISSIONER PARIS: Well, there is two ways in which we get reports right now. We have reports that are handled by the Environmental Health Services Unit when there is one or two

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people involved, and there is the reports are handled by our Division of Disease Control, and that is for when there's a situation that involves three or more people.

COUNCILWOMAN TASCO: So not one person?

COMMISSIONER PARIS: No. It's two different divisions, depending upon the nature of the event.

COUNCILWOMAN TASCO: So I go to a restaurant, I eat something and I go to my doctor and my doctor says, You have food poisoning. He doesn't report it to the Health Department. There's no report of that. How do you know that two other people -- because we don't all go to the same doctor.

COMMISSIONER PARIS: Absolutely.

COUNCILWOMAN TASCO: So if I got food poisoning and Joe Blow over here got food poisoning and Mary Jane got food poisoning, but we all go to three

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different treatment facilities, how will you know -- and it all was in that one restaurant. How do you know that?

COMMISSIONER PARIS: What I would like to do, ma'am, is ask Dr. Esther Chernak from the Division of Disease Control to come in, because she's part of the unit that handles those complaints when they come in for large numbers of individuals.

DR. CHERNAK: Good morning. I'm Dr. Esther Chernak, a staff physician in the Health Department's Division of Disease Control.

We actually hear about food-borne illnesses in a variety of ways. Food-borne outbreaks, all outbreaks, are actually reportable, meaning that doctors, nurses, any healthcare professional is obligated to report it to us in the same way that individual notifiable diseases are reportable to us. So we do receive reports from healthcare professionals, as

well as from individuals who became ill while eating food in a restaurant or whatever. We often will get reports from our Office of Food Protection as well, and we often do joint investigations.

We also identify food-borne outbreaks through the State Health Department. If they are aware of a state-wide outbreak and they believe that Philadelphia residents may be involved, they'll let us know, and we'll do investigations of those cases. We do a daily review of emergency room chief complaints and review those for complaints of gastroenteritis or even "I think I have food poisoning," and we will pursue those with investigations with the healthcare provider.

So we do receive reports from a variety of different mechanisms. And sometimes we pick them up just by reviewing individual case reports and through our routine investigations of diseases like salmonella or listeria.

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Through the interview process, we'll recognize people will have had common exposures and we'll recognize outbreaks in that way. And whenever we do that and recognize that there's a food service facility involved, we reach out to the Office of Food Protection and often conduct joint investigations.

COUNCILWOMAN TASCO: Okay. So who from your department visits the various emergency rooms to check out this information?

DR. CHERNAK: What we do is, we don't visit every ER to collect the information. We rely on people spontaneously reporting, for the most part, and we spend a lot of time working with emergency room docs and other clinicians to inform them of their obligation to report, ensure they know what we do with information so they feel compelled to report, and we've set up an automated system so that every day, we get really electronic feeds, as it were,

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of data of chief complaints from over 20 area emergency rooms. So that happens automatically.

COUNCILWOMAN TASCO: That sounds better, a little more specific than what you said.

DR. CHERNAK: Well, we do it for both. I mean, I take call for the Division on a regular basis and I often get phone calls from an ER doc that says, I've got five people here who think they got sick from the same restaurant. That's a report. But the next day we may get a set of chief complaints from another ER that indicate people who believe they have food-borne illness.

So it requires a combination of things. I mean, some of it is, unfortunately, laborious on the part of healthcare professionals and we do ask them to take five seconds or five minutes out of their day and give us a call, but we try very hard to rely on automated reporting, because it makes it much

easier for them.

COUNCILWOMAN TASCO: Maybe you can or cannot answer this question. How do you think we're doing in the City in terms of outbreaks or food poisoning and reporting? I mean, do you think that our restaurants or food establishments are fairly safe?

DR. CHERNAK: I guess I do. I think that when there's food-borne illness and even outbreaks, it's not necessarily because of some faulty food-handling practice in a restaurant.

The outbreak that you referred to in your opening statement was contaminated turkey deli meat that was manufactured in multiple locations from outside the City and came in through a variety of mechanisms. It wasn't the fault of any specific food service establishment. It was bad food coming into the system. And I think there's been a lot of attention in the last few years to good food-handling practices, et

cetera.

I think our Office of Food Protection does a great job when it goes out to food service establishments to make sure that the basic elements of food storage and food handling are observed, that there's not cross contamination opportunities, that food is stored at appropriate temperatures so bacteria can't propagate, et cetera.

It's hard in the sense to keep a sick food handler out of work, and that sometimes can cause food illness. And I think the more times we can go out to food service establishments and remind them, If you're sick, stay home, don't come to work, et cetera, the better off we are.

But overall, I actually think that we're doing a pretty good job, and I think overall I think food is getting safer and safer as we get smarter and smarter as a system and learn more about how to keep foods safe.

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COUNCILWOMAN TASCO: Well, this may be an unfair question to you also, but in terms of where we are in Philadelphia compared to maybe some of the other cities, would we be in the range of top ten cities in terms of protection?

DR. CHERNAK: You know, I would imagine that we're as good, if not better, than any other city. I know that from a perspective of investigating cases, cases of salmonella or other bacteria that typically but not always come from food-borne exposures, we're very aggressive in terms of investigating those cases and trying to collect isolates so that we can test them for -- do genetic fingerprinting to determine relatedness. We aggressively investigate anything that could be food-borne to pick up outbreaks.

So I think we're pretty good, and I think our Office of Food Protection does a very professional job of going out

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and working with food service establishments. That's my opinion.

COUNCILWOMAN TASCO: Okay. Thank you very much.

Let me see. I had another question here. This may be an aside. Are restaurants required to have hot water?

COMMISSIONER PARIS: Yes, ma'am.

COUNCILWOMAN TASCO: I was talking about this yesterday. On occasion, a number of occasions, I've gone into a restaurant where the water is cold when I go to wash my hands. Now, sometimes maybe it doesn't run long enough. I often wonder why the water isn't hot in the bathroom for the public.

COMMISSIONER PARIS: Well, it is required. They are required to have hot running water. So that not only people that work at the restaurant but also people that go to the restaurants can wash their hands properly.

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COUNCILWOMAN TASCO: Is it possible for them to have hot water in the kitchen and not have hot water in the bathroom? I don't know how the plumbing system works. It should all be hot or cold, right?

COMMISSIONER PARIS: Well, from my understanding, I mean, in thinking of establishments that I have seen, I mean, there is different kind of plumbing. It's just like your home, you might have in one area, not in another one, depending. But they are required to have hot water in the bathrooms. Anywhere there's running water, they have to have hot and cold water.

COUNCILWOMAN TASCO: So we go to an establishments and I test it and see if the water never gets hot. So I should call you and let you know the water is not hot in the bathroom?

COMMISSIONER PARIS: Immediately. Yes, ma'am.

COUNCILWOMAN TASCO: Okay. Let

me see if I have one other question here.

