



# Needham Board of Health

## **REVISED AGENDA**

**Friday March 9, 2018**

**7:00 – 8:20 a.m.**

**2<sup>nd</sup> Floor Function Room – Needham Golf Club  
49 Green Street, Needham MA 02492**

- 7:00 to 7:05 – Welcome & Review of Minutes (February 9th)
- 7:05 to 7:40 – Staff Reports (February)
- 7:40 to 7:50 – Medical Marijuana Regulations and Sira Naturals RMD

\* \* \* \* \*

## **Board of Health Public Hearing & Vote**

- 7:50 to 8:05 – FDA Grant 2013 Food Code Adoption

\* \* \* \* \*

- 8:05 to 8:15 – Preliminary Discussion: Goal Setting for FY 2019 and FY 2020
- 8:15 to 8:20 – Other Items
- Next Meeting (tentatively Friday April 13<sup>th</sup> 7:00 – 9:00 a.m.)
- Adjournment

(Please note that all times are approximate)

**NEEDHAM BOARD OF HEALTH**

**February 9, 2018**

**MEETING MINUTES**

**PRESENT:** Jane Fogg, M.D., Chair, Stephen Epstein, M.D., Vice-Chair, and Edward V. Cosgrove, PhD

**STAFF:** Timothy McDonald, Director, Tara Gurge, Assistant Director, Diana Acosta, Donna Carmichael, Catherine Delano, Maryanne Dinell, Carol Read, Dawn Stiller, Tiffany Zike

**GUEST:** Helenka Ostrum, Intern, Kathleen Brown, Needham Resident, Cindy Rice and Richard Andrea, Eastern Food Safety

**CONVENE:** 7:00 a.m. - Public Service Administration Building (PSAB), 500 Dedham Avenue, Needham MA 02492

**DISCUSSION:**

**Called To Order - 7:07 a.m. - Jane Fogg, Chairman**

**APPROVE MINUTES:**

Upon motion duly made and seconded, the minutes of the BOH meeting of January 12, 2018, were approved as Amended.

**The motion carried. The vote was unanimous.**

**STAFF REPORTS**

- **Tara Gurge, Assistant Director, and Diana Acosta, Environmental Health Agent**

Tara Gurge gave a brief report on emergency calls received from the Fire Department for issues with several restaurants whose pipes had burst. Ms. Gurge pointed out that these issues kept her and her staff very busy.

Ms. Gurge reported that food permits were issued to three new food establishments Epicurean Feast, The James, and Stacy's Juice Bar.

Ms. Gurge provided an update on the St. Mary Street site. Ms. Gurge stated that the site is being cleared out and that all families have moved out and have found suitable housing outside of Needham. Ms. Gurge stated that the property owners would keep her in the loop regarding next steps.

Ms. Gurge reported on the Pool Plan Review for Second Ave. She recapped some of the histories on the back and forth

regarding the design. She stated that a final revised pool plan is in the process of being submitted for final approval.

Ms. Gurge stated that SIRA Naturals, Inc. (Registered Marijuana Dispensary) is open. She stated that the hours of operation, presently are 1pm-8pm, but going forward hours will be opened from 10am-8pm. Ms. Gurge stated that she had them update customer information/education booklet, specifically the section on the importance of keeping products out of reach of children. A discussion followed on the childproof Mylar bag provided by the Registered Marijuana Dispensary (RMD) to store all open products in and state requirements regarding labeling. The discussion veered to a conversation on why homegrown options are not available in Needham.

Diana Acosta provided an update on a nuisance concern regarding pest harborage areas along the MBTA tracks by Sudbury Farms/Dunkin Donuts/Subway. Ms. Acosta stated that she is working with the food establishments on ensuring that their trash is sufficiently contained and picked-up on a more frequent trash pick-up schedule. Ms. Acosta stated that she had contacted the MBTA, and they are actively setting traps and monitoring the area.

- **Traveling Meals Coordinator Report - Maryanne Dinell**

Maryanne Dinell reported that she is so grateful to the volunteers who come out to work through the snow and ice to get the meals delivered. Ms. Dinell stated that the Traveling Meals program had received a \$1000.00 donation.

- **Senior Substance Use Prevention Coordinator - Catherine Delano**

Ms. Delano reported that she presented last month to the Senior Leadership and Board of Selectmen about the Needham Youth Diversion Program. She stated that the proposal was well received. She also stated that she is working with Needham Police to develop a job description to hire a program coordinator.

Ms. Delano stated that SPAN has planned a presentation on March 9<sup>th</sup> at 8:30 am at the Needham Golf Club. The presentation is titled Opioid Addiction Facts and Faces.

- **Substance Use Senior Program Coordinator - Carol Read**

Carol Read reported that she is working with Dedham on the DFC Grant application. She stated that Cathy Cardinale, the

Dedham Public Health Director and Jessica Tracey, Dedham's Public Health Nurse are writing the grant.

Ms. Read reported that she, Donna Carmichael and Tiffany Zike attended the Newton-Wellesley Hospital Community Agency meeting. Ms. Read stated that this is the introduction of the Newton-Wellesley Collaborative for Healthy Families and Communities, exchange of best practices and information sharing on current resources and programs.

Ms. Read reported on reported conversations from the Community Crisis Intervention Team Meeting on addiction and mental health.

Ms. Read stated that she is working with the Promote Prevent Commission. Ms. Read stated that the Commission would create a public body to monitor and comment on policy changes that would affect public health and also to assist communities by gathering model bylaws and communicating them to communities.

- **Nurses Report - Donna Carmichael and Tiffany Zike**

Tiffany Zike presented a brief review of communicable diseases and animal bites. She noted that there were 70 cases of the flu in January and that flu shots are still being administered two or three times a week. She stated that she has 110 doses left. The discussion veered to a conversation on Tamiflu and its availability at the pharmacy.

#### **BOARD OF HEALTH PUBLIC HEARING -**

##### **7:45 a.m. - 8:00 a.m. Composting Operations at the Needham RTS.**

Mr. McDonald recapped that Board discussion on composting at the Needham RTS from the December 8, 2017, and January 12, 2018, BOH meetings. Mr. McDonald stated that composting at the Needham RTS began as a pilot program in 2017. He spoke about efficiencies that have improved the operation of the program. Mr. McDonald stated that after discussion with Ms. Gurge, Rick Merson, DPW Director and Greg Smith, Superintendent of Solid Waste and Recycling Operations he decided to bring this to the Board for its consideration of moving the pilot program to a permanent program at the RTS. Mr. McDonald stated that the Department of Environmental Protection has a lot of oversight over Recycling Transfer Stations and the Board of Health has oversight as part of its condition of site assignment.

Ms. Gurge stated that she spoke with the Department of Environmental Protection about this proposal and they are pleased with the program. Ms. Gurge stated that the amount of waste that the program would take in is below the DEP guideline.

Ms. Gurge state that the Public Health Division would continue to monitor the program going forward. A general discussion followed.

There were no comments from the public.

#### **Motion and Vote**

Upon motion duly made by Stephen Epstein and seconded by Edward Cosgrove that the Needham Board of Health move that the Pilot RTS Food Waste/Composting Operation moves from a pilot program to a permanent program within the Recycling and Solid Waste Division.

**The motion carried. The vote was unanimous.**

#### **BOARD OF HEALTH FEES**

Mr. McDonald stated that he started a review of the Board of Health Fees in 2016. Mr. McDonald spoke briefly about the reasons for the increases. He stated that he did a comparison from like communities. He noted that this was very challenging because their protocols are very different from Needham. Mr. McDonald referred to the list of fees and outlined changes. A comprehensive discussion followed.

There were no comments from the public.

#### **Motion and Vote**

Upon motion duly made by Stephen Epstein and seconded by Edward Cosgrove that the Needham Board of Health accept the Board of Health Fees as proposed.

**The motion carried. The vote was unanimous.**

**Public closed at 8:20 a.m.**

#### **FDA GRANT 2013 FOOD CODE ADOPTION**

Ms. Gurge introduced this item. She stated that the Public Health Division received a grant from the FDA to support the adoption of the 2013 Food Code and 2015 Food Code Supplement from the U.S. Food and Drug Administration (FDA). Ms. Gurge introduced Cindy Rice from Eastern Food Safety. Ms. Gurge stated that Ms. Rice is going to be working with the Public Health Division on training and educating vendors on the new food codes. Ms. Gurge invited Ms. Rice to present the FDA 2013 Food Code Adoption

Ms. Rice stated that the 2013 Food Code Adoption is based on the FDA CDC major risk factors for foodborne illness: poor personal hygiene, contaminated equipment, improper holding temps, improper cooking temps, and unsafe food sources.

Ms. Rice outlined the benefits of adopting the FDA 2013 Model Food Code over the current version. She stated that by adopting the 2013 Food Code which, is a science-based finding on risk level, it will create uniformity among cities and towns across the Commonwealth. She stated that the new forms that Needham will use would provide better clarity to the food establishments on deficiencies that are discovered on inspections. Ms. Rice described new risk assignments for every inspection item. Ms. Rice stated that in place of the old terminology that has been eliminated, the FDA has assigned three risk levels for every item: Priority, Priority Foundation, and Core. Ms. Rice described what the risk levels entail.

Ms. Rice described Handwashing Violations. She spoke about the Food Code: Time and Temperature Control for Safety Foods (TCS Foods), which is a new addition to the food code. Ms. Rice stated that there is a new temperature danger zone as well, and new date marking of foods. Ms. Rice stated that food establishments must notify customers that a recent inspection report is available. Ms. Rice outline additional changes. Ms. Rice stated that the inspection form would be revised and guidelines have changed. Ms. Rice also stated that the Inspection Form would include the FDA 2013 Food Code references. Ms. Rice stated that training would be conducted for the industry and Public Health staff. A general discussion followed on applying the new codes to Registered Marijuana Dispensary in terms of edible products. Ms. Rice stated that she is happy to work with the Public Health Division on this matter.

#### **OTHER ITEMS -**

- Planning Board - Public Hearing

Mr. McDonald stated that the Planning Board has scheduled a Public Hearing on Tuesday, February 13, 2018, to amend a Zoning By-law on Marijuana Establishments. A brief discussion followed on whether the amendment would be a general by-law vote or a zoning by-law vote.

- Board of Health Composition and Structure

Mr. McDonald stated that he put in an article for the spring Town Meeting Warrant that would expand the Board from a three-member Board to a five-member Board beginning with a town-wide election in April 2019. Mr. McDonald described the term of office for each Board seat. A brief discussion followed on potential candidates.

#### **Adjournment -**

**Upon motion duly made and seconded, that the February 9, 2018, BOH meeting adjourns at 8:55 a.m.**

**The motion carried. The vote was unanimous.**

**Next meeting is scheduled for, Friday, March 9, 2018, at the  
Needham Golf Club.**

*Respectfully submitted: Cheryl Gosmon, Recording Secretary*

## Substance Use Prevention and Education ~ Initiative Highlights

Needham NPHD, Needham SPAN and Substance Abuse Prevention Collaborative (SAPC) grant\* collaboration with the towns of Dedham, Needham, Norwood and Westwood.

### SAPC grant

#### Town coalition meetings:

**Dedham Prevention** coalition: February 6<sup>th</sup> Dedham Town Hall 9:00am & 6:00pm

**Impact Norwood** coalition: February 14<sup>th</sup> Norwood High 3:00pm - *conflict BSAS quarterly*

**Westwood Cares** coalition: No February meeting scheduled

**Needham SPAN** coalition: No February meeting scheduled

#### SAPC program, capacity building and strategy implementation preparation:

(1) SAPC Regional Leader/Stakeholder meeting planning, logistics, cluster town leader lists and agenda (2) Power Point presentation (SAPC meeting) data integration (62 slides) grant goals overview, SPF focus and structure, youth survey data updates (Dedham-Needham), Parent Survey 4 town comparison charts, police and fire incident data, compliance check update by town, tobacco compliance, TIPS (May and November) (3) U.S. Department of State letter of support: *Building Communities of Hope: Collective Action to Tackle Addiction* Alumni TIES Michael Jaillet, Westwood (4) SAPC Youth Engagement resume review (4) Treasurer Goldberg Alcohol Task Force letter: public health policy advocacy- sign on outreach (5) Promote Prevent Commission workgroup: feedback and edits to final document for: the **MOTION**: *Commission to create a public body/taskforce to monitor and comment on policy changes (legal or regulatory) that would affect public health and also to assist communities by gathering model bylaws and communicating them to communities.* (6) Dedham Board of Selectman, Mike Butler, Marijuana – local control.

**BSAS SAPC Reporting:** February 2<sup>nd</sup> SAPC Q 2 programmatic online report submitted. All Strategic Prevention Framework (SPF) efforts reported for cluster including prevention initiatives, outcomes and capacity building. MDPH-BSAS evaluator, Scott Formica, SSRE.

**SAPC Leadership Team meeting:** February 12<sup>th</sup> Review and discussion of action plan initiatives and upcoming prevention events: (1) SAPC Regional Leader/Stakeholder meeting February 14<sup>th</sup> 8:00am Dedham Town Hall planning: meeting goals, PowerPoint presentation review (data inclusion, youth, incident, compliance check and parent survey) agenda planning including Public Health Director presentations on town prevention accomplishments, Environmental Scan initiative and SAPC capacity building strategies including Action Team formation. (2) AlcoholEdu for High School students, town updates (3) SAPC manager alcohol policy project including alcohol regulations and compliance checks – Norwood review and feedback on feasibility (3) Dedham DFC grant application update (5) Update: Youth Engagement coordinator, resume submission closing date: February 16<sup>th</sup> Town of Needham

**Dedham Public Health Department:** February 8<sup>th</sup> Drug Free Communities (DFC) 2018 grant application. Strategy review: CIA list and outreach, leadership team presentation (Feb. 9<sup>th</sup> meeting) check in on federal submission requirements, FOA components including: demographic and youth data requirements, 2018 narrative questions and budget narrative outline including in-kind match. Cathy Cardinale, Public Health Director and Jessica Tracey, Public Health nurse.

**Town of Dedham Leader meeting:** February 9<sup>th</sup> Mike Butler, Board of Selectman, Gail Kelly, DPS School Health Director, Deb Anderson, Dedham Parks and Recreation, Chief Mike D'Entremont, Dedham Police, Cathy Cardinale, Public Health Director, Jessica Tracy, Public Health Nurse.

**SAPC Regional Leader/Stakeholder meeting:** February 14<sup>th</sup> 8:00am- 9:30am Dedham Town Hall 27 attendees Dedham- Needham- Norwood and Westwood. Presentation from all Public Health Directors on prevention initiatives, SAPC collaborative initiatives overview, Chief Bill Brooks, Norwood, and Compliance check program overview. Presentation on youth, parent survey, town incident data (police- fire) SAPC action plan with next steps. Educational and support resources provided related to substance use and mental health: NIDA, SAMHSA, BSAS and NIAA and NAMI.

