



STATE OF MICHIGAN  
DEPARTMENT OF AGRICULTURE  
LANSING

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**DATE:** November 13, 2008

**TO:** All Local Health Departments (LHD's)  
Attn: Medical Director / Health Officer / Director of Environmental Health  
Michigan Department of Agriculture (MDA)  
Attn: Food and Dairy Division Managers

**FROM:** Becky Peterson, Supervisor  
Food Service Program  
Food and Dairy Division *Rebecca Peterson*

**SUBJECT:** Michigan Department of Agriculture (MDA) and Local Health Department (LHD)  
Optional Risk-Based Evaluation Schedule

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This memo replaces the June 2, 2003 memo: "Reduced Inspection Frequency- Low Risk Establishments; Vending Machine Locations", eliminating low risk establishment inspection schedules, vending machine location inspection schedules, and Emergency Risk Based Inspection Schedules (ERBIS).

### Background

Studies have shown that the types of food served, the food preparation processes used, the volume of food, and the population served, all have a bearing on the occurrence of foodborne illness risk factors in retail and foodservice establishments. Annex 5 in the 2005 FDA Food Code, as well as the FDA National Voluntary Retail Standards, encourage regulatory jurisdictions to develop and use a process that groups food establishments into at least three categories based on potential and inherent food safety risks. With limited resources, creating a variable inspection frequency for each category will allow inspection staff to effectively spend more time in high risk establishments that pose the greatest potential risk of causing foodborne illness.

MDA has utilized a risk based evaluation schedule since 2000. The option to administratively develop and implement a LHD risk based evaluation schedule was included in the 2008 food law update. To develop the schedule, a joint LHD/MDA "Risk Based Evaluation Schedule Committee" was formed. For development of this schedule, it was determined that the same risk factor categories should apply to all food establishments in Michigan, whether inspected by MDA or LHDs. This process would create a greater consistency in evaluations across the state. The 2005 Food Code model schedule was used as a basis for development.

## Schedule Organization and Use

The attached Risk Based Evaluation Schedule is OPTIONAL and consists of two distinct parts:

- **Risk categories (W,X,Y,Z).** Upon adoption in your jurisdiction, an establishment would be categorized by establishment type, and would remain in that category unless a change in the type of establishment was determined:
  - **W-** Exempt from licensure. This category is for establishments that are exempt from licensure but are inspected on a complaint basis. This type of establishment category has historically been used by MDA, but may be used by LHDs, based on need.
  - **X-** Low risk establishments
  - **Y-** Medium risk establishments
  - **Z-** High risk establishments
- **Evaluation schedule.** This schedule represents the minimum evaluation frequency allowed by law. **Each jurisdiction may choose to adjust to a more frequent schedule, but may not decrease the frequency as follows:**
  - **X-** Low Risk Establishments: every 18 months
  - **Y-** Medium Risk Establishments: every 12 months
  - **Z-** High Risk Establishments: every 6 months

## Accreditation / Standards / ERBIS

This is an optional schedule. Minimum Program Requirements are met if the schedule is used. Documentation must be completed, as specified in the schedule to allow files to be easily audited during self-assessments and accreditation reviews.

The schedule also addresses the minimum program requirements for vending machine location evaluations. A jurisdiction may always choose a more frequent evaluation schedule. As long as your vending evaluation schedule is at or above the minimum listed, no change is needed.

If your jurisdiction has enrolled in the Voluntary National Retail Standards, Standard 3 requires regulatory jurisdictions to develop and use a process that will group food into at least three categories based on potential and inherent food safety risks, and that they assign evaluation frequency based on the risk categories. Adopting this schedule would meet these requirements. The schedule also complies with the FDA Manufactured Food Regulatory Program Standards that MDA recently enrolled in.

This schedule will also replace ERBIS. By adopting the schedule, your jurisdiction would be conducting evaluations on a risk based schedule that is similar to the ERBIS model. If you are currently on an ERBIS schedule, please give me a call, and we can discuss if you would prefer to transfer to the Risk Based Inspection Schedule, or finish your ERBIS schedule and proceed to the current 6 month evaluation schedule.

MDA is currently working to implement this schedule for those establishments it evaluates.

If there are any questions, please call me at 517-241-0140, or email to [petersonr2@michigan.gov](mailto:petersonr2@michigan.gov).

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