Has the City considered requiring food establishments to post inspection reports like other cities? I know we have introduced a bill. We haven't had a hearing on that yet, but what is your thought about that?

COMMISSIONER PARIS: Well, we think that anything that will allow the consumers to make an educated choice is a good thing, and I think that for what I have seen in other cities, certainly it is a motivator for the establishment owners to really do well, because they do know that some people look at those reports.

We think that, for example, the way we are posting the information on the website right now, there's a lot of room for improvement, and we think that with the new system, we'll be able to get a more friendlier information out in terms of food reports and so on. But something as easy to read as a report card at the

entrance of the establishment certainly will help us.

COUNCILWOMAN TASCO: The street vendors, the food vendors on the street, are they required to have hot water or running water? How do they maintain sanitary conditions at their little kiosks?

COMMISSIONER PARIS: I'm going to call Mr. Zameska back here. There is a mechanism to make sure that they do have that.

COUNCILWOMAN TASCO: Thank you, Doctor.

MR. ZAMESKA: Chairperson Tasco, the food vendors that prepare foods on their carts are required to have hot and cold running water. That would be opposed to someone selling food in produce. They would not be required to have hot and cold running water.

COUNCILWOMAN TASCO: So in your inspections, how many of them have hot water, hot and cold water? And what

happens if they don't?

MR. ZAMESKA: Every food cart that prepares foods, a hot dog cart on the corner or a mobile food truck that you might see parked around the City, they would be required to have hot and cold running water, and if they don't have hot and cold running water, just as for any permanent establishment, if we find out about it, we will investigate it and we will address that issue immediately.

COUNCILWOMAN TASCO: How do they provide hot and cold water on a cart? There's no hook-up.

MR. ZAMESKA: Most of the carts have what we call a gravity-fed system. They will have tanks that will hold potable water, and they will be plumb to their sinks. For the hot water supply, most of the vending units will use propane as a fuel source and you'll have a gas-fired little hot water tank that will produce the hot water that will go

to the sinks.

COUNCILWOMAN TASCO: She has a follow-up.

COUNCILWOMAN BROWN: I do have a follow-up to that. You said "if we find out about it." So is that to happen because someone complains, gets sick or inspections that you do with the mobile carts?

MR. ZAMESKA: All of the above. Food carts, all the mobile food vendor units in the City are required to have an annual inspection to actually get a license renewal. So at that time, we evaluate not only their physical facility but their operation, which is unlike the permanent establishment. The permanent establishment has an automatic renewal. So they actually have a little more stringent standard to meet to continue to operate, and they are subject to inspection on the street. And we do respond to complaints from citizens about any condition whatsoever that they might

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observe with the carts. So they are monitored throughout the year, and if we find that there's a water problem, we address that water problem.

COUNCILWOMAN BROWN: So the role of the Department of License and Inspection, where does theirs end and yours begin?

MR. ZAMESKA: Well, the Department of License and Inspection will monitor for proper licensing. They will monitor for proper location and proper physical design in terms of spacial requirements and distances from various points, but the Health Department will monitor for the actual safe handling of food.

COUNCILWOMAN BROWN: What type of dots connecting the two departments talking to each other, what kind of red flags -- is there a system where L&I sends you a red flag alerting you that this particular establishment needs further oversight and monitoring?

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MR. ZAMESKA: Yes. As sister departments, we regularly communicate about food establishments back and forth.

COUNCILWOMAN BROWN: How?

MR. ZAMESKA: We will e-mail the Business Compliance Unit. They will e-mail us or call us, and we'll do the same for them when we have mutual concerns.

COUNCILWOMAN BROWN: I see.

COMMISSIONER PARIS: Also, I would like to add that in order for the establishment to get the license renewed, the Health Department literally has to sign off on the forms saying that they have completed the health requirements.

COUNCILWOMAN BROWN: And there's a reciprocal relationship with L&I; is there not? L&I can send you a trigger and you can do the same, you can reciprocate?

MR. ZAMESKA: Yes.

COUNCILWOMAN BROWN: Okay, then. Thank you.

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For my own understanding, is there any need for any ties with any agencies at the federal level with what you all do as it relates to this issue?

COMMISSIONER PARIS: The FDA, I believe it's the state at this point, has agreed to come and provide us with technical assistance in the development of our risk-based program. We have agreed to be involved in a review of the operations as we do it right now. The review officially started at the end of -- actually, beginning of Fiscal Year '07. So we think that we are going to be complete -- we know that that review will be complete within a year, and it's done by outside federal administration.

COUNCILWOMAN BROWN: It's like an audit, for lack of a better word?

COMMISSIONER PARIS: Exactly.

COUNCILWOMAN BROWN: So how was that triggered? Due to the articles or due to the self-imposed need for that or is that a standard operating procedure of

the feds?

COMMISSIONER PARIS: It's a national -- we want to be able to say that we meet the national standards, and even though it's a voluntary certification, it is something that we think that it's very important. It will be our way of making sure that all the citizens know that Philadelphia is at its peak in terms of how we are protecting them and how we respond to the need for tight guidelines.

COUNCILWOMAN BROWN: Is this a first? The federal audit, is it a first?

COMMISSIONER PARIS: Actually, these standards have just been put into place, and I believe that not all the major cities in the nation are being involved in this kind of process.

MR. ZAMESKA: In answer to your question, the National Standards Program under the FDA, they are actively going throughout the country visiting various health department entities asking that

each entity sign up and participate in the program. We were certainly not the first and we will certainly not be the last.

COUNCILWOMAN BROWN: I'm sure.

MR. ZAMESKA: But we are now among a cadre of departments throughout the country that are doing this.

COUNCILWOMAN BROWN: And there's no cost attached to the Philadelphia Health Department participating in the federal audit? If there's any cost, they're picking up the tab?

COMMISSIONER PARIS: Well, there is no cost. They are the ones that are providing the review in itself. What we think might be the cost comes when we are going to implement the recommendations.

COUNCILWOMAN BROWN: The recommendations. Okay, then. Thank you. Thank you very much.

COMMISSIONER PARIS: Thank you.

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COUNCILWOMAN TASCO: You talk that you were successful in acquiring funding from the Pennsylvania Department of Agriculture to replace your aging computerized inspection system. Is that system in place? Is it up and running?

MR. ZAMESKA: No. The computer system is not up and running at the moment. It is up and running at the state level, and that program will be coming to Philadelphia. It will be customized for our business practice use, but the system is up and running, and as soon as the software company can get it to us, we'll be expecting to use it.

COMMISSIONER PARIS: We believe, ma'am, that it will be fully implemented by June of '07. It's a roll-out process. The software has been purchased. It's just a matter of the state coming in and doing the actual implementation.

COUNCILWOMAN TASCO: So it says that they are going to replace your aging

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computerized inspection system --

COMMISSIONER PARIS: Yes, ma'am.

COUNCILWOMAN TASCO: -- with the most recent version of the risk-based inspection model?

COMMISSIONER PARIS: Yes, ma'am.