**BSAS MassTAPP quarterly meeting:** February 14<sup>th</sup> Training for SAPC, MOPSI and PFS state funded grant program managers. Information sharing, networking and BSAS update presented by Fernando Perfas. Scott Formica, MDPH evaluator, Andy Robinson, Amal Marks, BSAS program managers, Lauren Gilman, MassTAPP TA Program manager. Tower Hill, Boylston.

**Norfolk County Prevention Director meeting:** February 22<sup>nd</sup> (Conference) February 28<sup>th</sup> in person Steph Patton, Lyn Frano and Amanda Decker(1) Pediatric practice project Monday, March 5<sup>th</sup> meeting Dr. Hartman (2) Marijuana access, evidence based strategies- options for educational forum May (3) Prevention partnership expansion, statewide collaboration on access to alcohol and marijuana with Liz Parsons, Melrose and Amy Turncliff, Ashland.

Certified Prevention Specialist (CPS) certification: February 27<sup>th</sup> Compile required documentation as required by the national CPS certification board. 40 Hours continuing education in ATOD, prevention theory and practice including Ethics for Prevention and Diversity awareness and Cultural competency March 1, 2016-March 30, 2018

**Norfolk District Attorney Prevention meeting:** February 28<sup>th</sup> Michael Morrissey District Attorney, Jennifer Rowe Assistant District Attorney, OD home visit review and kit distribution by Mark Dolloff, Retired Fire Chief. Stoughton. Presentation by Daurice M. Cox, Psy.D. Bay State Community Services. New Norfolk Count DA funded initiative, Substance use assessment/evaluation for adults and youth, treatment plan and referrals, individual counseling in Walpole and Quincy and weekly youth diversion groups. Daily drop in for adults- weekly drop in youth. Free for Norfolk county residents.

## ***NPHD – SPAN initiatives:***

### **NPHD programs meeting preparation outreach for research and resource gathering:**

(1) NPHD monthly report (2) CCIT Community Partners meeting outreach and data request February 14<sup>th</sup> (3) CCIT Technical Assistance providers MPDH Karin Orr, confidentiality and operational protocols: Kathy Lalor, Taunton TA- Annabel Lane, LICSW, Brookline TA (4) Cannabis Control Commission (CCC) Testimony on proposed state regulations, recreational marijuana: youth access and availability, impact on youth mental health and community norms shift related to risk and harm.

**CCIT Technical Assistance:** February 6<sup>th</sup> Kathy Lalor, Taunton- February 9<sup>th</sup> Annabel Lane. LICSW Brookline. Review of Community Crisis Intervention Team model, protocols and practices supported through MDPH Karin Orr, LICSW Forensic Director. Resources provided related to program protocols from multiple towns.

**SAMHSA Recovery to Practice webinar training:** February 7<sup>th</sup> Cognitive Behavioral Therapy practices: *CT- R for Building Empowerment and Resilience*. Recovery sustainability with co-occurring diagnosis for use in multidisciplinary services. Trainers Paul Grant, PhD., Aaron Beck Research Center, Ellen Inverso, PsyD., Director Clinical Training, Beck Recovery Training Network.

**SAPC Budget FY18:** February 8<sup>th</sup> Review YTD spending, obligated funds allocation and explore gaps in spending by UFR code to prepare for formal budget amendment. Review option for allocation of FY18 budget allocation to support AlcoholEdu for High School student curriculum for 2018-2019 academic year: Dedham- Norwood and Westwood. Tim McDonald.

**Needham Board of Health:** February 9<sup>th</sup> Directors Report, staff public health initiatives, resident support programs, prevention reporting. Presentation Town of Needham, FDA grants and 2013 Food Code Regulation program transition. Consultant presentation. PSAB 7:00am-9:00am.

**Needham community capacity building:** February 9<sup>th</sup> Anne Weinstein and Denise Garlick) and February 23<sup>rd</sup> (Deb Jacobs) Review and discussion of Needham resident support and future of mental health and substance use disorder advocacy in Massachusetts related to Rep. Denise Garlick, 13<sup>th</sup> Norfolk district (Needham Dover and Precincts 1 and 2 in Medfield. Closing of Riverside day treatment program, referral for placement for 6-8 Needham residents, call with Barbara Dallin, LICSW Riverside IOP intake coordinator.

**Community Crisis Intervention Team (CCIT) meeting:** February 14<sup>th</sup> Quarterly community partners meeting Needham Police Department. Community partners including: Kathy Davidson, BIDN COO (not in attendance) Dr. Gregory McSweeney, BIDN Internal Medicine, Dr. Mark Lemmons, NWH Emergency Medicine Director, Barbara Singer, Needham Public Schools Director of School Nurses, Jim McCauley, Riverside Trauma (not in attendance), Chia- Hsuan Wu, LMHC Assist. Program Director Riverside EST. Program goals, overview of community commitment, quantitative data sharing. Core Team meeting, Needham Police Department. Lt. Baker, Donald Anastasi, Donna Carmichael, Tiffany Zike, Eddie Sullivan, Jessica Moss, Kerry Cusack and John McGrath. *conflict BSAS quarterly meeting, Boylston, MA*

**Town Accountant meeting:** February 15<sup>th</sup> SAPC financial reimbursement submission Virtual Gateway system (January 2018 grant expenses) Michelle Vaillancourt and Dawn Stiller.

**Recovery Coach certification:** February 16<sup>th</sup> Needham resident in recovery meeting requested to review the scope and process of the MDPH Recovery Coach application, required curriculum and supervision options for 500 hour practicum. CCAR model, Connecticut Community for Addiction Recovery.

**Needham Housing protocols:** February 20<sup>th</sup> Jessica Moss, LICSW, Kerry Cusack, LICSW. Review of current protocols and policies related to smoking, resident citations and notification of legal proceedings for eviction.

**NPHD Staff meeting:** February 22<sup>nd</sup> Review and discussion of division updates: Rosemary complex and IT considerations, facilitation and staff progress reporting.

**Needham Health and Human Services staff:** February 27<sup>th</sup> All HHS staff training. Jon Wortmann, Novel Communication, LLC. Leadership 101, Values Exercise and Skills development- Understanding Your Personal Values John Youth Services, Public Health and Aging Services.

**Needham Sira Naturals: February 28<sup>th</sup>** Inspection and tour as follow-up for 30 day permit period. Michael Dundas CEO. Tara Gurge, MS, Diana Acosta, MPH, Chief John Schlittler, Joseph O'Brien Jr. Prevention related inquiries edibles product variety for parent awareness, youth access through current systems and marketing/signage.

#### **Community outreach and support:**

**Resident Support:** Respond to calls or meeting requests related to mental health conditions and/or substance use disorder. Referral to counseling, assessment, treatment and recovery resources. 4 requests: M- 17 yrs. MH- Marijuana- McLean ART| F- 61yrs. MH- SUD recovery support – Housing | M- 34yrs. Alcohol- Detox SUD treatment | M-19 yrs. Marijuana C.A.S.T.L.E 14 day treatment.

Respectfully submitted by Carol Read March 2, 2018

Town holiday: (1) February 19<sup>th</sup> Presidents Day  
Vacation day (1) February 13<sup>th</sup>

\*SAPC technical assistance calls, coordinator meetings, and compliance related to the SAPC grant program are extensively documented in the BSAS-SAPC online quarterly reports.

**Needham Public Health Department**

Catherine Delano, Senior Substance Use Prevention Program Coordinator  
February 2018 Monthly Report

**Section 1: Highlights**

- Action team meetings
- Worked on communication plan for upcoming SPAN events
- Submitted needed materials for Needham Youth Diversion Program Coordinator job position
- Assisted Youth and Family Services with SAAP three students weekly
- Continued work on SPAN's sustainability plan
- SPAN Steering Committee meeting
- Finalized SPAN website details
- Trained volunteers for Hidden in Plain Sight

**Section 2: Goals**

- Find a central location for the Department to work
- Build SPAN capacity/community recognition
- Build youth coalition capacity
- Finalize details of Alcohol Compliance checks for Director of HHS
- Finalize details for Youth Diversion Program by early summer 2018

**Needham Health Department**  
Monica De Winter, Program Support Assistant  
Karen Shannon, Program Support Assistant  
February 2018 Monthly Report

**Section 1: Summary**

During the month of February our primary focus was on completing the Semi Annual Progress Report for the Drug Free Communities grant. Karen attended the CADCA Leadership Forum in Washington, DC. Finally, Hidden in Plain Sight (HIPS) logistics and planning continued plus HIPS volunteer training began.

**Section 2: Activities**

| <i>Activity</i>                 | <i>Notes</i>                                                                                                                                                                                                   |
|---------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| DFC Semi Annual Progress Report | Completed and submitted 2/14/18                                                                                                                                                                                |
| Email correspondence            | Needham Parents Care correspondence regarding meetings and events plus the parent messaging campaign authors (drafts and final revision and dissemination to the schools)                                      |
| Data input                      | Entered accomplishments and outputs to REACH software. For purpose of semi annual report completed the REACH data entry using monthly reports as a guide for Catherine, Karen Mullen, Karen Shannon and Monica |
| Prepared minutes                | For Needham Parent Care and Alcohol Action Team.                                                                                                                                                               |

**Section 3: Meetings & Conferences**

| <i>Title</i>                         | <i>Description</i>                                                                                    | <i>Attendance</i> |
|--------------------------------------|-------------------------------------------------------------------------------------------------------|-------------------|
| Needham Parents Care meeting, 2/1/18 | Discussed HIPS training logistics and volunteer recruitment; Dad's Group met and will meet again 2/28 | 7                 |
| NHS Parents Conference 2/2           | Karen S. and Catherine attended and presented at NHS Parents Conference on Parent Survey              | 12                |

|                                                               |                                                                                                                                                                                                |       |
|---------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| CADCA Leadership Forum in Washington, D.C., 2/4-2/6/18.       | Karen Attended                                                                                                                                                                                 | 1,000 |
| Dedham Coalition for Drug and Alcohol Awareness meeting 2/6   | Monica attended                                                                                                                                                                                | 7     |
| Attended SAPC regional meeting 2/14                           | A meeting of SAPC regional leaders and stakeholders from Dedham, Norwood, Needham and Westwood. Some highlights: MJ use from MWHAS, shared experiences using TIPS trainings.                   | ~30   |
| Prevention Team Meeting, 2/20                                 | Meeting at CATH with Catherine Delano, Summer Koop, Karen Mullen, Karen Shannon and Monica De Winter. Communication plan for 3/9 and 3/22 events                                               | 5     |
| HIPS event conference call. 2/20                              | Karen, Tanya and Catherine D.                                                                                                                                                                  | 3     |
| Creating Successful Youth-Adult Partnerships Workshop 2/21/18 | Monica attended workshop with Catherine D. at Assumption College, Worcester and presented by by HRIA, Health Resources in Action                                                               | 30    |
| Steering Committee Meeting, 2/27                              | discussed Needham tragedies and possible SPAN response; "If They Had Known" video and how to utilize; getting word out for 3/9 and 3/22 events; Chris Baker will put on Needham Police FB page | 5     |
| All Staff HHS meeting, 2/27                                   | Themes of leadership and workplace/personal values                                                                                                                                             | ~25   |
| Norfolk DA Coalition Meeting, 2/28                            | Karen S. attended                                                                                                                                                                              | 20    |

# Needham Public Health Department

February 2018

Substance Abuse Prevention & Education  
Needham Coalition for Youth Substance Abuse Prevention ~ NCYSAP  
Karen Mullen, Project Coordinator/Capacity Building

## Section 1: Activities

| Activity                                              | Notes                                                                                                                                                                                                                                                                                                                     |
|-------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Meetings:</b>                                      |                                                                                                                                                                                                                                                                                                                           |
| All Staff HHS Meeting                                 | Training Meeting                                                                                                                                                                                                                                                                                                          |
| SPAN Steering Committee Meeting                       | Action teams reported progress. Discussed planning community event to screen/discuss "If They Had Known" documentary spread awareness of mixing alcohol and prescription drugs.                                                                                                                                           |
| Marijuana Action Team Meeting                         | Continued planning for NHS student conference - objectives, messaging, timing, agenda, potential speakers & workshops. Objective- For seniors to leave high school with a "tool kit" of life skills they can use to understand their personal needs and plan for the future. Focus: health and wellness of mind and body. |
| Prevention Team Meeting                               | Discussed key projects/next steps, "Hidden In Plain Sight" event needs, Set SPAN Steering Committee Agenda items.                                                                                                                                                                                                         |
| Public Health Div. Meeting                            | Discussed move to new building, Town Wide Solution Group Updates, BOH goals, Staff Responsibilities                                                                                                                                                                                                                       |
| SALSA Rehearsal meetings for Feb. Pollard events. (2) | SALSA students determine roles & rehearse presentation format. (Approx. 10 NHS students @ each rehearsal and event- 2/27 & 2/28)                                                                                                                                                                                          |
| Meeting w/Kathy Pinkham                               | Provided input for NHS Sr. Conference planning                                                                                                                                                                                                                                                                            |
| Meeting w/Keith Ford                                  | Provided input for NHS Sr. Conference planning                                                                                                                                                                                                                                                                            |
| Meeting w/Katy Colthart                               | Provided input for NHS Sr. Conference planning                                                                                                                                                                                                                                                                            |
| Meeting w/Janet Jankowiak                             | Provided input re: MJ Action Team- updated goals & objectives                                                                                                                                                                                                                                                             |
| <b>Events:</b>                                        |                                                                                                                                                                                                                                                                                                                           |
| SALSA/Pollard Trip events (2)                         | 2/28 & 2/28 SALSA students present refusal skills in 3 Pollard 8 <sup>th</sup> grade classrooms (approx. 60th 8 <sup>th</sup> grade students total).                                                                                                                                                                      |
|                                                       |                                                                                                                                                                                                                                                                                                                           |
| <b>Administration:</b>                                | Prepare Monthly Report, time sheets, doodle poll for action team, prevention team follow-up admin                                                                                                                                                                                                                         |
|                                                       | SALSA Administration- Update New member info, confirm contact information, update community service learning hours for volunteers                                                                                                                                                                                         |

| <i>Activity</i>            | <i>Notes</i>                                                                                                                                                                              |
|----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Project Management:</b> | SALSA/High Rock 6 <sup>th</sup> Grade Pilot. Continuing to work w/HR Admin. to finalize pilot. Goal for pilot is spring 2018                                                              |
|                            | SALSA 2/27 & 2/28 Field Trip Prep- Confirm transportation, Food, collateral materials, meeting space, rehearsal & trip reminders, follow-up postings on social media                      |
|                            | SPAN/NHS Sr. Conference- Get input from stakeholders (NHS Admin, Guidance, Youth Services, incorporate recommendations into conference outline. Present findings to MJ Action Team.       |
|                            | SALSA “Make a Statement Day” event planning- recruit student to chair event, confirm date/time/place with school, coordinate logistics with student chair, Needham Youth Services and NHS |
|                            | SALSA student support of SPAN action teams- ensure students are aware of meetings, arrange for excused absences from school for meetings.                                                 |
|                            |                                                                                                                                                                                           |
|                            |                                                                                                                                                                                           |
|                            |                                                                                                                                                                                           |
|                            |                                                                                                                                                                                           |
|                            |                                                                                                                                                                                           |

