



# Public Health Legislation and the Local Health Department



# The Health Protection and Promotion Act (HPPA)

- is provincial legislation

There are three levels of government in Canada, all of which can enact their own legislation. Most health related laws are passed by the province.

- gives the local Health Department the power to enforce this Act by inspecting places where health hazards may exist

Acts give the power to the enforcing body to carry out the duties in it. The HPPA states that the local Health Department must inspect any situation where a health hazard may exist.

- regulations are developed to explain what the Act means

Regulations are developed to define the intentions of the Act. The Act only has broad based powers while regulations take scientific research and create standards around them.

- regulations contain minimum standards that must be followed

Regulations contain specific items which the public must follow. Specifics such as store hazardous food below 5°C are stated in regulations.

- protocols and guidelines are developed to explain what the regulation means

These are developed to help the enforcement agencies carry out their duties. These documents are created internally by bureaucrats and become policy. The Ministry of Health develops the protocols for the Health Departments in Ontario.



# Food Premises Regulation

- provincial legislation that explains the minimum standards that must be followed in any place where food is handled in Ontario

The Food Premises Regulation was developed from the HPPA to explain the necessary requirements that must be followed when operating a food establishment in Ontario. Public Health Inspectors enforce this regulation by routine visits to all food premises.

- covers areas such as maintenance, equipment, food temperatures, washrooms, food handling and employee hygiene in food premises

This regulation outlines in very specific terms what is required. It gives exact minimum standards for temperature, building maintenance, how to wash dishes and personal hygiene that must be followed.





# By-laws

- made by Municipal or Regional governments to deal with local issues

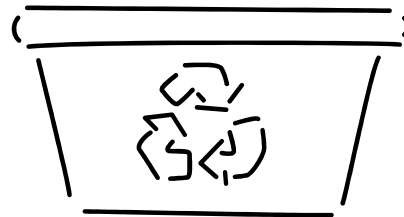
By-laws are created by Municipal or Regional governments to deal with important issues that fall under their jurisdiction and are not dealt with at the provincial or federal level.

- can be different in each Municipality or Region

By-laws can be different to meet the needs of their jurisdiction. For example, some Municipalities or Regions might like to protect their constituents from second hand smoke and eliminate smoking in all public places, yet other areas may not see this as an issue.

- some by-laws that affect food premises deal with smoking, garbage pick-up and recycling

The non-smoking area, how the garbage is stored prior to pick-up and mandatory recycling are some issues by-laws cover.





# Role of the Local Health Department

Four main components:

- must inspect food premises to make sure food is safe to eat

The main purpose of the Public Health Inspection Division is to make sure the food supply eaten by the public is safe. They ensure this through the inspection of food premises and having the operator of the premises correct any problems.

- must enforce the Food Premises Regulation

They are required by the legislation to enforce the Food Premises Regulation and prosecute any food premises that are not complying with the accepted standards. They can issue orders, tickets and summons to court to obtain compliance.

- must educate food handlers on safe food handling methods

Since Public Health Inspectors cannot inspect all food that is being served, they must educate food handlers to make them aware of proper food handling techniques and serve only safe to eat food.

- help develop food safety program with operators to make sure food is safe and wholesome

A food safety program contains all the aspects of food safety including inspection and education and ties them together. A food safety program empowers the operator to regulate themselves in ensuring the food is safe to eat.





# Review Questions

1. The Health Protection and Promotion Act and its regulation are:

- a) specific to each area
- b) the same across the province
- c) the same across Canada
- d) changed on a yearly basis

2. The Health Department must:

- a) inspect food premises
- b) enforce the Food Premises Regulation
- c) educate food handlers
- d) all of the above