COUNCILWOMAN TASCO: Explain that to me in English.

MR. ZAMESKA: To make it a little simpler --

COUNCILWOMAN TASCO: You all are bureaucrats and you're talking about bureaucratese and I can't understand it. I'm just a plain old Councilwoman.

MR. ZAMESKA: Our current system is designed to cite specific violations that we would observe. The floor is dirty. We cite that. The computer prints it. We hand the report to the proprietor.

The new system will introduce identifying features of the establishment

operation such as cooking. The new system will identify, well, does this facility cook chicken. If so, did you observe this cooking practice as part of your inspection process, and if you observed it, was it in compliance or not. So that's the major shift in this new program.

COUNCILWOMAN TASCO: It's more specific?

MR. ZAMESKA: It's more specific and requires you to identify these things more specifically. Whereas, in the past when we did our inspection, if there was a chicken cooking problem, we would cite that problem, but if we went into the facility and there was no cooking of chicken at that time, you would not know that and we would not know that. We would just simply see there's no violation. So that's the major change in how this program will work.

COUNCILWOMAN TASCO: So when is this going to roll out, you believe? So

Harrisburg has it. They have it in Harrisburg?

MR. ZAMESKA: Correct.

COMMISSIONER PARIS: Correct.

COUNCILWOMAN TASCO: So they're going to bring it down to you. So when is it coming to Philadelphia?

COMMISSIONER PARIS: Well, we're already meeting with them to determine what do we need to have in place to start the implementation. So we already started working on it. We are doing the assessment, what do we need in terms of equipment. But they purchased everything. I mean, it's already -- it's not about whether or not they're going to buy it. It's been purchased. And the deadline for it to be fully operational will be June of -- this coming June, June '07.

COUNCILWOMAN TASCO: Does it cost us anything?

COMMISSIONER PARIS: No, ma'am. It's state funded, fully funded.

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COUNCILWOMAN TASCO: Let me ask you one question, then we're going to call some of our witnesses in, and we'll ask you to stay.

COMMISSIONER PARIS: Yes.

COUNCILWOMAN TASCO: Is there a fee for inspections? Do the establishments pay an inspection fee?

COMMISSIONER PARIS: There is no fee for the initial inspections. Only if the sanitarian has to come back because there are violations. When we go back to make sure that their violations have been corrected, that's when there is a fee.

COUNCILWOMAN TASCO: What is the fee?

MR. ZAMESKA: It's $315.

COUNCILWOMAN TASCO: How much have you realized from that fee? Do you have any idea?

MR. ZAMESKA: I don't have an exact figure, no.

COUNCILWOMAN TASCO: In terms

of reinspection, how much you might have collected?

COMMISSIONER PARIS: We don't have that, but we will certainly get back with that information to you.

COUNCILWOMAN TASCO: Do other jurisdictions charge an initial inspection fee, that you know of?

COMMISSIONER PARIS: That we know of, no. It is part of our public health responsibility. But I will double-check on that as well, ma'am.

COUNCILWOMAN TASCO: Okay. Thank you. We're going to ask you to wait, if you don't mind.

COMMISSIONER PARIS: Not a problem.

COUNCILWOMAN TASCO: We're going to call some of the other individuals who have asked to testify.

COMMISSIONER PARIS: Not a problem. My pleasure.

COUNCILWOMAN TASCO: Thank you very much for your testimony.

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COMMISSIONER PARIS: My pleasure, ma'am.

COUNCILWOMAN TASCO: We have a panel, Vivienne Crawford, Bonita Cummings, Ruth Birchett and Tracey Gordon.

Good morning.

MS. CUMMINGS: Good morning. How are you, Councilwoman Tasco, Blondell Reynolds Brown?

COUNCILWOMAN TASCO: Would you speak into the microphone, please, directly and identify yourself.

MS. CUMMINGS: My name is Bonita Cummings. I'm the Director of Strawberry Mansion Community Concern, community activist and this is my second term as an elected committeewoman in the 28th Ward, 13th Division. And in that capacity, as well as in the capacity of activist, I've worked very diligently with the community on these food establishment issues, and over various times we've been here to testify

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A power greater than myself that I choose to call God quieted my spirit over the weekend as I contemplated what an effective approach would be to this hearing that our representatives would hear this time and remotely effectuate positive change regarding the issue of food establishments. Initially, I was thinking that I would move around the City and take pictures of the most notorious unsanitary food establishments in various parts of the City, but as God would have it, he said to my spirit be still. You and many community residents and organizations have done due diligence. You have provided the evidence to all the responsible parties on many occasions.

My young children are dying of juvenile diabetes, high blood pressure, cancer and food poisoning from

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non-inspected, non-regulated food establishments and oversaturated same type food establishments in neighborhoods. Many locations are never inspected unless L&I or the Health Department gets a complaint.

Further, God said to my spirit on Wednesday, November 15th, 2006, I just want you to read the dates and excerpts of that evidence, the names of who received that evidence and let the chips fall where they may. I want it to be very clear that the information I will be reading is only to show the timeline, number of years, complaints and concerns that have come from the community.

But before I read the dates and excerpts, I want to say when I read the Philadelphia Inquirer article of June 11, 2006, my first thought was that I would reply, because there were other components of food establishments in Philadelphia that this article didn't even touch on, such as the retail variety

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corner stores by variance redefined by the Zoning Board of Adjustment as restaurants; two, supermarkets with hot food sales serving leftovers.

The Zoning Board of Adjustment is dangerous and has placed the neighborhoods in jeopardy with the disproportionate number of stores to Licenses and Inspections inspectors and Health inspectors. They refuse to hear the true and significant concerns of the community and have placed nuisance food establishments in neighborhoods above the law.

In accordance with The Philadelphia Code, many food establishments deemed restaurants don't have 25 tables to chairs, no public bathrooms or appropriate running water. Many of the floor tiles and ceiling tiles are stained and they have mold and mildew. Also, cats are used as a means of extermination.

As I was obedient to my

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assignment, I looked for some of my correspondence sent or received over the years, and it is as follows: October 30, 2001, Zoning and L&I matter, community food establishment, non-complying. April 29, 2002, correspondence sent to Mayor John F. Street titled "Poor Nutrition - Low Income Children and Communities and Mental Health." The letter expressed long-term health problems, corner stores and restaurants reaching critical mass and violence. It also mentioned a hearing on April 16, 2002 on Resolution No. 020133, which was attended by a large panelist of nutrition experts who verified our concerns of illness and disease. To name a few, this letter was copied to John Domzalski, Health Commissioner; City Council members; U.S. Department of Health and Human Services; Thomas J. Kelly, Zoning Chairman; Senator Arlen Specter; Congressman Bob Brady; Congressman Chaka Fattah; Senator Hughes; then State Rep Michael Horsey; State Rep

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Jewell Williams and District Attorney
Lynne Abraham.