## Needham Public Health Department

February, 2018    Monthly Report  
Maryanne Dinell- Traveling Meals Program Coordinator

### Monthly

| <i>Description</i>                                   | <i>Reason</i>                                                                                                                      | <i>Notes/Follow-Up (ongoing, completed, etc.)</i>                                                                                                             |
|------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Month of February, 2018                              | Residents of Needham, needing help with their daily meals.                                                                         | 41 clients on the Traveling Meals Program<br><br>31 Springwell Elder Services, Waltham clients<br>10 private pay clients - Needham residents                  |
| 605 2- meal packages were delivered in January, 2018 | 30 Clients receive meals 5 times a week<br>10 Clients receive meals 3 days a week<br>1 Clients receive 7 meals within 5 day period | 456 meals delivered to Springwell Clients<br>149 meal delivered to private pay residents<br><br>Total #605 meals delivered @ 5.50 per meal =cost of \$3327.50 |
| 4 new clients on the Program                         | 2 are Springwell consumers<br>2 Private Pay                                                                                        | 3 expected to be long term<br>1 Long term                                                                                                                     |
| 2 Clients no longer need Program                     | 1 Able to be on their own<br>1 into nursing facility                                                                               | Able to drive, shop and prepare meals<br>This over 100 year old consumer on Program for 5 years                                                               |
|                                                      |                                                                                                                                    |                                                                                                                                                               |
|                                                      |                                                                                                                                    |                                                                                                                                                               |
|                                                      |                                                                                                                                    |                                                                                                                                                               |
|                                                      |                                                                                                                                    |                                                                                                                                                               |

| <i>Category</i>                  | <i>Jul</i> | <i>Aug</i> | <i>Sept</i> | <i>Oct</i> | <i>Nov</i> | <i>Dec</i> | <i>Jan</i> | <i>Feb</i> | <i>Mar</i> | <i>Apr</i> | <i>May</i> | <i>Jun</i> | <i>FY '17 Total</i> | <i>FY '18 Total</i> |  |
|----------------------------------|------------|------------|-------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|---------------------|---------------------|--|
| Meal Delivery                    | 653        | 718        | 644         | 619        | 577        | 674        | 601        | 605        |            |            |            |            | 8460                | 5091                |  |
| General Telephone Calls-received | 35         | 30         | 36          | 35         | 60         | 74         | 102        | 45         |            |            |            |            | 811                 | 417                 |  |
| Assistance Calls-to Springwell   | 2          | 1          | 3           | 2          | 8          | 4          | 2          | 4          |            |            |            |            | 40                  | 226                 |  |
| Not at home at delivery          | 2          | 3          | 5           | 2          | 4          | 2          | 1          | 4          |            |            |            |            | 36                  | 23                  |  |
| 911                              | 0          | 0          | 0           | 0          | 0          | 0          | 0          |            |            |            |            |            | 2                   | 0                   |  |

| Category |  | Jul | Aug | Sept | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | Jun | FY '17 Total | FY '18 Total |  |
|----------|--|-----|-----|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------------|--------------|--|
|          |  |     |     |      |     |     |     |     |     |     |     |     |     |              |              |  |
|          |  |     |     |      |     |     |     |     |     |     |     |     |     |              |              |  |

### Meetings, Events, and Trainings

| BI                      | Type | Description/Highlights/Votes/Etc.                                                                           | Attendance |
|-------------------------|------|-------------------------------------------------------------------------------------------------------------|------------|
| Board of Health Meeting |      | Monthly meeting held at PSAP                                                                                | 9          |
| Staff Meeting           |      | Monthly                                                                                                     | 12         |
| Training                |      | Student at NHS completing community service-packing and delivery meals                                      | 2          |
| Training                |      | Mother of NHS student wishing to learn more about the Traveling Meals Program-packing and delivery of meals |            |
| Training                |      | Male resident of Needham willing to deliver meals to Needham residents                                      | 2          |
|                         |      |                                                                                                             |            |
|                         |      |                                                                                                             |            |
|                         |      |                                                                                                             |            |
|                         |      |                                                                                                             |            |

### Donations, Grants, and Other Funding [List any donations received, grants funded, etc. over the past month.]

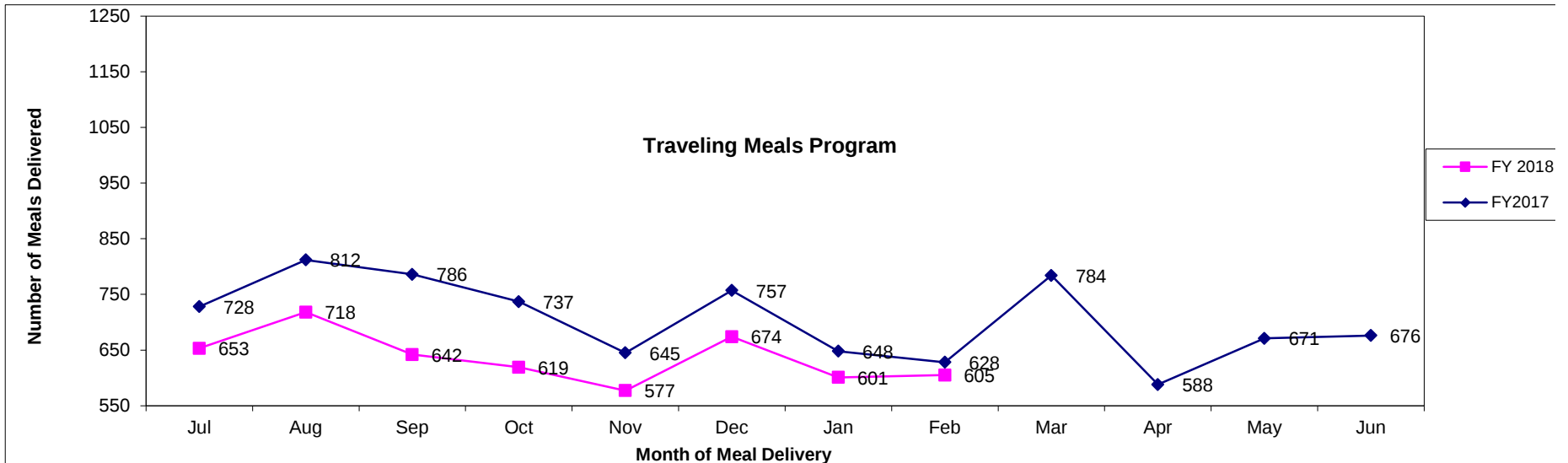
| Description | Type (D,G,O) | Amount Given | Source | Notes |
|-------------|--------------|--------------|--------|-------|
|             |              |              |        |       |

# Traveling Meals Program

February, 2018 FY 18

| Projected-12 Mo. |          |
|------------------|----------|
| \$               | 5,387.25 |
| #                | 7,634    |

| Month      | # Meals<br>FY2017 | # Meals<br>FY2018 | FY18<br>Cost | % Change<br># Meals |
|------------|-------------------|-------------------|--------------|---------------------|
| <u>Jul</u> | 728               | 653               | \$3,591.50   | -10%                |
| <u>Aug</u> | 812               | 718               | \$3,949.00   | -12%                |
| <u>Sep</u> | 786               | 642               | \$3,531.00   | -18%                |
| <u>Oct</u> | 737               | 619               | \$3,404.50   | -16%                |
| <u>Nov</u> | 645               | 577               | \$3,173.50   | -11%                |
| <u>Dec</u> | 757               | 674               | \$3,707.00   | -11%                |
| <u>Jan</u> | 648               | 601               | \$3,305.50   | -7%                 |
| <u>Feb</u> | 628               | 605               | \$3,327.50   | -4%                 |
| <u>Mar</u> | 784               |                   |              |                     |
| <u>Apr</u> | 588               |                   |              |                     |
| <u>May</u> | 671               |                   |              |                     |
| <u>Jun</u> | 676               |                   |              |                     |
| Totals:    | 8,460             | 5,089             | 27,989.50    |                     |



Tiffany Zike & Donna Carmichael

## Fiscal Year 2018

[illegible]

|             |   |   |   |   |   |   |   |   |  |  |  |  |    |    |    |
|-------------|---|---|---|---|---|---|---|---|--|--|--|--|----|----|----|
| RACOON      |   |   |   |   |   |   |   |   |  |  |  |  | 0  | 0  | 0  |
| other       |   |   |   |   |   |   |   |   |  |  |  |  | 0  | 1  | 0  |
| TOTAL BITES | 8 | 6 | 4 | 5 | 0 | 2 | 3 | 3 |  |  |  |  | 31 | 22 | 10 |

| Immunizations         | Jul | Aug | Sept | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | June | FY18 | FY17 | FY16 |
|-----------------------|-----|-----|------|-----|-----|-----|-----|-----|-----|-----|-----|------|------|------|------|
| B12                   | 2   | 2   | 2    | 2   | 2   | 2   | 2   | 2   |     |     |     |      | 14   | 22   | 23   |
| Flu<br>(Seasonal)     | 0   | 0   | 0    | 337 | 164 | 7   | 5   | 9   |     |     |     |      | 522  | 674  | 816  |
| TDap                  | 0   | 0   | 0    | 0   | 0   | 0   | 0   | 0   |     |     |     |      | 0    | 1    | 0    |
| Varicella             | 0   | 0   | 0    | 0   | 0   | 0   | 0   | 2   |     |     |     |      | 2    | 0    | 0    |
| <b>Consult</b>        | 19  | 11  | 19   | 9   | 9   | 18  | 30  | 47  |     |     |     |      | 162  | 592  | 475  |
| Fire/Police           | 8   | 3   | 0    | 0   | 3   | 6   | 4   | 10  |     |     |     |      | 34   | 80   | 40   |
| Schools               | 3   | 2   | 12   | 0   | 0   | 3   | 3   | 6   |     |     |     |      | 29   | 106  | 88   |
| Town<br>Agencies      | 6   | 4   | 6    | 6   | 5   | 8   | 15  | 30  |     |     |     |      | 80   | 246  | 216  |
| Community<br>Agencies | 2   | 2   | 1    | 3   | 1   | 2   | 8   | 1   |     |     |     |      | 20   | 160  | 139  |

| ASSISTANCE PROGRAMS |   |   |   |   |   |   |   |   |  |  |  | FY18           | FY17 | FY 16   |
|---------------------|---|---|---|---|---|---|---|---|--|--|--|----------------|------|---------|
| Food<br>Pantry      | 1 | 2 | 0 | 2 | 4 | 2 | 0 | 2 |  |  |  | 13             | 20   | 21      |
| Food<br>Stamps      | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |  |  |  | 0              | 4    | 6       |
| Friends             | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |  |  |  | 0              | 0    | 1-\$300 |
| Gift of<br>Warmth   | 2 | 2 | 0 | 3 | 1 | 1 | 2 | 1 |  |  |  | 12<br>(\$3845) | 11   | 17      |
| Good<br>Neighbor    | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |  |  |  | 2<br>\$425/fam | 8    | 5       |
| Park &<br>Rec       | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |  |  |  | 1              | 2    | 5       |
| RTS                 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |  |  |  | 0              | 0    | 0       |
| Salvation<br>Army   | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |  |  |  | 0              | 0    | 0       |
| Self Help           | 0 | 2 | 1 | 2 | 3 | 8 | 6 | 3 |  |  |  | 25             | 46   | 27      |
| Water<br>Abatement  | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |  |  |  | 0              | 0    | 2       |

**Gift of Warmth Donation – First Baptist Church \$558.00**

**WELLNESS Programs**

|               |    |    |    |    |    |    |    |    |  |  |  |  |  | FY18 | FY17 | FY16 |
|---------------|----|----|----|----|----|----|----|----|--|--|--|--|--|------|------|------|
| Office Visits | 22 | 46 | 31 | 40 | 41 | 34 | 40 | 55 |  |  |  |  |  | 309  | 481  | 447  |
| Safte Visits  | 1  | 0  | 0  | 0  | 1  | 2  | 3  | 1  |  |  |  |  |  | 8    | 7    | 10   |
| Clinics       | 0  | 0  | 0  | 0  | 0  | 0  | 0  | 0  |  |  |  |  |  | 0    | 0    | 31   |
| Housing Visit | 3  | 2  | 0  | 0  | 1  | 1  | 5  | 1  |  |  |  |  |  | 13   | 6    | 8    |
| Housing Call  | 12 | 10 | 2  | 1  | 14 | 10 | 25 | 10 |  |  |  |  |  | 84   | 37   | 70   |
| Camps-summer  | 3  | 8  | 8  | 0  | 0  | 0  | 0  | 0  |  |  |  |  |  | 19   | 50   | 72   |
| Tanning Insp  | 0  | 0  | 0  | 0  | 0  | 0  | 0  | 0  |  |  |  |  |  | 0    | 0    | 0    |
| Articles      | 0  | 0  | 0  | 1  | 0  | 0  | 2  | 0  |  |  |  |  |  | 3    | 3    | 2    |
| Presentations | 0  | 0  | 1  | 2  | 2  | 1  | 2  | 3  |  |  |  |  |  | 11   | 0    | 2    |
| Cable         | 0  | 1  | 0  | 1  | 0  | 0  | 0  | 0  |  |  |  |  |  | 2    | 5    | 1    |

| <b>EMPLOYEE WELLNESS</b>       | July | AUG | SEPT | OCT | NOV | DEC | JAN | FEB | MAR | APR | MAY | JUNE | FY18 | FY17 | FY16 |
|--------------------------------|------|-----|------|-----|-----|-----|-----|-----|-----|-----|-----|------|------|------|------|
| BP/WELLNESS - DPW/RTS          | 12   | 16  | 12   | 15  | 14  | 12  | 10  | 12  |     |     |     |      | 103  | 169  | 120  |
| FLU VACCINE                    | 0    | 0   | 0    | 24  | 12  | 2   | 2   | 0   |     |     |     |      | 40   | 48   | 87   |
| CPR/AED INSTRUCTION            | 0    | 0   | 0    | 0   | 0   | 0   | 0   | 0   |     |     |     |      | 0    | 31   | 26   |
| SMOKING Education              | 0    | 0   | 1    | 0   | 0   | 0   | 0   | 1   |     |     |     |      | 2    | 14   | 9    |
| HEALTH ED Tick Borne           | 100  | 20  | 12   | 0   | 0   | 0   | 0   | 0   |     |     |     |      | 132  | 90   | 67   |
| HEALTH ED Mosquito Borne       | 100  | 20  | 12   | 0   | 0   | 0   | 0   | 0   |     |     |     |      | 132  | 80   | 80   |
| HEALTH ED FLU                  | 0    | 0   | 8    | 200 | 22  | 10  | 18  | 16  |     |     |     |      | 274  | 160  | 327  |
| FIRST AIDE                     | 5    | 4   | 3    | 3   | 2   | 2   | 4   | 3   |     |     |     |      | 26   | 61   | 34   |
| GENERAL HEALTH EDUCATION       | 5    | 8   | 10   | 6   | 5   | 5   | 25  | 20  |     |     |     |      | 84   | 258  | 188  |
| Police weights                 | 0    | 0   | 0    | 0   | 17  | 2   | 0   | 0   |     |     |     |      | 19   | 43   | 33   |
| <b>TOTAL EMPLOYEE CONTACTS</b> | 222  | 68  | 58   | 248 | 72  | 33  | 59  | 52  |     |     |     |      | 812  | 954  | 1028 |

