

Food for thought

a publication for the food establishments in Clinton, Gratiot and Montcalm counties

SUMMER 2008

IMPORTANT NOTICE!!!!!!

Salmonellosis outbreak in certain types of tomatoes

The Food and Drug Administration is alerting consumers nationwide that a salmonellosis outbreak appears to be linked to consumption of certain types of raw red tomatoes and products containing raw red tomatoes. The bacteria causing the illnesses are Salmonella serotype Saintpaul, an uncommon type of Salmonella.

Types of tomatoes: The specific type and source of tomatoes are under investigation. However, preliminary data suggest that raw red plum, raw red Roma, or raw round red tomatoes are the cause.

The following types of tomatoes are NOT likely to be the source of this outbreak and consumers should limit their tomato consumption to these types: cherry tomatoes, grape tomatoes, tomatoes sold with the vine still attached and tomatoes grown at home.

Tomatoes grown and harvested from the following areas HAVE NOT BEEN ASSOCIATED WITH THE OUTBREAK: Alabama, Arkansas, California, Georgia, Hawaii, Louisiana, Maine, Maryland, Minnesota, Mississippi, New York, Nebraska, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, West Virginia, Belgium, Canada, Dominican Republic, Guatemala, Israel, Netherlands and Puerto Rico.

Advice for retailers, restaurants and food service operators: FDA recommends that retailers, restaurants and food service operators offer only fresh and fresh cut red Roma, red plum, and round red tomatoes and food products made from these tomatoes for sale or service from the sources listed above.

FDA further recommends that retailers, restaurants and food service operators continue to offer cherry tomatoes, grape tomatoes and tomatoes sold with the vine still attached, from any source.

For further information please visit the Food and Drug Administration's website at www.fda.gov or the Centers for Disease Control and Prevention's (CDC) website at www.cdc.gov or call the Mid-Michigan District Health Department (MMDHD).

Recall websites

Wondering who to contact or where to go when you have questions concerning food recalls?

- Food recalls issued by the federal government can be found at www.recalls.gov.
- Recalls that affect the state of Michigan can be found at www.michigan.gov/mda.



Read past issues online at www.mmdhd.org/eh.htm Click on "Regulations & Info" to download pdfs

New thermometer requirement

The new 2005 Food Code now requires all facilities that serve thin foods (hamburger patties, fish sticks, pizza, etc.) to have at least one tip-sensitive measuring device such as a thermocouple or thermistor! You are legally required to purchase one immediately. If you have questions please call MMDHD.

Use the “rule of three” to take temperatures

Have you ever wondered how accurate your temperature readings are? Here is a tip that may help. If you have refrigerated product in storage you can get an accurate reading by inserting the thermometer probe two inches into the food one time. However, if the food has been in transit, changed from one cooler to another, or it is being handled frequently, more than one reading should be taken. You can use the “Rule of Three” for a better understanding of the actual temperature. Start by taking a temperature on the food’s surface. When taking a surface temperature of meat or poultry, it is important to apply pressure so the surface of the food is compressed slightly around the probe tip. This way the surrounding air temperature will not interfere. For the second temperature, insert the probe into the exact middle of the food. Finally, measure the temperature about 1/3 of the way into the food item. These readings will tell you if the temperature is uniform throughout the product. A significant difference is defined as a difference greater than three degrees Fahrenheit.

Legal lessons on constructive knowledge and strict liability

A foodborne outbreak in your restaurant can have devastating emotional, financial and legal ramifications. Past outbreaks and the resulting lawsuits have proven the importance for operators to be aware of the concepts known as constructive knowledge and strict liability.

The legal concept of CONSTRUCTIVE KNOWLEDGE in food service is the operator is responsible for everything he should have known, not just what he actually knew. You are liable if you cause harm from a foodborne illness, whether you knew it or not. The key issue here is a lack of knowledge is not an excuse. You are required to know everything you are supposed to know regarding food service safety.

STRICT LIABILITY means a restaurant is liable for its product. If your product causes harm, then you are responsible. It is not necessary to prove that a restaurant has been negligent with the product; the ultimate proof of negligence is the unsafe food. The ill person must only prove the food was unsafe and caused them harm. Strict liability is essentially guilt without proving fault.

Regardless of actual knowledge, negligence or fault, the above referenced concepts illustrate that a restaurant is liable if customers get sick. The only defense against foodborne illness and the resulting lawsuits is prevention. Prevention is key!



Mid-Michigan District Health Department

Montcalm County Supervisor

Lonnie Smith, R.S.: 989-831-3635
615 N. State St., Ste. 2, Stanton, MI 48888

Gratiot County Supervisor

Bob Gouin, R.S.: 989-875-1007
151 Commerce Dr., Ithaca, MI 48847

Clinton County Supervisor

Chris Klawuhn, R.S.: 989-227-3108
306 Elm St., St. Johns, MI 48879