May 28, 2002, Councilmember Clarke arranges meeting with the community, the Health Department and Licenses and Inspections regarding regulated uses, food contamination, unclean stores, dirty walls, floors, et cetera. May 20, 2003, community received correspondence from Dominic Verdi titled "Proliferation of Convenience and Corner Stores." The community complaints were founded and three of the food businesses complained about were in violation of their sanitary conditions.

January 5, 2006, sent correspondence to Mayor John F. Street titled "2006 - Year of the People - Neighborhood Quality of Life Issues." This correspondence addressed the many code violations, unclean food and cooking grease of three establishments, 2500 North 29th Street, 2601 North Stanley Street and 29th and Girard, and its

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negative impact on the mind, body, souls and spirits of the people in those neighborhoods.

As you can see, I have read correspondence from 2001 on. The communities have tried to live better and get better food establishments, but it's really getting worse, particularly in minority or African-American neighborhoods. Many people believe that we like these conditions. But it should be clear, as you can see from the communities' efforts, that it's not even remotely close to the truth.

One solution is to call a moratorium, especially in the neighborhoods, on new retail variety stores turned into restaurants and pre-existing convenience stores expanding to hot food sales, until enough inspectors are added to the Health and L&I, License and Inspection departments.

Late night eating is very dangerous to our health. Since there are

so many bad food establishments, in an effort to protect the children, hours of operation should be brought in line with good digestive times.

I have given you today what God gave me. My heart is so heavy with this issue of bad food establishments and R and E license businesses, also known as stop and go's, that the only peace I get is prayer. When we don't listen, we can't hear. When we try to hear, our hearts are hardened and many people get injured. God, with his infinite wisdom and his unchanging hands, this message has been delivered and in him all things be.

And I just wanted to say that there is a distinct difference between food establishments that are defined for or particularly defined as it relates to the article and food establishments that are in neighborhood communities. These stores, first of all, they're in R-10 properties, which were designed to be

houses. So we're putting major ventilation systems out of side walls, or now the Zoning Board makes them go through the property all the way to the roof. What happens with that is, the grease spews. Because of the spinning of the ventilation, the grease spews off the roof, down onto cars, down onto the ground, and then you have the awful stench of the rancid grease that wafts through our neighborhoods. And we're being saturated with these stores. Every week the Zoning Board gives a variance to at least two or three new retail variety grocery stores, quote/unquote, restaurants. They've redefined what a restaurant is. There's no seats to tables. There should be at least, according to The Philadelphia Code, public bathrooms. Ingress and egress, you can go in, but you can't get out. If somebody was to block you one way, you have no exit.

So these violations as it

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relates to food establishments, not to mention some of the other types of places that their attention is diverted or directed, are very dangerous in the neighborhoods. It's a distinct difference when we define food establishments for, say, a non, quote, urban neighborhood area.

Thank you.

COUNCILWOMAN TASCO: Thank you very much for your testimony. It's very revealing.

You'll go next, then we'll ask some questions.

MS. GORDON: Good morning. My name is Tracey Gordon. I'm here as the Director of Concerned Citizens for the Preservation of Southwest Philadelphia. I'm also a member of the African-American Heritage Coalition and also a member of the City-wide coalition to fight the way the City is allowing businesses; i.e., the stop and go's, to do business in our communities.

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I'd like to thank you, Ms. Tasco, for bringing this topic up. I'd also like to thank you, Ms. Blondell. I know you all as women, as mothers, as grandmothers.

We are in a state of emergency. The quality of life in our communities is very dangerous. Philadelphia is supposed to be the new city, and we are being neglected in our particular neighborhoods.

There just was an article in today's Business section of the Philadelphia Inquirer entitled "Ten Firms to Trim - Junk Food Advertisements Aimed At Children," and these ten firms, two of which is Campbell's Soup and Hershey Company, they are two-thirds of the industry that do these advertisements to the children. They have volunteered to regulate themselves, because Congress is coming down on them for this mere statistic since the 1970s. The obesity rate for children ages 2 to 5 and

adolescents have doubled. The institute said it has tripled for children between the ages of 6 and 11.

We have had several quality of life issue hearings here, one of which your colleague, Darrell Clarke, over a year and a half ago, he passed some legislation -- introduced legislation that you all unanimously passed that if these stores operate on the corner of a residential block that is occupied by 80 percent of a residential block, then they are to be closed at 11 o'clock. I thought that was pretty much giving them a good fair amount of time, because I'm young, but when I was growing up, the average corner store closed at 6 o'clock. Now these stop and go's are closing at 4:00 in the morning, and we know the type of trash that they introduce.

So last year, a year and a half ago, legislation by law passed at 11 o'clock -- do you know you still can go in our neighborhoods and see these stores

still open and violating the law? They still staying open at 2, 3, 4 o'clock in the morning, and the only thing that they can say, quote -- the Chinese Restaurant Association said to me that if we have to close at 11 o'clock, we don't make any money. Well, what about our quality of life? What about the fact that you're, as she described, not to mention -- there is a house that had big horrible bins that are dirty and overflowing, rats infested, looking unsightly. They come into our communities, and the first thing they do with brick is paint it yellow or red, as if we're not going to know that there's a store on the corner. You're going to destroy the brick, yellow, red, one time only to let us know they're there and never repaint it any other color. And Bonita was just telling me about it's not even practical that you're supposed to paint brick.

So we have a lot of things that we need to do. The 11,223 food

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establishments and the 32 sanitarians, that means there's 350, according to my calculator, 350 per person. Then when we added on the other 15,000, that's 468. There's no way in the world they have the capacity to inspect those facilities. So who are the people that are suffering as a direct result of that?

Because I know for a fact I have yet to go into one stop and go in our area, particularly Southwest Philadelphia, North Philly -- I'm doing a study on them. They are all filthy dirty. I'm wondering, if she said that they are signing off, they have to sign off on these restaurants, then somebody is signing off when they shouldn't be. Somebody is not doing their job. Because there's no way in the world at the corner of 60th and Upland or 60th and Chester or 65th and Elmwood, the one that I testified to get shut down and all of the sudden it got reversed on Act 39, them stores should not be open based on health

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food violations, safety violations, the configuration of stores.

I say in addition what we need to do is with the little town, Wynnefield -- I don't know what you call it, little section of the City, Wynnefield, they put -- this was back in the '50s. It was populated mostly by the Jewish community. They established a moratorium that they didn't want any bars. So when you go out to Wynnefield, they only have a stop and go. That never had to be an issue of any Councilperson over in that particular district, because they have one bar there, because they put a moratorium.

I think that there needs to be some hearings. I think that we do not need on every corner -- and I'm very concerned with this, because my area, I moved in, bought my house ten years ago. It was a working-class Irish Catholic area, and they had their little mom and pop stores, but now that they moved out

and now it's repopulated with African-Americans and Africans from the (unintelligible), now every single corner every time I wake up in the morning and drive to another corner, there is another store with painted yellow brick or red brick opening up on the corner. What does that say to the health of our community? Because they're selling fried foods.