## Emergency Planning

- NC7
- Region 4B
- LEPC Meeting

## Meetings, Events, and Trainings

| <i>Title</i>              | <i>Description/Highlights/Votes/Etc.</i>                                                                                           |
|---------------------------|------------------------------------------------------------------------------------------------------------------------------------|
| Flu Clinics               | By apt in health office at Town Hall                                                                                               |
| CCIT                      | Monthly Meeting                                                                                                                    |
| Employee engagement       | Onboarding group x 1                                                                                                               |
| Emergency Planning        | Evaluating Supplies in Trailer<br>Mass Casualty Seminar MRPC – Quincy<br>Review of MRC with Neia Illingworth – x 3                 |
| DVAC Meeting              | Monthly meeting with Title 9 Presentations from Rame Hanna- Olin College                                                           |
| SAPC Meeting              | Two meetings in Dedham                                                                                                             |
| Webninar                  | Changes in Geriatric Medicine<br>Collecting Better Food Histories for Salmonella and Campylobacter Cases                           |
| Coca Call                 | Flu                                                                                                                                |
| Staff Meeting             | Monthly meeting with staff updates                                                                                                 |
| HHS Staff Meeting         | Quarterly meeting with department updates and leadership exercise                                                                  |
| CPR                       | CPR training strategy meeting with Fire                                                                                            |
| Healthy Aging             | Project meeting x2                                                                                                                 |
| BC Nursing Student Intern | Mentoring Senior BC Nursing Student in Public Health Clinical Rotation                                                             |
| Presentations             | Concussions – Youth Baseball<br>Education Board at CATH – Blood Pressure awareness<br>Health Division Resources to Needham Housing |

**Needham Public Health Department**  
**February 2018**  
**Assist. Health Dir. - Tara Gurge**  
**Health Agents - Diana Acosta and Brian Flynn**

## Activities

| <i>Activity</i>                                        | <i>Notes</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|--------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Animal Permit Applications/Inspections conducted (New) | <b>2 – Animal Permit applications/inspections conducted for:</b> <ul style="list-style-type: none"> <li>- <b>#357 Central Ave.</b> – Inspection conducted with Animal Control Officer Dave Parsons. Permit issued to have 3 chickens on site.</li> <li>- <b>#32 Barbara Rd.</b> – Received permit application to have 4 chickens. (Plan review still in process.)</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Demo reviews/approvals                                 | <b>6- Demolition sign-offs:</b> <ul style="list-style-type: none"> <li>• <b>#115 Nardone St.</b></li> <li>• <b>#55 Highgate St.</b></li> <li>• <b>#239 High Rock St.</b></li> <li>• <b>#5 Jarvis Cir.</b></li> <li>• <b>#2 Rae Ave.</b></li> <li>• <b>#1600 Central Ave.</b></li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Emergency/Fire Dept. Call                              | <b>1 – Emergency call received from Fire Dept. -</b> <ul style="list-style-type: none"> <li>- <b>#94 Brookside Road</b> – Call received from Fire Department about a downed pole on Brookside Road. A transformer was leaking but the Fire Department told the Health Department that we did not need to be present as DPW was on site. Fire Dept. initially thought no liquid got into the catch basin.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Food – Complaint / Follow-up                           | <b>1 – Food Complaint received for:</b> <ul style="list-style-type: none"> <li>- <b>Mandarin Cuisine</b> – Customer asked for additional lemon slices and waiter brought back the plate that was already served on the table and added new slices to that plate instead of bringing out a new, clean plate. Once order was received, a member of the party asked for a side of chicken wings instead of an eggroll which was served on the plate. Instead of bringing the additional wings to the table, the server removed the eggroll from the plate and returned it to the kitchen (unclear if it was discarded). A pile of string beans was also seen on one of the front dining room tables and it is unclear if food prep was being done there and not in the kitchen.</li> </ul> <b>0 – Follow-Up Inspections conducted.</b> |
| Food – New Permits Issued                              | <b>0 – New annual Food permits issued.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Food – Needham Farmers Market Insp.                    | <b>0 – Needham Farmers Market Inspections</b> <ul style="list-style-type: none"> <li>- <b>Off Season (no inspections conducted.)</b></li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Food – Temporary Food Event Permits                    | <b>5 – Temporary Food Permits issued to:</b> <ul style="list-style-type: none"> <li>- <b>Wine Tasting @ Bin Ends</b></li> <li>- <b>Bingo Night @ Broadmeadow</b></li> <li>- <b>Kindergarten Movie Night @ Broadmeadow</b></li> <li>- <b>Great Hall Performance Foundation concert @ Powers Hall</b></li> <li>- <b>St. Patrick's Day Dance @ Knights of Columbus</b></li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Food – Plan Reviews/Follow-ups                         | <b>2 – Food Permit Plan Reviews conducted for:</b> <ul style="list-style-type: none"> <li>- <b>Capella (Former Petit Robert space)</b> – Plan Review Packet received. Initial</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

|                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|---------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                   | <p>walk through was conducted to see how the space will be used, but nothing has been installed. Plan to open in spring. (On-going)</p> <ul style="list-style-type: none"> <li>- <u>Stacy's Juice Bar (@ Bullfinch)</u> – Follow-up site visit conducted with Building Dept. to assess need for a grease trap installation, due to new food service equipment that may be installed on site. (Plan review in process.)</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Food – Pre-operation/<br>walk-through inspections | <p><b>1– Pre-operation/walk-through inspections conducted for:</b></p> <ul style="list-style-type: none"> <li>- <u>Capella</u> – Initial walk-through was conducted to ensure hand sinks were in correct areas as it was not clear from the plan review packet if one was being removed. Owner explained where new equipment will be placed but is still waiting on some of it to arrive. (On-going).</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Food – Change of Owner                            | <b>0 – Food Permit Change of Owner.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Housing – Complaints/<br>Follow-ups               | <b>0 – Housing Complaints/Follow-ups.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Nuisance – Complaints/<br>Follow-ups              | <p><b>2 – Nuisance Complaints/Follow-ups.</b></p> <ul style="list-style-type: none"> <li>- <u>Pershing Road</u> – Anonymous call about loose trash/overflowing bins, most likely at #51 Pershing Road. Tara contacted the owner's representative to address the issue. The owner is in the process of removing excessive items from inside the house as was ordered previously. The representative will work with trash removers to make sure everything has been cleared from property.</li> <li>- <u>Sudbury Farms/Dunkin Donuts/Subway</u> – Nuisance concern re: pest harborage areas observed along MBTA tracks brought to our attn. by Sudbury Farms pest control. UPDATE – Additional site visit conducted with MBTA Pest control representative and they are also actively setting traps and monitoring area. Continuing to work with all food establishments to ensure that their trash is sufficiently contained and picked-up on a more frequent schedule. Also requiring weekly exterior pest control for all food establishments in this location. Continuing to work with landlord on clearing trash debris/items along berm leading up to tracks. Photo documentation from Sudbury &amp; Dunkin's pest control services would help with MBTA's long term plan with clearing leaf litter harborage areas along tracks. Told MBTA Pest Rep. that this leaf litter will need to be removed along tracks to alleviate pest harborage on site. (In process.)</li> </ul> |
| Pool Plan Reviews/<br>Follow-ups                  | <p><b>5 – Pool Plan Reviews conducted for:</b></p> <ul style="list-style-type: none"> <li>- <u>Rosemary Town Pools</u> –Tim, Diana and I in process of attending weekly progress meetings. In process of working on specific pool permit requirements (i.e. Pool Rules, signage, etc.) (On-going.)</li> <li>- <u>Second Ave. Residences Pool</u> - Approved proposed pool design layout plan. In process of working with owner on specific pool permit requirements (i.e. signage, etc.) (On-going.)</li> <li>- <u>Mill Creek Residences Pool on Greendale Ave.</u> - In process of working with owner on specific pool permit requirements (i.e. signage, etc.) (On-going.)</li> <li>- <u>Residence Inn</u> – Request made to upgrade pool sanitation system to a chlorine generating system. Plans to be submitted for review. (In process.)</li> <li>- <u>YMCA Pool</u> – CO2 System to be installed (In process). Follow-up site visit pending.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Pool - Complaints/Follow<br>Up                    | <b>0 – Complaints received</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Pool – Routine<br>Inspections                     | <b>0- Routine Inspections</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Planning Board/Special<br>Permit plan reviews     | <b>0 – Special Permit Plan Review conducted</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

|                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Medical Marijuana Dispensary (RMD)       | <b>1 – Permit Issued to:</b> <ul style="list-style-type: none"> <li>- <b><u>SIRA Naturals, Inc. (RMD)</u> – <u>UPDATE</u> – Follow-up pre-operation inspection conducted. Chief Schlittler, Officer O’Brien and Carol Read, joined Diana and I on the inspection. Chief Schlittler was able to provide guidance on additional security requirements that should be added on site, which the owner agreed to do. Will continue to monitor and obtain new staff info./training documentation, etc., since they are looking to hire a new business manager. Permit issued.</b></li> </ul> |
| Septic Abandonment Forms                 | <b>0 – Septic Abandonment Forms received.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Septic Construction Permit/Trench permit | <b>0 – Septic Construction Repair Permits issued.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Septic – Soil/Percolation Tests          | <b>0 – Soil Tests conducted.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Septic – Plan Reviews                    | <b>3 – Septic Plans received for review:</b> <ul style="list-style-type: none"> <li>- <b><u>#1600 Central Ave</u>- Tank being moved, plans are pending and should be submitted in early March (On-going).</b></li> <li>- <b><u>#100 Windsor Rd.</u> – Received septic system design plan for upgraded septic system. (On-going.)</b></li> <li>- <b><u>#745 Central Ave.</u> – Received septic system design plan for upgraded septic system. (On-going.) Proposed house plans still to be submitted for review.</b></li> </ul>                                                         |
| Septic – Installation inspections        | <b>0 – Septic Installation inspections conducted.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Septic Installer Permit Renewals         | <b>0 – Septic installer permit renewal applications received.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Subdivision Reviews                      | <b>0 – Subdivision reviews conducted</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Tobacco Insp. (Routine)                  | <b>2 – Routine Tobacco inspections conducted.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Tobacco Compliance Checks                | <b>0 - Compliance checks.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

|                                         |                                                                                                                                                    |
|-----------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|
| Waste/Trash Hauler Renewals             | <b>Mailed out permit renewal applications for all trash haulers. Will be setting up and conducting truck inspections prior to permit issuance.</b> |
| Well – Permits                          | <b>0 – Well permits issued.</b>                                                                                                                    |
| Zoning Board of Appeals Project reviews | <b>0 – Zoning Board of Appeal reviews conducted.</b>                                                                                               |

## Yearly

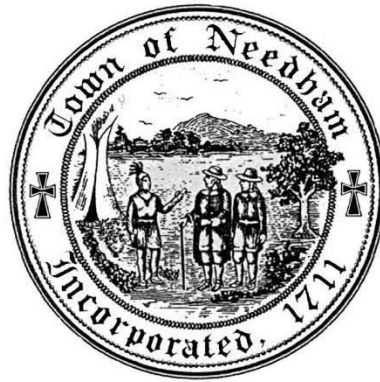
| Category                       | Jul | Au  | S  | O  | N  | D   | J  | F   | M | A | Ma | Ju  | FY' 18 | FY' 17 | FY' 16 | Notes/Follow-Up             |
|--------------------------------|-----|-----|----|----|----|-----|----|-----|---|---|----|-----|--------|--------|--------|-----------------------------|
| Biotech                        | 0   | 0   | 0  | 0  | 2  | 0   | 0  | 0   | 0 | 0 | 0  | 0   | 2      | 2      | 2      | Biotech registrations       |
| Bodywork                       | 3   | 0   | 0  | 0  | 2  | 3   | 0  | 0   | 0 | 0 | 0  | 0   | 8      | 6      | 11     | Bodywork Estab. Insp.       |
| Bodywork                       | 1   | 0   | 0  | 0  | 0  | 5   | 0  | 0   | 0 | 0 | 0  | 0   | 6      | 4      | 3      | Bodywork Estab. Permits     |
| Bodywork                       | 3   | 0   | 1  | 0  | 0  | 17  | 0  | 0   | 0 | 0 | 0  | 0   | 20     | 13     | 10     | Bodywork Pract. Permits     |
| Bottling                       | 0   | 0   | 0  | 1  | 0  | 0   | 0  | 0   | 0 | 0 | 0  | 0   | 1      | 2      | 1      | Bottling Permit insp.       |
| Demo                           | 9   | 10  | 12 | 16 | 7  | 9   | 7  | 6   | 0 | 0 | 0  | 0   | 76     | 112    | 110    | Demo reviews                |
| Domestic Animal Permits/ Insp. | 0/0 | 0/0 | 0  | 0  | 0  | 0   | 0  | 1/1 | 0 | 0 | 0  | 0/0 | 1/1    | 17/16  | 16     | Animal permits/ Inspections |
| Food Service                   | 11  | 12  | 19 | 22 | 19 | 14  | 19 | 10  | 0 | 0 | 0  | 0   | 126    | 198    | 209    | Routine insp.               |
| Food Service                   | 1   | 0   | 10 | 4  | 1  | 2   | 4  | 1   | 0 | 0 | 0  | 0   | 22     | 37     | 35     | Pre-oper. Insp.             |
| Retail                         | 3   | 3   | 10 | 6  | 7  | 3   | 0  | 9   | 0 | 0 | 0  | 0   | 41     | 69     | 71     | Routine insp.               |
| Resid. kitchen                 | 0   | 0   | 1  | 2  | 1  | 0   | 0  | 0   | 0 | 0 | 0  | 0   | 4      | 7      | 11     | Routine insp.               |
| Mobile                         | 0   | 0   | 0  | 1  | 0  | 0   | 0  | 0   | 0 | 0 | 0  | 0   | 1      | 15     | 9      | Routine insp.               |
| Food Service                   | 6   | 3   | 3  | 11 | 6  | 7   | 8  | 0   | 0 | 0 | 0  | 0   | 44     | 51     | 50     | Re-insp.                    |
| Food Service/ Retail           | 1   | 0   | 3  | 2  | 1  | 132 | 3  | 0   | 0 | 0 | 0  | 0   | 142    | 177    | 176    | Annual/ Seasonal permits    |

|                           |      |      |      |      |      |      |     |     |     |     |     |     |       |        |        |                                                  |
|---------------------------|------|------|------|------|------|------|-----|-----|-----|-----|-----|-----|-------|--------|--------|--------------------------------------------------|
| Food Service              | 8/4  | 11/4 | 12/0 | 18/9 | 17/0 | 20/0 | 5/1 | 5/0 | 0   | 0/0 | 0/0 | 0/0 | 96/18 | 158/62 | 107/54 | Temp. food permits/<br>Temp. food insp.          |
| Food Service              | 0/40 | 0/24 | 2/24 | 0/12 | 0    | 0    | 0   | 0   | 0   | 0   | 0/0 | 0/0 | 2/100 | 7/33   | 9/16   | Farmers Market permits/<br>Market insp.          |
| Food Service              | 1/1  | 2/2  | 2/2  | 4/4  | 3/3  | 2/2  | 1/1 | 1/1 | 0/0 | 0   | 0   | 0/0 | 16/16 | 13/17  | 21/21  | New Compl/<br>Follow-ups                         |
| Food Service              | 5    | 5    | 6    | 2    | 4    | 4    | 1   | 2   | 0   | 0   | 0   | 0   | 29    | 33     | 32     | Plan Reviews                                     |
| Food Service              | 0    | 0    | 0    | 0    | 0    | 0    | 0   | 0   | 0   | 0   | 0   | 0   | 0     | 0      | 3      | Admin. Hearings                                  |
| Grease/Septage Haulers    | 1    | 0    | 0    | 0    | 0    | 21   | 2   | 0   | 0   | 0   | 0   | 0   | 24    | 24     | 29     | Grease/Septage Hauler permits                    |
| Housing (Chap II Housing) | 0/0  | 0/0  | 7/0  | 0/0  | 0    | 0    | 0   | 0   | 0   | 0   | 0   | 0/0 |       | 14/14  | 7/4    | Annual routine insp./<br>Follow-up insp.         |
| Housing                   | 7/7  | 2/2  | 2/2  | 3/3  | 1/2  | 0/1  | 2/2 | 0   | 0   | 0   | 0/0 | 0/0 | 17/19 | 7/11   | 18/37  | New Compl./<br>Follow-ups                        |
| Hotel                     | 0    | 0    | 0    | 0    | 1    | 1    | 0   | 0   | 0   | 0   | 0   | 0   | 2/0   | 3/0    | 3/0    | Annual insp./Follow-ups                          |
| Nuisance                  | 5/5  | 6/6  | 0/0  | 4/4  | 3/3  | 4/4  | 2/2 | 2/2 | 0/0 | 0/0 | 0/0 | 0/0 | 26/26 | 30/45  | 44/50  | New Compl./<br>Follow-ups                        |
| Pools                     | 0/0  | 0/0  | 0/0  | 0/0  | 1/2  | 0    | 0   | 0/0 | 0   | 0   | 0/0 | 0   | 1/2   | 13/8   | 9/3    | Pool insp./follow-ups                            |
| Pools                     | 0    | 0    | 0    | 0    | 0    | 8    | 0   | 0   | 0   | 0   | 0   | 0   |       | 9      | 9      | Pool permits                                     |
| Pools                     | 2    | 2    | 2    | 3    | 3    | 3    | 3   | 5   | 0   | 0   | 0   | 0   | 23    | 19     | 8      | Pool plan reviews                                |
| Pools                     | 0    | 0    | 0    | 0    | 0    | 4    | 0   | 0   | 0   | 0   | 0   | 0   | 4     | 6      | 4      | Pool variances                                   |
| Septic                    | 0    | 0    | 1    | 1    | 1    | 0    | 0   | 0   | 0   | 0   | 0   | 0   | 3     | 18     | 8      | Septic Abandon Forms                             |
| Septic                    | 0    | 1    | 0    | 0    | 0    | 0    | 0   | 0   | 0   | 0   | 0   | 0   | 1     | 5      | 9      | Addition to a home on a septic plan rev/approval |
| Septic                    | 4    | 0    | 0    | 0    | 5    | 1    | 1   | 0   | 0   | 0   | 0   | 0   | 11    | 43     | 23     | Install. Insp.                                   |
| Septic                    | 0    | 0    | 0    | 0    | 0    | 1    | 0   | 0   | 0   | 0   | 0   | 0   | 1     | 0      | 3      | COC for repairs                                  |
| Septic                    | 2    | 0    | 0    | 0    | 0    | 0    | 0   | 0   | 0   | 0   | 0   | 0   | 2     | 3      | 3      | COC for complete septic system                   |
| Septic                    | 5    | 4    | 4    | 6    | 5    | 4    | 3   | 5   | 0   | 0   | 0   | 0   | 36    | 62     | 61     | Info. requests                                   |
| Septic                    | 0    | 0    | 0    | 0    | 2    | 0    | 0   | 0   | 0   | 0   | 0   | 0   | 2     | 6      | 8      | Soil/Perc Test.                                  |
| Septic                    | 0    | 0    | 0    | 0    | 1    | 1    | 0   | 0   | 0   | 0   | 0   | 0   | 2     | 8      | 6      | Const.                                           |

|                                         |     |     |     |     |     |     |     |     |     |     |     |     |      |      |      |                                                       |
|-----------------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|------|-------------------------------------------------------|
|                                         |     |     |     |     |     |     |     |     |     |     |     |     |      |      |      | permits                                               |
| Septic                                  | 0   | 0   | 0   | 0   | 0   | 2   | 5   | 0   | 0   | 0   | 0   | 0   | 7    | 11   | 9    | Installer permits                                     |
| Septic                                  | 0   | 0   | 0   | 0   | 0   | 1   | 0   | 0   | 0   | 0   | 0   | 0   | 1    | 6    | 6    | Installer Tests                                       |
| Septic                                  | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   |      | 7    | 3    | Deed Restrict.                                        |
| Septic                                  | 1   | 2   | 1   | 1   | 1   | 0   | 2   | 3   | 0   | 0   | 0   | 0   | 11   | 14   | 14   | Plan reviews                                          |
| Sharps permits/<br>Insp.                | 0   | 0   | 0   | 0   | 0/5 | 8/2 | 0   | 1   | 0   | 0   | 0   | 0   | 9/7  | 9    | 10   | Disposal of Sharps permits/Insp.                      |
| Subdivision                             | 0/0 | 0/0 | 0/0 | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   |      | 3/1  | 3/0  | Plan review- Insp. of lots /Bond Releases             |
| Special Permit/<br>Zoning memos         | 1   | 0   | 1   | 2   | 1   | 0   | 1   | 0   | 0   | 0   | 0   | 0   | 6    | 12   | 16   | Special Permit/<br>Zoning                             |
| Tobacco                                 | 0   | 0   | 0   | 1   | 10  | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 11   | 12   | 13   | Tobacco permits                                       |
| Tobacco                                 | 0/0 | 1/0 | 2/0 | 4/0 | 1/0 | 2/1 | 1/0 | 2/1 | 0/0 | 0/0 | 0/0 | 0/0 | 13/2 | 25/6 | 25/7 | Routine insp./ Follow-up insp.                        |
| Tobacco                                 | 0   | 0   | 0   | 11  | 0   | 10  | 0   | 0   | 0   | 0   | 0   | 0   | 21   | 34   | 48   | Compliance checks                                     |
| Tobacco                                 | 0/0 | 0/0 | 0/0 | 1/1 | 0   | 0   | 0/0 | 0   | 0   | 0   | 0   | 0   | 1/1  | 2/2  | 4/4  | New compl./ Compl. follow-ups                         |
| Trash Haulers/<br>Medical Waste Haulers | 0/0 | 0/0 | 0/0 | 1   | 0   | 0/0 | 0/1 | 0   | 0   | 0/0 | 0   | 0   | 1/1  | 26/2 | 30/2 | Trash Hauler permits/<br>Medical Waste Hauler permits |
| Wells                                   | 0   | 0   | 0   | 1/0 | 0/0 | 0   | 0/0 | 0   | 0   | 0/0 | 0   | 0   | 1/0  | 7/3  | 6/0  | Permission to drill letters/<br>Well permits          |

## FY 18 Critical FBI Violations Chart (By Date)

| Restaurant                       | Insp. Date | Critical Violation                              | Description                                                                                                                                                                  |
|----------------------------------|------------|-------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Boony Bunz                       | 8/11/17    | - Cold Holding                                  | - Need to ensure that prep refrigerator cold-holding unit temp. is maintained at 41 deg F or below. Had refrigerator prep unit serviced. Work order submitted for our file.  |
| Dunkin Donuts (Highland Ave.)    | 10/30/17   | - Handwash Facilities.                          | - Need to ensure that there is sufficient hot water, min. 110 deg. F, at front hand wash sink ASAP. Repair made. Follow-up site inspection conducted.                        |
| Farmhouse Restaurant             | 1/9/18     | - Food Contact surfaces cleaning and sanitizing | - Ensure that dish machine reaches a min. temperature of 180 deg F or greater for final hot water sanitizing rinse. Had serviced.                                            |
| Dunkin Donuts (Great Plain Ave.) | 1/17/2018  | - Handwash Facilities.                          | Need to ensure that there is sufficient hot water, min. 110 deg. F, at all sinks ASAP. Pilot light was out. Follow-up site inspection conducted and hot water was confirmed. |



## Board of Health

Edward Cosgrove, PhD  
Vice Chair, Board of Health

Stephen Epstein, MD, MPP  
Chair, Board of Health

Jane Fogg, MD, MPH  
Member, Board of Health

### **ARTICLE 20                    REGULATION TO ENSURE THE SANITARY AND SAFE OPERATIONS OF REGISTERED MARIJUANA DISPENSARIES AND THE SALE OF MARIJUANA TO PERSONS WITH DOCUMENTED MEDICAL NEEDS**

#### **SECTION 20.1                AUTHORITY**

This regulation is promulgated under the authority granted to the Needham Board of Health under Massachusetts General Laws Chapter 111, Section 31 which states that "boards of health may make reasonable health regulations," and pursuant to Chapter 369 of the Acts of 2012 An Act for the Humanitarian Medical Use of Marijuana ("The Act") and Massachusetts Department of Public Health Regulations 105 CMR 725.000.

#### **SECTION 20.2                PURPOSE**

The primary purpose of this regulation is to provide for local oversight and inspection of Registered Marijuana Dispensaries (RMDs) and hardship cultivation sites within the town; oversight and inspections will be provided by Needham's Board of Health and its agents to ensure the safe and sanitary operation of any such RMD or hardship cultivation site consistent with public health and safety.

The regulation is intended to ensure that only people with a documented medical need will acquire medical marijuana or marijuana-infused products pursuant to the Act, and that marijuana will not be diverted to individuals without a documented medical need. Since the existence of an RMD or hardship cultivation site present a risk of improper diversion and other collateral consequences within the community, it is necessary to regulate this activity at the local level.

## **SECTION 20.3            DEFINITIONS**

Unless otherwise indicated, terms used throughout this regulation shall be defined as they are in [105 CMR 725.004](#).

**Board of Health:** Town of Needham Board of Health and its designated agents.

**Board of Health Agent:** The Director of Public Health and any town employee designated by the Director, which may include Public Health Department staff, law enforcement officers, fire officials, and code enforcement officials

**Business Agent:** A Dispensary Agent, as also defined in [105 CMR 725.004](#), who has been designated by the RMD Permit Holder to be a manager in charge of the RMD facility and its operations.

**Card Holder:** A registered qualifying patient, a personal caregiver, or a dispensary agent of a RMD who has been issued and possess a valid registration card.

**Director:** The Director of Public Health.

**Dispensary Agent:** A Dispensary Agent, as also defined in [105 CMR 725.004](#), is a board member, director, employee, executive, manager, or volunteer of a RMD, who is at least 21 years of age. Employee includes a consultant or contractor who provides on-site services to a RMD related to the cultivation, harvesting, preparation, packaging, storage, testing, or dispensing of marijuana.

**Home Permit:** Issued by the Board of Health, to be renewed annually, to the holder of a hardship cultivation registration issued by the Massachusetts Department of Public Health (DPH) in 105 CMR 725.000, which registration is for a specific location within the town.

**Non-Residential Roll-Your-Own (RYO) Machine:** A mechanical device made available for use (including to an individual who produces rolled marijuana products solely for the individual's own personal consumption or use) that is capable of making rolled marijuana products. RYO machines located in private homes used for solely personal consumption are not Non-Residential RYO machines.

**Period of Performance:** The time period for which violations of a RMD or Home Permit are counted. For example, a violation that occurs in July 2016 will no longer weigh on the RMD or Home Permit holder's record with the Board of Health after the passage of 36 months from the date of the discipline imposed for that violation. If the Board of Health hearing on the violation occurred on July 31, 2016, then the violation will be outside the period of performance and no longer counted on August 1, 2019.

**Registered Marijuana Dispensary (RMD):** A Registered Marijuana Dispensary (also known as a Medical Marijuana Treatment Center) is a not-for-profit entity registered under 105 CMR 725.100, that acquires, cultivates, possesses, processes (including development of related products such as edible MIPs, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers. The term RMD may also refer, in context, to the site(s) of dispensing, cultivation, and preparation of marijuana by an RMD entity.

**RMD Permit:** A Registered Marijuana Dispensary Permit, to be renewed annually, which may be issued by the Board of Health to a non-profit corporation holding a Certificate of Registration issued by the Massachusetts Department of Public Health (DPH) pursuant to 105 CMR 725.000, which permits a RMD to operate within the town.

**Self-Service Display:** Any display from which customers may select marijuana or a marijuana-infused product without assistance from a Dispensary.

**Town:** The Town of Needham, Massachusetts.

**Vending Machine:** Any automated or mechanical self-service device, which upon insertion of money, tokens or any other form of payment, dispenses or makes marijuana products.

**Verified Financial Hardship:** Is an individual's status as a recipient of MassHealth or Supplemental Security Income, or else a determination that an individual's income does not exceed 300% of the federal poverty level when adjusted for family size.

**Violation:** A failure to comply with an operational requirement outlined in this regulation. For this regulation, a MINOR violation is a failure to comply with specific regulatory requirements which, while important, do not jeopardize the primary purposes of this regulation. A MAJOR violation is one that has the potential to jeopardize the primary purposes of this regulation, meaning that non-compliance in this area may divert marijuana to individuals without a documented medical need and/or which may produce significant collateral consequences to community health and safety.