I don't mind the convenience, but when they get the variance to sell those fried foods, the kids are conveniently going there, eating the chicken fingers and stuff like that. There's no way that the Health Department is regulating these stores.

They are dirty. You don't even have to go into the store. You can be Stevie Wonder blind and see how filthy dirty these establishments are. The Health Department, maybe they do have the excuse that they're understaffed, but there's no way in the world they are

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inspecting. And if they are signing off, then that means that they have the proper staff, because in order for you to operate these restaurants in the community, she just testified that you had to sign off on it.

Lastly, the running water in public bathrooms, in every stop and go that I go into -- I've had to do the investigation, and most of my time it's done in Southwest. That's where I live. But I've been through North Philly.

I have yet to see -- you talking about hot water? How about just H2O, period? They don't have hot water. They don't have water, period. They don't allow people to come wash their hands. They eat in those facilities. Then they blockade. Where is the regulation of them having -- if you have a deli, you come in and I'll get a sandwich. You're so blockaded with the advertisements for the liquor and the blunts and the blunts all block, you can

only peep through and they can only peep through to give the kids their sandwich. They're selling the sandwiches out of the same window that they're selling the malt liquor. They're selling the blunts out of the same window that they're selling the sunflower seeds. We're in a state of emergency.

I appreciate you all having this hearing. This should not be the end. It should be filled to the rafters in here. Maybe we could advertise a little bit better, because sometimes -- we, as elected officials and as activists, we have to protect the ignorance amongst our people and most especially the youth, because right now there's a statistic right there. Our kids, and most particularly African-American -- this is an American statistic. I believe if they broke it down into the African-American, I believe that this statistic will be a little bit higher.

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Thank you for the hearing.

COUNCILWOMAN TASCO: Thank you very much.

We're planning action plans up here, because we hear you. And, you know, all of this ties in, although some of the issues you raised are L&I issues, but it's also tied into the testimony, as you said, given from the Health Department, that they are involved from the beginning with these establishments, and the stop and go's seem -- and we're bringing them back to talk about that.

MS. GORDON: Thank you.

COUNCILWOMAN TASCO: Yes, Ms. Crawford.

MS. CRAWFORD: Yes. Good morning, Councilwoman Tasco and Councilwoman Blondell Reynolds Brown. I am appreciative of you having this hearing.

As you can hear the passion from my two co-panelists, we come with heavy hearts today, because this seems to

be a battle that just keeps going on and on, and we come down here and we speak to City Council to air our grievances, but I submit to you that these business people are making a mockery not only of us but they're making a mockery of City Council.

Tracey alluded to the fact that last year there were regulations passed saying that these stores had to close at 11 o'clock. I also would like you to know that there were hearings held last year. Now, I'm a self-employed person. I take time from my business to come to address these issues because it concerns me, but I am also mindful of the fact that when the hearings were conducted, one of the things that we got from representatives of operators of this trade association that actually operates these stores, they said to us, We pay. That's a stinging rebuke on how these folk view us. They say to us, We pay. And when we ask them to explain what "we pay" means, they said, Well, we have

agreements with politicians to keep you all from bugging us. They didn't use "bugging," but they said, We have agreements with the elected officials that say that we do not have to align ourselves with any regulations that have been put forth by City Council.

Now, that's stunning to me.

COUNCILWOMAN TASCO: That's stunning to me, too.

MS. CRAWFORD: So I understand and I'm looking at this, my business is in Center City. So I recognize that we certainly want to attract tourists and we want to make certain that eating establishments in Center City are attractive and they bring tourists in. We understand that, but we live in the City of Philadelphia, and it's amazing to me that I could hear someone sit at this table and talk about priorities. See, priorities to me is code for something else. Priorities meaning are we talking about the priorities that the Health

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Department is concerned about is Center City and tourism? Because I'm with that. I understand that. But I am also concerned about what happens in the communities.

When do these folk get out to these stop and go's, to these places that are selling fried chicken? I mean, it's amazing. When do they get out to our community to examine what is going on?

I am not at all trying to discourage tourism, but when you say "priority" to me, that means something very dangerous. That's a very dangerous precedent for someone to sit here, paid by taxpayers, to say, We have priorities.

I saved my little speech until last because I thought I was going to be the calm one, but I must say that that's a code word. And so we as representatives of the community are saying that no paid City official -- how dare you come here and tell us that, well, we have to focus on new

development. And if you're signing off, that's a very telling thing. If you are signing off on these stop and go's and these little greasy spoon restaurants that inhabit the community, shame on you. Shame on you.

Thank you very much.

COUNCILWOMAN TASCO: Thank you very much.

What we'd like to do is have you take a seat and we're going to ask the Health Commissioner to come back and respond, along with the gentleman. I'm sorry. I forgot your name. George to come back to the table.

And we thank you for your testimony, because it's certainly -- it doesn't open our eyes because we know what's going on, but some of the other issues you raised around the issue of L&I and what they're doing, so that's a whole other committee, which we can deal with true also. The Zoning Board of Adjustment, those are issues we deal with

them on that, because some of us, you're right, we don't have a lot of bars, and some communities are more active and can control the number of stop and go's that come into their community. But I'm just amazed at some of the testimony that you gave that this is just happening ad nauseam. I mean, it's just going on and on and on, there's no control. It means that you're going to have to mobilize your community more. You're going to have to go to that Zoning Board hearing and say, We don't want this. So, I mean, that has to take place, because I know we deal with it every day, and I have a representative in the Zoning Board every time it meets to protect the citizens of the Ninth District. And so we do that, so we control what goes on up there in the Ninth District to make sure it doesn't happen. But you're going to have to -- we'll deal with that with you on another issue.

Let me just go back to -- you

all heard the testimony, particularly around the neighborhood restaurants, because the question I asked you earlier about your involvement in the new construction and design, how involved are you? Because these stop and go's have to, when they want a variance to open and sell food, also have to get a permit. Now, they get a permit, but then they have to go to the Zoning Board and get a variance for the establishment. And so how involved are you in that process? Are you involved in it at all?

MR. ZAMESKA: In terms of the zoning and variance process, we are not directly involved in that process. If a property is granted permission to be a certain type of entity, like, for instance, a corner food establishment, our role comes in play with what that establishment is going to do in terms of its design, its function, its food handling. But we're not involved in the process of deciding whether or not it can

be what zoning would allow it to be.

COUNCILWOMAN TASCO: They may issue the variance that they can use the land use issue, yes, you can use this facility for a take-out restaurant. You come in. At what point do you come in and say, Well, what is it going to look like? Bonita talked about the construction of the ventilating system. I mean, do you get involved in that, because it does present some health issues, and the inspection of these facilities prior to their opening?

MR. ZAMESKA: The answer is yes, we do. We do review and evaluate ventilation system design as part of our review process. However, if I understand what was presented earlier correctly, some of this relates to maintenance of the system, proper cleaning and maintenance, to ensure that some of the community concerns as expressed don't happen. If we receive complaints about odors or grease from ventilation systems,

we respond and we investigate and evaluate those complaints.