## **SECTION 20.4 PERMIT TO OPERATE A REGISTERED MARIJUANA DISPENSARY**

### **20.4.1 – Permits for a Registered Marijuana Dispensaries**

- A. No person or organization shall sell or otherwise distribute marijuana or marijuana-infused products within the Town of Needham without first obtaining a RMD Permit. A RMD Permit may only be issued to a nonprofit corporation which:
  - (i) has a current Certificate of Registration issued by the Massachusetts Department

- of Public Health (DPH) pursuant to 105 CMR 725.000; and
- (ii) has a permanent, non-mobile location in Needham approved by the DPH for use as an RMD; and
- (iii) is in compliance with all applicable zoning requirements.

And which provides satisfactory documentation of compliance with those requirements to the Board of Health.

- B. The applicant shall also submit to the Board of Health a copy of the operating policies and procedures for the RMD which was submitted to DPH pursuant to 105 CMR 725.000 and any other relevant DPH directives, memorandums or notifications.
- C. The applicant shall sign a statement declaring that the applicant understands that, under this local regulation:
  - (i) all Dispensary Agents are responsible for complying with all local and state regulations pertaining to the operation of the RMD. Specifically, a violation of any provision of 105 CMR 725.000 or other applicable state regulations constitutes a violation of this regulation, which may be enforced by the Board of Health; and
  - (ii) the applicant is responsible for providing instruction and training for dispensary agents in all applicable local and state regulations; and
  - (iii) the fact that a Dispensary Agent, vendor, or other person associated with the RMD is unaware of a regulation or lacks understanding of its content, shall not be a defense to any violation; and
  - (iv) the Board of Health and its designated agents may conduct periodic, unannounced inspections of the RMD premises.
- D. The fee for a RMD Permit shall be at the level determined in the Needham Board of Health's Fee Schedule. All RMD Permits expire on June 30 annually, regardless of the year or day and month on which they were issued.
- E. The initial plan review for marijuana-infused product (MIP) production facilities (see section 20.5.1) shall result in a fee at the level determined in the Needham Board of Health's Fee Schedule. The initial plan review for the safe and sanitary storage of marijuana-infused products in a RMD (see section 20.5.2) shall result in a fee at the level determined in the Needham Board of Health's Fee Schedule. The initial plan review for trash collection and the safe and sanitary disposal of waste (see section 20.5.3) shall result in a fee at the level determined in the Needham Board of Health's Fee Schedule. The plan reviews for emergencies and continuity of operations (see section 20.5.4) and for safety and security (see section 20.5.5) shall result in a fee at the level determined in the Needham Board of Health's Fee Schedule.
- F. RMD Permits in good standing may be renewed annually by the Board of Health, at the Board's discretion, based on a completed and satisfactory application, in a form required by the Board, filed by the RMD and payment by the RMD of the annual fee

according to the fee schedule.

- (i) Any material changes from the most recent approved operating policies and procedures, or from the plans described in Section E above shall be disclosed in the renewal application, and RMD shall pay the applicable fees for any reviews which the Board deems necessary as a condition of renewal.
  - (ii) If a permit has been modified by the Board, the RMD shall demonstrate compliance with any requirements of that modification, to the satisfaction of the Board, as a condition of renewal and shall pay the applicable fees for any reviews which the Board deems necessary as a condition of renewal.
  - (iii) If a permit has been suspended by the Board, prior to reinstatement of the permit, the RMD shall provide evidence satisfactory to the Board that it will comply with all requirements of the Board and these regulations, and shall pay the applicable fees for any reviews which the Board deems necessary as a condition of renewal
  - (iv) If a permit has been revoked by the Board, the RMD permit may be reissued based on a new application, all necessary fees, and a public hearing.
- G. A separate RMD Permit is required for each RMD retail establishment selling marijuana or marijuana-infused products within the Town. A violation of this provision constitutes a MINOR violation of these regulations.
- H. Each RMD Permit shall be displayed at the RMD retail establishment in a conspicuous place. A violation of this provision constitutes a MINOR violation of these regulations.
- I. A RMD Permit is non-transferable. A violation of this provision constitutes a MINOR violation of these regulations.
- J. A RMD Permit will not be renewed if the RMD Permit Holder has failed to pay any outstanding fines or fees or failed to satisfy any other penalties or conditions lawfully imposed by the Town.
- K. A RMD may not open for business before 8:00 A.M. and shall close no later than 8:00 P.M., on each day the RMD is open. Deliveries from, or on behalf of, the RMD that are made to patients must adhere to the same hours. The hours and days of RMD operation must be posted conspicuously on the front entrance door. A violation of this provision constitutes a MINOR violation of these regulations.
- L. Acceptance of a RMD Permit constitutes an agreement by the RMD that it will adhere to the practices, policies, and procedures described or submitted with its application, as well as the relevant laws, state and local regulations, and conditions imposed by the Board of Health as part of the permit process.

#### **20.4.2 – Inspections and Compliance of Registered Marijuana Dispensaries**

- A. Dispensary Agents must present their Registration Card on request by any Board of Health agent. A violation of this provision constitutes a MINOR violation of these regulations.
- B. Issuance and maintaining a RMD Permit shall be conditioned on the RMD Permit Holder's ongoing consent to periodic, unannounced inspections of the RMD premises by the Board of Health and its designated agents. The applicant also consents to abide by the provisions relating to inspections found in 105 CMR 725.300 and related sections including, but not limited to, "deficiency statements" and "plans of correction." A violation of this provision constitutes a MINOR violation of these regulations.
- C. There must be a designated Business Agent on the premises at all times that the RMD is open for business. A violation of this provision constitutes a MINOR violation of these regulations.
- D. The Board of Health and its designated agents, as well as the Needham Police Department, shall be provided with an updated phone list through which a Business Agent may be reached on a 24 hour basis. A violation of this provision constitutes a MINOR violation of these regulations.
- E. Issuance and maintaining a RMD Permit shall be conditioned on the RMD Permit Holder's ongoing consent to provide the Board of Health with copies of the Registration Cards for all Dispensary Agents working at the RMD, and the names of all Business Agents of the RMD, and to submit any changes in staffing and registration information within five (5) business days. The notification and information about changes in staffing and registration shall be submitted in either paper copy via courier or certified mail or else electronically in a verified/e-signed PDF format. A violation of this provision constitutes a MINOR violation of these regulations.
- F. The RMD Permit Holder shall Criminal Offender Record Information (CORI) inquiry and a Sex Offender Registry Information (SORI) inquiry on all applicants for the positions of Dispensary Agent and for Business Agents. Such checks shall be conducted in all states in which the applicant has worked or resided within the last ten (10) years. The results of those inquiries shall be reported to the Needham Public Health Department. A violation of this provision constitutes a MINOR violation of these regulations.
- G. Issuance and maintaining a RMD Permit shall be conditioned on the RMD Permit Holder's ongoing consent to provide the Board of Health with updated copies of all RMD documents including copies of staffing plans, training protocols, audit results, security assessments (subject to appropriate redaction), and all other documents. Updated submissions shall be sent to the Board of Health monthly electronically in a

verified/e-signed PDF format. A violation of this provision constitutes a MINOR violation of these regulations.

- H. No RMD Permit Holder shall permit any disorder, disturbance, or illegality of any kind to take place in or on the licensed premises. The term “illegality” includes, but is not limited to, any violation of 105 CMR 725.000 and related directives, memoranda or notifications; and any violation of these regulations promulgated by the Board of Health. The Permit Holder shall be responsible for any disorder, disturbance or illegality of any kind whether present or not. A violation of this provision shall be considered may be considered either a MINOR or a MAJOR violation depending upon the severity of the illegality identified.
- I. Failure or refusal of an RMD or Home Permit holder to cooperate with the Board of Health or its agent shall be considered a MAJOR violation of these regulations.

#### **20.4.3 – Records Retention of Registered Marijuana Dispensaries**

- A. A RMD Permit Holder shall notify the Needham Public Health Department and the Board of Health verbally and in writing within 24 hours of a visit to the premises or request for information by any representative of DPH acting in an official capacity. The RMD Permit Holder shall provide the Board with any reports, correspondence, emails or other information from DPH on demand or, in any case, within five (5) business days after receipt by the RMD. A violation of this provision constitutes a MINOR violation of these regulations.
- B. Video surveillance shall conform to the requirements of 105 CMR 725.110(D) and any other related regulations, directives, memorandums or notifications from DPH. In addition, as conditions of issuing or maintaining its RMD Permit, the Board of Health may require other, reasonable surveillance operations and security (e.g., an off-site backup system). Furthermore, the RMD must allow for immediate viewing of video surveillance by the Board of Health or its designated agents, upon request. A copy of a requested recording shall be provided as soon as practicable to these officials. All video recordings shall be retained for a minimum of 90 days. Furthermore, as soon as the RMD is aware of any recording that might relate to a criminal, civil or administrative investigation or legal proceeding of any kind, the RMD shall not alter or destroy the recording without the written permission of both the Director and the Chief of Police for the Town of Needham. A violation of this provision constitutes a MAJOR violation of these regulations.
- C. Issuance and maintaining a RMD Permit is conditioned on maintaining all records outlined in 105 CMR 725.105(I) and other DPH regulations, directives, memorandum and notifications, along with any other documents reasonably required by the Board of Health in writing. Following closure of an RMD, all records

must be kept for at least two (2) years at the expense of the RMD and in a form and location acceptable to the Board of Health. Moreover, as a condition of issuing and maintaining a RMD Permit, the Board of Health may reasonably require that the new owner of a RMD retain records generated by the previous RMD at the expense of the new RMD. A violation of this provision constitutes a MINOR violation of these regulations.

#### **20.4.4 – Other Restrictions for Registered Marijuana Dispensaries**

- A. For RMDs that cultivate marijuana, the cultivation and processing facility shall not adversely affect the health or safety of the nearby residents or businesses by creating dust, glare, heat, noise, nuisance odors, noxious gases, materials, processes, products or wastes. Growing areas shall be within a self-contained, locked structure, with a 1-hour firewall assembly made of green board or other construction specifically approved by the Town's building inspector, well ventilated with odor control, and shall not create humidity or mold issues within the establishment. A violation of this provision constitutes a MAJOR violation of these regulations.
- B. No RMD is permitted to sell or distribute alcoholic beverages or tobacco products and may not hold either a tobacco sales permit or a liquor license. A violation of this provision constitutes a MAJOR violation of these regulations.
- C. No RMD is permitted to hold a Common Victualler license for on-premises food consumption. A violation of this provision constitutes a MAJOR violation of these regulations.
- D. No RMD is permitted to be a Massachusetts lottery dealer or to engage in any gaming activities. A violation of this provision constitutes a MAJOR violation of these regulations.

### **SECTION 20.5                      PLAN REVIEWS OF REGISTERED MARIJUANA DISPENSARIES**

#### **20.5.1 – Off-Site Cultivation/MIP Preparation Plan Review**

An applicant who wishes to sell edible marijuana-infused products (MIPs) at a RMD must, prior to beginning operations, undergo a plan review of any MIP processing and preparation facilities, regardless of their location, for any MIP that will, at some point, be delivered, distributed, produced, sold, or stored within the Town. The Board of Health and its designated agents will conduct the plan review, which may include a facilities inspection, to ensure sanitary handling and processing conditions and practices.

#### **20.5.2 – Plan Review for MIP Storage and Handling at RMD Retail Location**

An applicant who wishes to sell edible marijuana-infused products (MIPs) at a RMD must, prior to beginning operations, undergo a plan review of all MIP storage, handling, and sale

locations within the RMD. The Board of Health and its designated agents will conduct the plan review, which may include a facilities inspection, to ensure sanitary handling and storage conditions and practices in line with the requirements outlined in the [105 CMR 590](#), the State Sanitary Code.

The requirements of 105 CMR 590.000 include specific actions to prevent the growth of bacteria. *Clostridium botulinum* is a bacterium whose spores are present on plant material and in soil. Spores are present in many plant material extractions and can survive cooking/pasteurization temperatures. These spores can spontaneously germinate (grow into bacteria) given the right conditions/substrate. The bacteria can produce a powerful toxin which can cause severe illness or death. Specific actions required of a RMD selling MIP are:

- A. Except during preparation, cooking, or cooling, time/temperature control for safety (TCS) items shall be maintained at 5°C (41°F) or less to prevent the growth of bacteria. This shall apply, unless specifically permitted by the Board of Health or its agents, to all:
  - (i) marijuana extractions and concentrates intended for non-smoking oral consumption (i.e. eating, drinking);
  - (ii) infusions made from those extractions, such as infused oils, butters, honey, etc; and
  - (iii) foods that have such infusions/extractions as an ingredient.
- B. If a marijuana extraction, concentrate, or infusion has been continuously refrigerated and is then added as an ingredient into baked goods that have a low water activity, such as most cookies and brownies, these baked products may be considered shelf-stable if explicitly reviewed and permitted by the Board of Health or its agents.
- C. If the extracted marijuana concentrate is immediately infused into a 190/200 proof alcohol with no additional ingredients (including flavorings or other additives) and the tincture is homogenous, then the growth of *C. botulinum* spores may have been prevented. Homogenous 190/200 proof alcohol tinctures may be safe to store outside of refrigerated temperatures if explicitly reviewed and permitted by the Board of Health or its agents.
- D. Approvals for any variance from the safe and sanitary storage requirements outlined above will be based upon:
  - (i) a review of written procedures that are followed to make the product;
  - (ii) the use of control measures described above; and
  - (iii) any other scientific evidence submitted by the manufacturer from a certified laboratory or process authority that demonstrates the safety of the product in question. For example:
    - a) pH and/or water activity testing must be conducted by an accredited laboratory;
    - b) three samples from separate batches must be tested; and
    - c) all samples must meet the criteria for a non-potentially hazardous food as

described in Tables A and B of the 2013 *FDA Food Code*.

- E. At any time, the Board of Health or its agents may require a Hazard Analysis and Critical Control Points (HACCP) plan before approving the distribution of MIPs.
- F. Photos or images of food are not allowed on MIP product labels.
- G. All MIP must be contained in an opaque package.
- H. If the MIP is identified on the label using a common food name (i.e. Brownie, Honey, Chocolate, Chocolate Chip Cookie, or Green Tea), the phrase “MEDICAL MARIJUANA” must be written before the common food name. This phrase must be as easy to read as the common food name (i.e. same font size).
- I. Only generic food names may be used to describe the MIP. As an example, using “Snickerdoodle” to describe a cinnamon cookie is prohibited.
- J. All MIP must state the following:
  - (i) A batch number, sequential serial number, and bar code when used, to identify the batch associated with manufacturing and processing;
  - (ii) A statement that the product has been tested for contaminants, that there were no adverse findings, and the date of testing in accordance with 105 CMR 725.105(C)(2);
  - (iii) The manufacture date as well as a “Best by” or “Use by” or expiration date;
  - (iv) Net weight of Medical Marijuana and the THC level in the MIP, and the net weight of Medical Marijuana and the THC level contained **per dose/serving** (if the MIP is not a single serving/dose);
  - (v) A list of ingredients as well as the cannabinoid profile of the marijuana contained within the MIP;
  - (vi) A warning if nuts or other known allergens are contained in the product;
  - (vii) Directions for use of the product if relevant;
  - (viii) The statement “For Medical Use Only”; and
  - (ix) The statement, including capitalization: “This product has not been analyzed or approved by the FDA. There is limited information on the side effects of using this product, and there may be associated health risks. Do not drive or operate machinery when under the influence of this product. KEEP THIS PRODUCT AWAY FROM CHILDREN.”

A violation of any of the provisions of 20.5.2 (A) through (J) shall constitute a MINOR violation of these regulations.

### **20.5.3 – Plan Review for Safe and Secure Disposal of Waste, Refuse, or Damaged Product**

An applicant for a RMD Permit shall develop a plan for the safe and secure storage and disposal of any waste, refuse, or damaged marijuana, MIPs, and related products. Such a plan will be

based on the requirements outlined in 105 CMR 725.105(J) and will be subject to review and approval by the Board of Health and its designated agents prior to the RMD beginning operations.

#### **20.5.4 – Plan Review for Emergencies and Continuity of Operations**

In accordance with emergency planning requirements specified in 105 CMR 725.105(A)(9) and similar to the responsibilities outlined in the Risk Management and Continuous Quality Improvement section of the *Guidelines for the Accreditation of Opioid Treatment Programs* which are authorized in [42 CFR 8.12\(c\)](#), an applicant for a RMD Permit shall develop an emergency management program to ensure the safety of its staff and customers and a mechanism by which to ensure the continuity of its operations (COOP) in response to inclement weather, man-made emergencies, supply chain disruptions, or discipline (including permit suspension) which result in the RMD being unable to provide medical marijuana and MIPs to patients with a documented medical need. Such a program shall include:

- A. A detailed emergency operations plan (EOP) and a process by which staff will be trained on that plan and their knowledge of it tested via drills and exercises. The emergency operations plan will:
  - (i) Include a set of contact procedures for staff, customers, and community partners in the event of an emergency;
  - (ii) Specify a process for contacting Dispensary Agents on a 24-hour, 7-day-a-week basis through a telephone answering service or a similar service provider; and
  - (iii) Include protocols for the maintenance of life safety equipment (fire extinguishers and AEDs, for example) and the training of staff on the proper use of the same;
- B. A detailed continuity of operations (COOP) plan for the emergency administration of medication in response to inclement weather, man-made emergencies, supply chain disruptions, or discipline (including permit suspension under these regulations) which result in the RMD being unable to provide medical marijuana and MIPs to patients with a documented medical need. This continuity of operations plan will:
  - (i) Include provisions for the notification of patients in the event that inclement weather, man-made emergencies, supply chain disruptions, or discipline under these regulations might result in a temporary disruption to medication supply; and
  - (ii) Include formal contractual arrangements to fulfill patient orders for medical marijuana and MIPs in the face of service disruption; these plans will specify order fulfillment and delivery arrangements with at least two (2) RMDs that are not otherwise affiliated with the applicant for a Needham RMD Permit.

Such a plan will be subject to review and approval by the Board of Health or its designated agents prior to the RMD beginning operations, and at least annually thereafter.

### **20.5.5 – Safety and Security Plan Review**

In accordance with the criteria specified in 105 CMR 725.110—the Security Requirements for Registered Marijuana Dispensaries—an applicant for a RMD Permit shall develop a comprehensive security plan. Such a plan will be subject to review and approval by the Director, the Chief of Police, and the Fire Chief prior to the RMD beginning operations, and at least semi-annually thereafter.

## **SECTION 20.6 MARIJUANA SALES BY REGISTERED MARIJUANA DISPENSARY**

**20.6.1** – No person or organization shall sell marijuana or marijuana-infused products from any location other than at a RMD that possesses a valid RMD Permit. A violation of this provision constitutes a MAJOR violation.

**20.6.2** – A sign shall be conspicuously posted on the exterior of the establishment at each entrance to the RMD, indicating that the entry to persons who do not possess either a valid Registration Card or a Personal Caregiver Registration Card is prohibited. The sign shall remain unobstructed, secured to the building at a height of no less than four (4) feet or greater than seven (7) feet from the ground, and maintained in good condition. A violation of this provision shall be considered a MAJOR violation.

**20.6.3** – Dispensary Agents or organizations shall verify the Registration Card or Personal Caregiver Registration Card of the Card Holder in accordance with the procedures outlined in 105 CMR 725.000 and any other directives, memorandums or notifications from DPH. In addition, the Registration Card shall be verified for each and every Card Holder or Personal Caregiver, on each and every occasion that he/she enters the RMD, without exception. The failure to verify, regardless of the prior history of the Card Holder at the RMD, constitutes a MAJOR violation of this regulation.

**20.6.4** – All retail sales of marijuana and marijuana-infused products must be face-to-face between the Dispensary Agent and the Card Holder or Personal Caregiver on the premises of the RMD, unless the Card Holder or Personal Caregiver is the proper recipient of home delivery in accordance with all applicable DPH regulations. A violation of this provision constitutes a MAJOR violation of these regulations.

**20.6.5** – No person shall:

- A. Distribute, or cause to be distributed, any free samples of marijuana or marijuana-infused products; or
- B. Accept or redeem, offer to accept or redeem, or cause or hire any person to accept or redeem, or offer to accept or redeem, through any coupon or other method, any marijuana or marijuana-infused product for less than the listed or non-discounted price; or

- C. Sell marijuana or a marijuana-infused product through any discounts (e.g., “buy-two-get-one-free”) or otherwise provide any marijuana or marijuana-infused product for less than the listed or non-discounted price in exchange for the purchase of any other product.
- D. The provisions of 20.6.5 shall not prohibit dispensing of free or discounted marijuana or marijuana-infused products to card holders whose ability to pay for a product deemed medically necessary is limited by demonstrable financial hardship.
- E. A violation of any of the provisions of 20.6.5(A) through 20.6.5(D) shall constitute a MAJOR violation of these regulations.

**20.6.6** – RMDs are prohibited from using self-service displays. A violation of this provision shall be considered a MINOR violation.

**20.6.7** – RMDs are prohibited from using vending machines. A violation of this provision shall be considered a MINOR violation.

**20.6.8** – RMDs are prohibited from using Non-Residential Roll-Your-Own machines. A violation of this provision shall be considered a MINOR violation.

**20.6.9** – A RMD and its Dispensary agents are prohibited, in accordance with restrictions outlined in 105 CMR 725.105(K) and (L), from providing:

- A. Any statement, design, representation, picture, or illustration that encourages or represents the use of marijuana for any purpose other than to treat debilitating medical condition or related symptoms;
- B. Any statement, design, representation, picture, or illustration that encourages or represents the recreational use of marijuana;
- C. Any statement, design, representation, picture, or illustration related to the safety or efficacy of marijuana unless supported by substantial evidence or substantial clinical data with reasonable scientific rigor as determined by the Board of Health or its agents;  
or
- D. Any statement, design, representation, picture, or illustration portraying anyone under 18 years of age.
- E. A violation of any of the provisions of 20.6.9(A) through 20.6.9(D) shall constitute a MINOR violation of these regulations.

**20.6.10** – A RMD, in accordance with restrictions outlined in 105 CMR 725.105(K) and (L), must

adhere to the following Marketing and Advertising Requirements:

- A. A RMD may develop and use a logo for labeling, signage, and other materials, but that logo may not contain medical symbols, images of marijuana and marijuana-related paraphernalia, or colloquial references to cannabis and marijuana. Likewise, a RMD may not offer for sale or as a promotional gift any items which contain symbol of or references to marijuana or MIPs, including the logo of the RMD.
- B. A RMD may only identify the building/RMD location by the registered name, and shall not display advertisements for marijuana or any brand name nor utilize graphics related to marijuana or paraphernalia on the building.
- C. RMD external signage shall not be illuminated except for a period of 30 minutes before sundown until closing, and shall comply with Article 5 of the Town of Needham By-Laws which regulates signage advertising. Neon signage is prohibited at all times.
- D. No marijuana, MIPs, and other related products shall be visible or displayed in such a way as to be seen from the exterior of a RMD. Within the RMD, one sample of each marijuana strain and each MIP may be displayed in a transparent and locked case.
- E. Inside the RMD, all marijuana which is not displayed in accordance with state and local restrictions (as outlined in 105 CMR 725.105(L)(10) and in Section 20.6.10(D) above) shall be stored in a locked, access-controlled space in a limited access area during non-business hours. This access-controlled space shall be inaccessible to any persons other than dispensary agents.
- F. A RMD shall provide a catalogue or a printed list of the prices and strains of marijuana available at the RMD to registered qualifying patients and personal caregivers upon request, but shall not advertise the price of marijuana.
- G. A violation of any of the provisions of 20.6.10(A) through 20.6.10(F) shall constitute a MINOR violation.
- H. If, during the course of an inspection or compliance check at the RMD Cultivation/Production Site, mold, infestation, or other diseases affecting marijuana plants is observed, then the Board of Health or its Agents may order the segregation and/or destruction of all such plants (as well as surrounding plants) to prevent a threat to the public's health.

## **SECTION 20.7                      HOME CULTIVATION**

**20.7.1** – Marijuana cultivation or processing of any kind is prohibited within the town of Needham without a RMD Permit or Home Permit issued by the Needham Board of Health.

**20.7.2** – Prior to any home cultivation taking place within the town, even by a qualifying patient or caregiver under 105 CMR 725.000, the respective individual must obtain a Home Permit. Cultivation that takes place without a permit is outside the coverage of the medical marijuana program and is subject to prosecution as a crime under Massachusetts General Laws, Chapter 94C.

**20.7.3** – A Home Permit shall be granted if the Board of Health determines that:

- A. The applicant does not have access to an RMD by any of:
  - (i) public or private transportation, or
  - (ii) a caregiver with transportation, or
  - (iii) a RMD that will deliver to the applicant or the applicant's caregiver's primary address.

Or that:

- B. The applicant has a verified financial hardship (as defined in 105 CMR725.004 as enrollment in either MassHealth or Supplemental Security Income, or else that an individual's income does not exceed 300% of the federal poverty level, adjusted for family size) and does not have access to an RMD willing to provide the applicant marijuana at no or an affordable cost.

Applicants who fail to meet the above described hardship standard will not receive a Home Permit and will be informed, in a written statement, that marijuana cultivation is prohibited in Needham without a RMD Permit or Home Permit, and that any such cultivation is outside the coverage of the medical marijuana program and is subject to prosecution as a crime under Massachusetts General Laws, Chapter 94C.

**20.7.4** – Subject to the provisions of Section 20.7.3, the Board of Health may issue a Home Permit authorizing cultivation activities at a specified address within the town, provided that the applicant:

- A. Submits to a pre-approval inspection by the Board of Health or its designated agents, which may include law enforcement officers and fire officials and building inspectors, to ensure that the location specified in the application meets all of the requirements of this regulation; and
- B. Meets all the requirements for home cultivation contained in 105 CMR 725.000 and any related directives, memorandums or notifications. These include, but are not limited to, an enclosed, locked space, not viewable from a public location, in which cultivation and storage takes place in accordance with public health and safety requirements as determined by the Board; and

- C. Meets all applicable local regulations within the town including, but not limited, fire safety and building code provisions; and
- D. If not the property owner, the applicant has notified the public or private property owner of the specified address, and obtained from that owner consent to any alteration the property's fixtures or structure, including agreement concerning any increased utility costs likely to result from cultivation activities; and
- E. Grows only enough marijuana to maintain a sixty (60) day supply, which has been determined to be ten (10) ounces by DPH. The Board of Health or the Director may specifically designate the number and type of plants that may be possessed at any time by the applicant in order to meet this standard; and
- F. Submits to reasonable inspections by the Board of Health or its designated agents, which may include law enforcement officers, to ensure compliance with all of the requirements in this regulation; and
- G. Agrees that a Home Permit only allows for the cultivation and processing of marijuana without the use of any fire, heat source, or gas, except for cooking on a conventional stove originally supplied with the dwelling; and
- H. Agrees that a Home Permit does not allow any method for processing marijuana that presents a risk of explosion or other property damage by any means; and
- I. All Home Permits expire on June 30 annually, regardless of the year or day and month on which there were issued.
- J. If the Board of Health determines that the conditions to achieve the hardship standard permitting a Home Permit for marijuana cultivation no longer exist, the Board of Health may, after notice and opportunity to be heard, revoke the Home Permit and disallow cultivation of marijuana in the home setting of the affected person or persons.
- K. A violation of provision 20.7.4 (B), (C), or (D) shall constitute a MINOR violation of these regulations. A violation of provision 20.7.4 (A), (E), (F), (G), or (H) shall constitute a MAJOR violation of these regulations.
- L. If, during the course of an inspection or compliance check at the Home Permit Site, mold, infestation, or other diseases affecting marijuana plants is observed, then the Board of Health or its Agents may order the segregation and/or destruction of all such plants (as well as surrounding plants) to prevent a threat to the public's health.

## **SECTION 20.8**

## **VIOLATIONS**

**20.8.1** – The period of performance for violations of these regulations is three (3) years. MINOR violations shall be rectified within 72 hours of the violation, and shall be subject to re-inspection following that period. MAJOR violations shall be rectified within 24 hours, and shall be subject to re-inspection following that period.

**20.8.2** – In addition to any penalty that may be imposed under the non-criminal method of disposition as provided in General Laws, Chapter 40, Section 21D and Town of Needham By Laws, the Board of Health may, after a duly noticed hearing at which the RMD or Home Permit holder has had an opportunity to be heard, suspend, modify, or revoke the RMD Permit or Home Permit. The minimum suspension schedule shall be as follows:

- A. In the case of either five (5) or more MINOR violations or in the case of a MAJOR violation the RMD Permit or Home Permit shall be suspended for seven (7) consecutive business days.
- B. In the case of a second MAJOR violation or in the case of ten (10) or more MINOR violations, the RMD Permit or Home Permit shall be suspended for one (1) month.
- C. In the case of a third MAJOR violation or in the case of fifteen (15) or more MINOR violations, the RMD Permit or Home Permit shall be suspended for six (6) months.
- D. In the case of a fourth MAJOR violation or in the case of twenty (20) or more MINOR violations, the RMD Permit or Home Permit shall be suspended for twelve (12) months and may, at the Board of Health's discretion, be permanently revoked.
- E. Refusal to cooperate with the Board of Health or its designated agents is considered a separate violation of these regulations and shall result in the suspension of the RMD Permit or Home Permit for a minimum of ninety (90) consecutive business days. This shall be in addition to any other penalty imposed for other violations observed.
- F. Any RMD Permit Holder or Home Permit Holder who engages in or allows the sale, distribution or cultivation of marijuana or marijuana-infused products while his or her permit is suspended shall be subject to permanent revocation.