COUNCILWOMAN TASCO: But when your inspectors go out to these facilities and inspect the stop and go's, do they look at how they are preparing the food?

MR. ZAMESKA: Yes, we do.

COUNCILWOMAN TASCO: So how often do you get to these neighborhood stores? Because they're popping up like rabbits.

COMMISSIONER PARIS: This year in the first quarter, we were able to visit 25 percent of them. So we estimate that in this coming year, if we continue at this rate, we will have at least inspected all of the establishments at least once.

COUNCILWOMAN TASCO: Well, I agree with Ms. Gordon about the number of people you have. You have 32 people. You got 15,000 establishments. You have 32 people. They are not all working

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every day, because some are out sick, some are on vacation. The work complement is not 32 every day 365 days a year.

COMMISSIONER PARIS: That is correct, ma'am. And I also noted that some of these establishments require different kinds of inspections at different times. For example, the swimming pools is only -- the public swimming pools, that only happens during the summer.

We were able to do a lot of the inspections in this past quarter because, for example, we were not doing as many of some -- a number of inspections as others. In other words, what we did was, we looked at what we were doing and we redeployed people. We started using people allowing them to work overtime. Prior to that, we were not inspecting any of these establishments on a yearly basis. They were taking us a lot longer than a year. They were taking us

anywhere between 18 to 16 months.

COUNCILWOMAN TASCO: So prior to the news article, you were not really inspecting the food -- because really the news article kind of prompted you to take different action, right?

COMMISSIONER PARIS: We were not inspecting the establishments once a year. We were not in that cycle.

COUNCILWOMAN TASCO: Now, Ms. Crawford talked about priority. When you began your food inspection process, what area did you focus on first in terms of the priority of where you would go? Did you focus in on Center City or did you go to the neighborhoods? How did you determine where you would begin your inspection?

COMMISSIONER PARIS: Actually, what I was referring to in terms of assessing the priorities was assessing based on the risk. What is the cause of potentially any kind of food illness, and based on the risk, that will be where we

will place the facility. An example, a food counter in a movie theatre will not demand the same kind of inspection as a school or as a nursing home or as a full-blown restaurant.

So that's what I meant. I was not referring to areas of the City or neighborhoods or communities. I was referring to the type of risk that that particular establishment will pose to the community.

COUNCILWOMAN TASCO: Councilwoman.

COUNCILWOMAN BROWN: Yes. A follow-up question. So then what drives the management of these 32? Are they broken down by district and they're responsible for X number of establishments per district or are they broken down based on priority, as you just defined it?

COMMISSIONER PARIS: Right now they are deployed by district, but the number of sanitarians that are assigned

to the district are based on the total number of establishments.

COUNCILWOMAN BROWN: All right.

COMMISSIONER PARIS: That will allow us to utilize the force much better. We know that, for example, there are areas in the City where there's a concentration of establishments, so we know that the needs for us to do our job is different. Example, in Center City we know we don't need vehicles, because the establishments are so close to one another and a vehicle is just a problem. But when we are sending, deploying our sanitarians to work in Southwest Philadelphia, they need a vehicle, because the distance between one establishment and the other one might be greater.

So it's -- and where the risk comes in is, again, based on how many times we know that that sanitarian needs to be out there looking at that particular facility. They range from low

to critical, where a low, like I said before, might be a counter in a movie theatre and a critical will be any facility where food is handled for those that we think are vulnerable.

COUNCILWOMAN BROWN: You indicated to the Chair that you've done 25 percent inspections this year?

COMMISSIONER PARIS: Yes, ma'am.

COUNCILWOMAN BROWN: So for me, a broader, bigger question is, how many new restaurants and stop and go's have come online that have been approved by the Zoning Board? Because that gives -- and you cannot answer that, I would assume. That's a question clearly for the Zoning Board of Adjustment and/or L&I, because if the proliferation of those establishments continue at the pace that we know they are, you'll always be in a catch-up mode.

MS. CUMMINGS: Can I just say, there's no connection, because the way --

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COUNCILWOMAN TASCO: You have to come to the table. You can't speak from the floor. Identify yourself, please, for the record.

MS. CUMMINGS: Bonita Cummings, Director of Strawberry Mansion Community Concern.

Strawberry Mansion is a very active part of the City as it relates to zoning matters. Once we learned how to better act towards these orange signs, we got more active. But the Zoning Board's process is a great disconnect, because a lot of times you have the stores where before they've even come to see if they have to get a variance, the ventilation systems are in. So the Health Department in some cases may not even know that it's even a store or a business.

So we have a lot of issues that is disconnected here. The L&I may not know it's there. I teach -- and I said I wasn't going to get into any specific locations, but I just need to give an

example. I teach at 40th and Market. It's a store at 4000 Market Street, 40th Street, mini market. It's a breakfast and seafood. Their means of extermination is cats. It stinks to high heaven. The urination hits you in the face when you go in there so you get instantly sick, bacteria. The floors do like this, up and down. You got to go up and down. They have used shoes sitting out. Their onions and potatoes are covered with newspaper.

Now, when is somebody going to get to that location? If it's not a complaint driven, we get constantly sick. And I've gone in there a few times and I had to say to myself, Nita, it's that mentality that people say, Well, why do ya'll go in these locations? You keep going back, you keep going. It's like, Okay, well, this is a location that needs to be reported. So I reported it today.

COUNCILWOMAN BROWN: Is there any trigger then from the Zoning Board of

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Adjustment to the Health Department? We know there's a trigger from the Zoning Board to L&I, but do you get some kind of trigger, some kind of alert, some kind of red flag that says this new facility is online and you, Health Department, need to get ready to do whatever you do as it relates to a restaurant facility? And it's in direct response to Ms. Cummings' observation of the disconnect.

MR. ZAMESKA: No.

COUNCILWOMAN BROWN: So those two systems currently do not talk to each other, for whatever reason?

COMMISSIONER PARIS: That's correct. We don't get a notification from the Zoning Board that there is going to be -- an establishment is going to be opening.

MS. CUMMINGS: But every week we're getting new retail variety grocery stores with a variance to sell hot and cold foods. And even when the community goes to the Zoning Board and say, We

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don't want these type of establishments in our community, Mr. Auspitz is saying he don't care that you don't want them. He wants every store that want to be a store to be a store, and he's putting same type businesses in our community in an abundance number. We're just oversaturated with them.

COUNCILWOMAN TASCO: Well, we're going to come back to that, because that's another hearing, but we want to tie it in to the communication between L&I and the Zoning Board with the Health Department. So we hear you. We're not discounting what you said. I think that's a discussion we need to have to have some other action taken. Okay?

MS. CUMMINGS: For the Health Department, the grease, the ventilation systems, that they're making people take ventilation all the way -- if it's a three-story building, the ventilation has to go up through three stories out to the roof. I've seen properties burn down for

that reason, because if it's not maintenance, you get a grease fire. So where is the Health Department in the decision-making process for a property that doesn't presently have no ventilation running straight through its building being made to do that just so that the Zoning Board can satisfy the wishes of the business owner that wants to come into the community and add hot food sales to a location that presently does not sell hot food? So these are all of the issues.

COUNCILWOMAN TASCO: Those are very good points, and I think that --

MS. GORDON: And also -- Tracey Gordon. Also, under her testimony she stated that the Health Department signs off on these restaurants and they're supposed to have these big plaques, and I see them that let's them know that their inspection -- then case in point, because I can name a whole bunch of other stores, the 4000 Market Street is the filthy --

which it is, because I went in there once, didn't buy anything. Then who signed off on that? How do the Health Department, which she testified has to sign off on these establishments, how are they being paid by taxpayers' dollars? Obviously their job description should not be saying sign off any old way. The question is, how are they signing off on these certificates that they have to sign off on, yet in our neighborhoods -- well, that's happening at University of Penn neighborhood, but how are they still operating the way they're operating if they're signing off on it? There needs to be an investigation on who is signing off. "We pay." "We pay." I don't understand that.

COUNCILWOMAN TASCO: Do you want to respond?

MR. ZAMESKA: There's several issues that were raised, and I'd like to clarify our role in this process.

When an establishment is going

to be an establishment, if it's going to be a cooking establishment with a ventilation system and they're permitted to be that, our role is going to be to look at the ventilation system, its function and sanitary design of the hood, the filter system. We do not directly control the fan location. That's part and parcel with the Department of Licenses and Inspections for fire code issues, but we do evaluate potential impact of ventilation systems in the neighborhood.

If there is a problem with odors or grease, the Health Department Environmental Health Services may get involved and also the Air Management Services group may also get involved in some of these issues.

The primary issue with ventilation systems is maintenance, and when we sign off, what we're saying is it's a brand new facility, it has all the equipment it's supposed to have, it meets

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the standards and specifications, and we authorize it to get a license to operate. At that moment in time, we move forward with the maintenance and regular routine inspection of that property. If a problem develops after the establishment opens, then we certainly want to be aware of it so that we can address it.

COUNCILWOMAN TASCO: Well, if the conditions exist as described by Ms. Cummings that it's not properly maintained and it is emitting all these kind of oils out in the street, do you have the ability to shut them down? Who shuts them down? Does L&I shut them down or do you shut them down? Is it a health issue or a code violation?

MR. ZAMESKA: If the situation warrants, then a facility is closed. If it's a code violation where a correction needs to be made and that correction can and is made, then that's what we would expect to have happen.

COUNCILWOMAN TASCO: Do you

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close them in the meantime until the correction is made?

MR. ZAMESKA: No, not unless there's an imminent public health threat to the community.

COMMISSIONER PARIS: Unless there is a threat to the community -- and we close establishments. I get reports and we close establishments, maybe at least three. Anywhere between three and ten I get them a month that we close them. But what happens is, when we go to the establishment the first time, ma'am, and we see that they have violations, we give the establishment the opportunity to correct those violations.

COUNCILWOMAN BROWN: How long?

COMMISSIONER PARIS: They have 30 days before we come back for a reinspection. In some instances, they will call us and say, Come back sooner because we have corrected the situation. So we come back and we reinspect, whether it's been at the request of the

establishment or because the 30 days is up.

At that point, if we see that the corrections have not been corrected, that they're really not in compliance, then we make a determination of either give them another violation, another citation, or we will, if there is an imminent threat to the public health, we will close the business at that time.

COUNCILWOMAN BROWN: So here we have four organizations represented in this with very legitimate, based on their testimony, clear evidence of violations, and we have the leadership of the Health Department who is in the business of fixing those kinds of circumstances. And so I would be curious to know what constitutes violations. Because you're the professionals, you would know. We're community citizens and we know what we see, and there may be a disconnect there. That's number one.

Number two, it's an opportunity

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to hear and see how what's available to you can address the very clear issues that they've raised today. So I guess what I'm asking is off the record have a sidebar so that -- they know what they believe the violations to be. You know how you define the violations. They're both legitimate, but there may be a disconnect there, to move for some kind of relief for the organizations that are represented right here today. And I think that's a smaller step in the direction of where we want to go. Systemically the Chair and I are looking at something we can put out for consideration to see how we can deal with it in a more global way.

MS. CUMMINGS: I just want to say that I don't come to these hearings unprepared.

COUNCILWOMAN BROWN: I am so sure.

COUNCILWOMAN TASCO: Speak into the mike.

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MS. CUMMINGS: I have studied this matter. I read the code. I go to zoning. I'm not speculating as to what the violations are. I've sat down with the Health Department in previous years, as I have read from my testimony, with specified questions that helped me to know kind of like what they were going to answer, because several years ago, they didn't have enough inspectors, which was our Councilman had a meeting for the community as it related to this.

But, again, there still seems to be not a clear understanding here. We in the community, our businesses are defined differently than quality businesses. The Zoning Board has saturated our neighborhoods. We have no relief from them. The stench in the community, we have no relief. The more we continue to put those corner store locations in our neighborhoods and even along some of our avenues, the more sick we become, because the food smells are

just -- they just turn your stomach. Our children are eating from rancid grease. Once you fry grease one time, when you use it again, you're using plastic. Our children are asthmatic and violent because they cannot breathe. The clogging -- and I'm also a health consultant by study, so I'm understanding the clogging of our arteries from the saturated oils and rancid oils that our young babies eat on a daily basis, and then we want to know why are they so violent. Well, when you touch them, they can't breathe. So instead of feeling like you're giving them a hug, they're feeling like you're punching them.

So it should be comprehensive, but we want to address it fragmented.

COUNCILWOMAN BROWN: Surely.

MS. CUMMINGS: And we can't address it fragmented. And people have to want to be responsible. Like it's hard for me to have to come here and look at my community and see the degraded

conditions. I mean, just go to some of the locations. The stores don't even have proper chairs. People can't even sit -- like what kind of mind are you producing when you say to a community, Come in my store and my chairs are raggedy. You don't even deserve the real true definition of a restaurant for your neighborhood to be able to sit down at a table.

I can't bring my friends from different areas of the City to come to my neighborhood as a little cafe style restaurant, because the mentality is that I'm not deserving of that in my community.

So, you know, we have to look at this comprehensively and address the fact that the stench is there. If the Zoning Board continues to give us one more retail variety grocery store by variance, we're stenching up another neighborhood. We just got -- at 29th and Lehigh, the Zoning Board took a whole

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year, after the community fought to keep that place from getting a license to do hot and cold foods, they granted it anyway. They made him run that ventilation to the roof. And that block is a beautiful block. The 2700 block of 29th Street is going to stink. And then the grease over the days and weeks and months is going to spew right off the top of that roof, and the ground eventually gets matted grease like the Crown fried chickens. When you walk in front of their locations, the grease is all on the ground. It's matted to the ground.

COUNCILWOMAN TASCO: Well, Ms. Cummings, I hear and I understand the connect. Again, we will talk with you to address those issues, but it also does tie into the Health Department, but we want to get back to their -- they have probably heard information today that they have not heard before. So I don't think they sat there and not heard your message, which hopefully they will go

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back to their shop and begin to rethink how they do with what little resources they have, because they don't have a lot when you look at 15,000 establishments.

Now, the other question I want to ask you, do you inspect bars? Because you know these bars sell chicken, too, in the back.

MR. ZAMESKA: Yes. They're a food establishment as well.

COUNCILWOMAN TASCO: So they're on your list also, they're part of the 15,000? We're raising it. It's going to be 20,000 in a minute, because by the time we get out of here, the Zoning Board will have granted more variances to somebody else. So it's going to be 20,000, and maybe there should be some action taken to kind of deal with that. So we'll talk to you all about that. But I wrote down bars because they do sell food.

What I'd like you to present to us is sort of like a matrix of where you

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have done inspections in the last six months, what part of the City has received inspections in the last six months for these food establishments and the various parts of the City, because you say you've done 25 percent. Where are the 25 percent?

COMMISSIONER PARIS: Not a problem. We will provide you with that information, ma'am.

MS. CRAWFORD: May I just -- I want to ask a question, because I hear something that I'm not clear about, and, that is, that when they go out and they make an inspection and they find a violation, you issue a citation at that time? Is that what happens?

COMMISSIONER PARIS: We actually issue a violation notice.

MS. CRAWFORD: You issue a violation notice. And then you said that sometimes you get these store owners that call you and say come back so that you can reinspect because they've corrected

it. But they're still doing business even though they have that violation that you've given them? They're still selling food?

COUNCILWOMAN BROWN: Is that true?

COMMISSIONER PARIS: That's correct. We are not closing them down unless they pose an imminent threat to the community.

COUNCILWOMAN BROWN: Define "imminent threat." What type of examples, what type of circumstances define that "imminent threat"?

MR. ZAMESKA: I'll pick a common example. If there is a plumbing back-up in a food establishment and now the floor is covered with waste material from the sewer line, that would require an immediate closure of that facility. If a facility has an extensive infestation problem where the foods are contaminated and the food service areas are contaminated and there's no way to

control that, that would be an imminent threat. So we're talking where something is grossly unsanitary. We walk into a facility and the ceiling just caved in in the kitchen. We would close that kitchen, because that's no longer a safe environment to prepare food in. So we're talking about an unsafe environment for food handling.

If we have a violation, a violation can be almost anything, and what we're going to do is address that violation. And I would like to give an example such as a traffic ticket. If someone gets a traffic ticket, they're not banned from driving. Hopefully they're going to correct their behavior and do the right thing.

MS. CRAWFORD: If they don't have hot and cold -- if they don't have running water or they don't have hot and cold running water, that's not sufficient to close them?

MR. ZAMESKA: If a facility

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does not have running water and many times if they don't have hot water, they will be closed.

MS. CRAWFORD: They will be closed?

MR. ZAMESKA: They will be closed.

MS. CRAWFORD: Then fine. So when you get a report about a facility that does not have hot water, then --

MR. ZAMESKA: We respond.

MS. CRAWFORD: -- you respond. And what's the turnaround time?

MR. ZAMESKA: It can vary from --

COUNCILWOMAN TASCO: It's not very fast, because we only have 32 inspectors.

COMMISSIONER PARIS: It really varies on the type of complaint that we have received. If it's something that the person says we saw that this particular restaurant, that there is an infestation of mice, or whatever the case

might be, then we certainly will respond. We will try to get to that facility as soon as possible. Versus somebody just complaining that they saw the person handling the food without the gloves at that particular time.

So it depends. I mean, we have a limitation of resources, so we also prioritize how we respond to the complaints. But we respond to all complaints.

MS. CRAWFORD: I guess what I'm trying to get -- and I haven't gotten it yet. I keep hearing all of these nebulous terms. What is the turnaround time? If you get a call saying that a restaurant is operating and it does not have hot and cold running water, what's the turnaround time? Because they can have it fixed. I mean, and it doesn't surprise me that someone would get a tip off and they just get it fixed. So what's the turnaround time on that?

COMMISSIONER PARIS: Anywhere

between 24 to 48 hours.

MS. CUMMINGS: We probably could go back and forth with this all day, but the last thing that I'm going to say is, the imminently dangerous conditions are most of or many of the neighborhood stores. We have the infestation. And particularly since all of their dumpsters are on the outside of their businesses, the infestation is outside and inside. And because they've not inspected many of those locations, the Health Department would not know that.

So, again, because the addition of these businesses are coming from the Zoning Board, the moratorium aspect from this Council can be introduced or looked at. Because if we keep going at the rate we're going, first of all, we keep giving people the same type of food. What kind of service does a city have where everybody eats every two feet from each other the same type of contaminated

grease?

COUNCILWOMAN TASCO: Well, we hear you. Thank you very much. Thank you for your testimony.

COUNCILWOMAN BROWN: Thank you for your testimony.

COUNCILWOMAN TASCO: Thank you for your testimony.

Is there anyone else here to testify on this bill?

(No response.)

COUNCILWOMAN TASCO: We thank you for your testimony. We've certainly gathered a lot of information and some other issues that we have to deal with.

This Committee will stand in recess until the call of the Chair. Thank you.

COMMISSIONER PARIS: Thank you.

COUNCILWOMAN TASCO: Oh, I have a question. I'm sorry. Let me go back. I have a question. This is my major question.

Knowing that you don't have

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enough -- the Committee is reconvened.

Now, you know we talked about 32, the complement of 32 staff members. Do you plan to ask for additional staff members in your 2008 budget?

COMMISSIONER PARIS: As soon as the review is completed and we know based on that review what we will need in order to meet the national standards, yes, ma'am.

COUNCILWOMAN TASCO: But you just said if you have 15,000 establishments and I asked you what would you really need to be able to adequately function and do your job, you said double that.

COMMISSIONER PARIS: Yes.

COUNCILWOMAN TASCO: So 32 more people. I mean, you don't have to wait for an assessment to understand what you need, because this is -- you're not going to get all 32. Have you thought about doing a timeline where you might be able to increase the complement over a period

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of time? No, you haven't thought about it, but I want you to think about it.

COMMISSIONER PARIS: Yes, ma'am.

COUNCILWOMAN TASCO: All right. Thank you very much.

COMMISSIONER PARIS: My pleasure.

MR. ZAMESKA: Thank you.

COUNCILWOMAN TASCO: This meeting is recessed to the call of the Chair. Thank you.

(Committee on Public Health and Human Services adjourned at 12:05 p.m.)

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CERTIFICATE

I HEREBY CERTIFY that the proceedings, evidence and objections are contained fully and accurately in the stenographic notes taken by me upon the foregoing matter on November 15, 2006, and that this is a true and correct transcript of same.

_____

MICHELE L. MURPHY

RPR-Notary Public

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