**20.8.3** – The penalties mentioned in 20.8.2 represent the guidelines for action to be taken by the Board of Health for violations, and do not preclude the licensing authority from taking additional action after a duly noticed hearing at which the RMD Permit or Home Permit holder has an opportunity to be heard.

**20.8.4** – If during an inspection or a compliance check, a Board of Health Agent determines a MAJOR violation of these regulations exists or has occurred, the Director may temporarily suspend the RMD Permit or Home Permit for a period not to exceed 96 hours while public notice of a scheduled Board of Health hearing is posted in accordance with the provisions of the Massachusetts Open Meeting Law (M.G.L. c. 30A, §§ 18-25).

**20.8.5** – If an RMD permit is suspended, the permit holder shall cease sale and distribution of marijuana or marijuana-infused products, and close and secure the RMD premises to the satisfaction of the Director or his/her agents for the period of the suspension. Additionally, notice of the suspension must be publicly posted on the RMD to the satisfaction of the Director or his/her agents.

**20.8.6** – If an RMD permit is revoked, the permit holder shall cease all sale, distribution or cultivation of marijuana or marijuana-infused products, and shall close and secure the RMD premises to the satisfaction of the Director or his/her agents, and the RMD shall submit subject to the approval of the Board or its designated agents, or the Board may order, implementation of a plan for the removal of marijuana and marijuana-infused products and related implements and equipment from the RMD retail establishment. Additionally, notice of the revocation must be publicly posted on the RMD to the satisfaction of the Director or his/her agents.

**20.8.7** – In the case of a suspension or revocation of a Home permit, the Board may order that marijuana or marijuana-infused products and related implements and equipment be removed from the specified Home permit location. The method for removal and storage, and the deadline for compliance, may be specified in the Board's order. In the case of a Home permit, the Board may authorize immediate confiscation of all the items previously mentioned prior to, or after, the hearing, provided that any removed items are not damaged prior to the conclusion of all administrative actions and appeals. Removal and storage of live marijuana plants does not obligate the Board to assure the maintenance of the plants during the period of suspension or confiscation.

**20.8.8** – In the event that a RMD permit or Home permit is suspended or modified, the Permit holder may be ordered to submit a remediation plan addressing all causes for the suspension or modification and all appropriate changes to business practices and operations. That remediation plan is subject to review and approval by the Board of Health prior to reinstating the permit.

## **SECTION 20.9                      ENFORCEMENT**

**20.9.1** – Enforcement of this Regulation shall be by the Board of Health and its designated agents.

**20.9.2** – Whoever violates any provision of this regulation may be penalized by the non-criminal method of disposition as provided in General Laws, Chapter 40, Section 21D and Town of Needham By Laws, or by filing a criminal complaint.

**20.9.3** – Each day any violation exists shall be deemed to be a separate offense.

**20.9.4** – Any resident who desires to register a complaint pursuant to this Regulation may

do so by contacting the Board of Health, the Public Health Department, or the Needham Police Department.

#### **SECTION 20.10            SEVERABILITY**

If any provision of these regulations is declared invalid or unenforceable, the other provisions shall not be affected thereby but shall continue in full force and effect.

#### **SECTION 20.11            EFFECTIVE DATE**

This regulation shall take effect upon March 31, 2016. Public hearings and open meetings regarding this regulation were conducted on November 20, 2015, December 16, 2015, January 8, 2016, and February 12, 2016. This regulation was approved by a unanimous vote of the Board of Health on February 12, 2016.



## NEEDHAM BOARD OF HEALTH



At its public meeting on March 9, 2018 and following extended discussions in January and February 2018 and a public hearing in March 2018, the Needham Board of Health voted to adopt the document “Food Code - 2013 and 2015 Food Code Supplement” issued by the U.S. Department of Health and Human Services, Public Health Service, Food and Drug Administration, as the basis for regulatory compliance in the Town of Needham.

The 2013 Food Code/2015 Supplement, in conjunction with state regulation 105 CMR 590.000 State Sanitary Code Chapter X—Minimum Sanitation Standards For Food Establishments, will serve as the basis for retail food establishment inspection and enforcement in Needham, MA, effective July 1, 2018. Prior to the implementation date, a series of trainings will be offered at no cost to Needham’s food service industry to improve their understanding of the new standards to facilitate their compliance with those standards.

| COMMUNITY | DATE OF VOTE  | IMPLEMENTATION DATE |
|-----------|---------------|---------------------|
| Needham   | March 9, 2018 | July 1, 2018        |

Edward Cosgrove, PhD  
Member

Stephen Epstein, MD, MPP  
Vice Chair

Jane Fogg, MD, MPH  
Chair



## Needham BOH FDA 2013 Food Code Adoption

Audience: Board of Health members, objectives of the session

- Significant changes in the Code
- Benefits for regulators and industry
- Training sessions for regulatory and industry
- Inspection form revision according to 2013 FDA Food Code

Cities and towns across Massachusetts are currently following the 1999 FDA Model Food Code, with the MA Supplement 105 CMR 590.000. According to the Food Establishment Advisory Committee, Massachusetts is scheduled to adopt the FDA 2013 Food Code in July 2018, though numerous cities across the state have already adopted the 2013 Food Code proactively.

The Needham Public Health Division is enrolled in the FDA Retail Program Standards, with an objective to adopt the 2013 FDA Model Food Code in July 2018, enhance the food safety practices of food establishments and protect the public health. The Health Division plans on training its health agents and the industry community in the significant changes in the food code and new inspection methods, in order to facilitate a smooth transition to the new code.

### **Benefits of adopting the FDA 2013 Model Food Code**

1. Uniformity amongst cities and towns, standardized inspection process
2. Science-based, up-to-date regulations
3. Risk assignment to each inspection item (revised from “critical” “non-critical”) allow restaurants and inspectors to accurately understand risks of items
4. Risk-based inspections are more easily conducted
5. Better understanding of risk of different items, and motivation to correct deficiencies, improved performance
6. FDA risk assignments of Priority, Priority Foundation, or Core to individual items in the Food Code enable inspectors to conduct risk-based inspections, more easily focus on activities that contribute most to foodborne illness if not controlled.
7. More effective enforcement of food safety practices
8. Revised Inspection methods using FDA risk-based inspection form

## Major changes in the 2013 Food Code over current version

**1. New Risk level assignments to each inspection item, and new terminology for food code violations.** These risk assignments are aligned with CDC's most common risk factors to foodborne illness:

- 1) Improper hot/cold holding temperatures of potentially hazardous foods
- 2) Improper cooking temperatures
- 3) Contaminated utensils and equipment
- 4) Poor employee health and hygiene
- 5) Food from unsafe sources

The terms “critical violation” and “minor violation” have been eliminated, and replaced with new terminology according to risk of contributing to foodborne illness if not controlled.

*Priority*, *Priority Foundation*, and *Core* violations are risk assessments outlined in the FDA 2013 Food Code for retail food operations. Their definitions are described here and will be the basis for the standardized, revised food safety inspection tool. According to the FDA 2013 Food Code:

**"Priority"** item means a provision in the Food Code whose application contributes directly to the elimination, prevention, or reduction to an acceptable level of hazards associated with foodborne illness or injury if there is no other provision that more directly controls the hazard. Priority item includes an item with a quantifiable measure to show control of hazards such as cooking, reheating, cooling, or hand washing. A priority item is an item that is denoted in the Food Code with a superscript **P**.

**Examples:** Food separated (Raw away from RTE) 3-302.11  
Improper glove use (contaminated) 3-304.15(a)  
Inadequate hot-holding 3-501.16

**“Priority Foundation”** item means a provision in the Food Code whose application supports, facilitates, or enables one or more priority items. Priority Foundation item includes an item that requires the purposeful incorporation of specific actions, equipment, or procedures by industry management to attain control of risk factors that contribute to foodborne illness or injury such as personnel training, infrastructure, or necessary equipment, HACCP plans, documentation or record-keeping, and labeling. A Priority Foundation item is an item that is denoted in the Food Code with a superscript **Pf**.

**Examples:** No Person in Charge present 2-101.11  
No Shellstock tags 3-202.18  
Thermometers not accessible or calibrated 4-203.11

**“Core”** item means a provision in the Food Code that is not designated as a Priority item or a Priority Foundation item. A Core item includes an item that usually relates to general sanitation, operational controls, sanitation standard operating procedures (SSOPs), facility or structures, equipment.

**Examples:** No screens on doors (potential pest entry) 6-501.111  
Environmental contamination not prevented in storage 3-305.11  
Non-food contact surfaces soiled 4-601.11

## **2. New terminology “TCS foods Time and Temperature Control for Safety Foods”**

Replaces “Potentially Hazardous Foods”

- Food that requires Time and Temperature control for safety, to limit pathogenic microorganism growth or toxin formation
- Criteria based on interaction between the food’s acidity (pH value) and water activity level (Aw.)

## **3. Temperature Danger Zone revised to 41° F– 135° F**

### **Additional changes include:**

- Hot holding temperature reduced from 140° F to 135° F
- Cut leafy greens, tomatoes, melons safety
- Date marking requirements for Ready to eat TCS foods
- Time as a Public Health Control (TPHC)
- Wiping cloths requirement/Sanitizer
- Allergen safety
- Public notice of inspection required
- Service sinks must be provided (Mop sink):
- Illness Policy: requirements for restricting and excluding ill workers
- Clean-up procedures for bodily fluid accidents
- HACCP and Reduced Oxygen Packaging and changes in control measures

## **Standardized Inspection Form**

- A standardized inspection form will be implemented, using observations of IN, OUT, NA, NO, COS, R, for inspections of food establishments- as defined in the FDA Retail Food Study: IN (In compliance), OUT (Out of compliance), NA (Not applicable), NO (Not observed), COS (Corrected on site) and R (Repeat violation.)
- Inspection form will include FDA 2013 Food Code references for each item and notation of the item’s risk level: P (Priority), Pf (Priority Foundation) and C (Core)
- Inspectors will be trained on using FDA 2013 Food Code to guide their inspections, resulting in inspector consistency on inspections

## **Training**

Details of the Food Code changes and the newly developed inspection methods will be presented in three two-hour trainings to health agents and the restaurant community. These training sessions will be conducted in March and April - one morning, afternoon and evening session, to accommodate various schedules.

Objective: Minimum of one staff member at each food establishment with responsibility for food safety will be trained:

- Review of FDA 2013 Model Food Code and 2015 Supplement
- Differences and commonalities between 1999 and 2013 Codes
- New Risk level assessments by FDA: Priority, Priority foundation, Core
- Discussion of selected food safety practices and classification as Risk levels of P, Pf, C
- Review of updated Inspection Form

Two follow-up trainings are projected to take place in August and September 2018

Consultant: Cindy Rice, RS, CP-FS, MSPH

[www.easternfoodsafety.com](http://www.easternfoodsafety.com) cindy@easternfoodsafety.com

# **ADOPTION OF THE FDA 2013 FOOD CODE**



**Needham Public Health Division Initiative**  
**Cindy Rice, RS, MSPH, CPFS**

# OBJECTIVES TODAY

- 2013 FDA Food Code
- Significant changes from 1999 FDA code & 105 CMR 590.000
- Inspection Form features
- Examples of violations and risks





# 2013 MODEL FOOD CODE

Recognizes CDC 5 major risk factors for foodborne illness

- *Poor personal hygiene*
- *Contaminated equipment*
- *Improper holding temps*
- *Improper cooking temps*
- *Unsafe food sources*



# BENEFITS OF 2013 FOOD CODE

1. Uniformity amongst cities and towns
2. Science-based inspection/ findings
3. Risk assignment to each inspection item  
(revised from “critical” “non-critical”)
4. Risk-based inspections
5. Industry: Better understanding of violations/risk
  - Correct deficiencies
  - Improved performance





## 2013 FOOD CODE MAJOR CHANGES

### Elimination of terminology

“Critical” “Minor” “Non-critical violation”

**New:** Risk Assignment for each item



# Violation types

Priority **P**

Priority Foundation **Pf**

Core





# Violations

## Priority P

Eliminates, prevents  
or reduces risk  
to safe level



- Food separated (Raw away from RTE) 3-302.11
- Improper glove use (contaminated) 3-304.15(a)
- Inadequate cold-holding 3-501.16

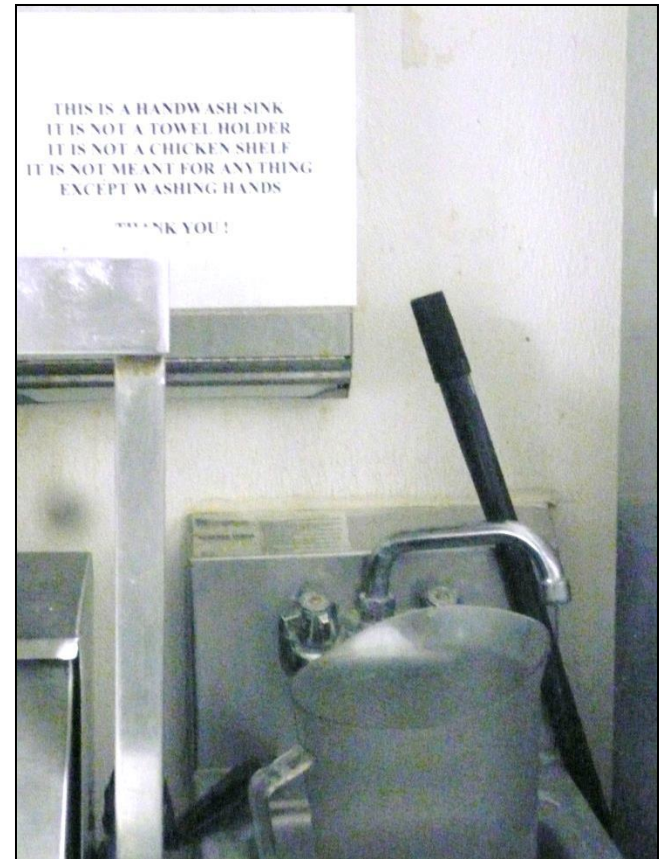


# Violations

Priority Foundation Pf

Supports or facilitates  
a Priority item

- No Person in Charge present 2-101.11
- No Shellstock tags 3-202.18
- Thermometers not accessible or calibrated 4-203.11





# Violations

## Core

General sanitation,  
maintenance



- No screens on doors (potential pest entry) 6-501.111
- Environmental contamination risk in storage 3-305.11
- Non-food contact surfaces soiled 4-601.11

# HANDWASHING



# **VIOLATIONS**

## **EXAMPLE: HANDWASHING**

**Priority P**

**2-301.12 Employee observed NOT washing their hands  
when contaminated**

**Priority Foundation Pf**

**6-301 Handsink has no soap**

**2-301.15 Using food sink**

**Core**

**4-601.11 Handsink is dirty**



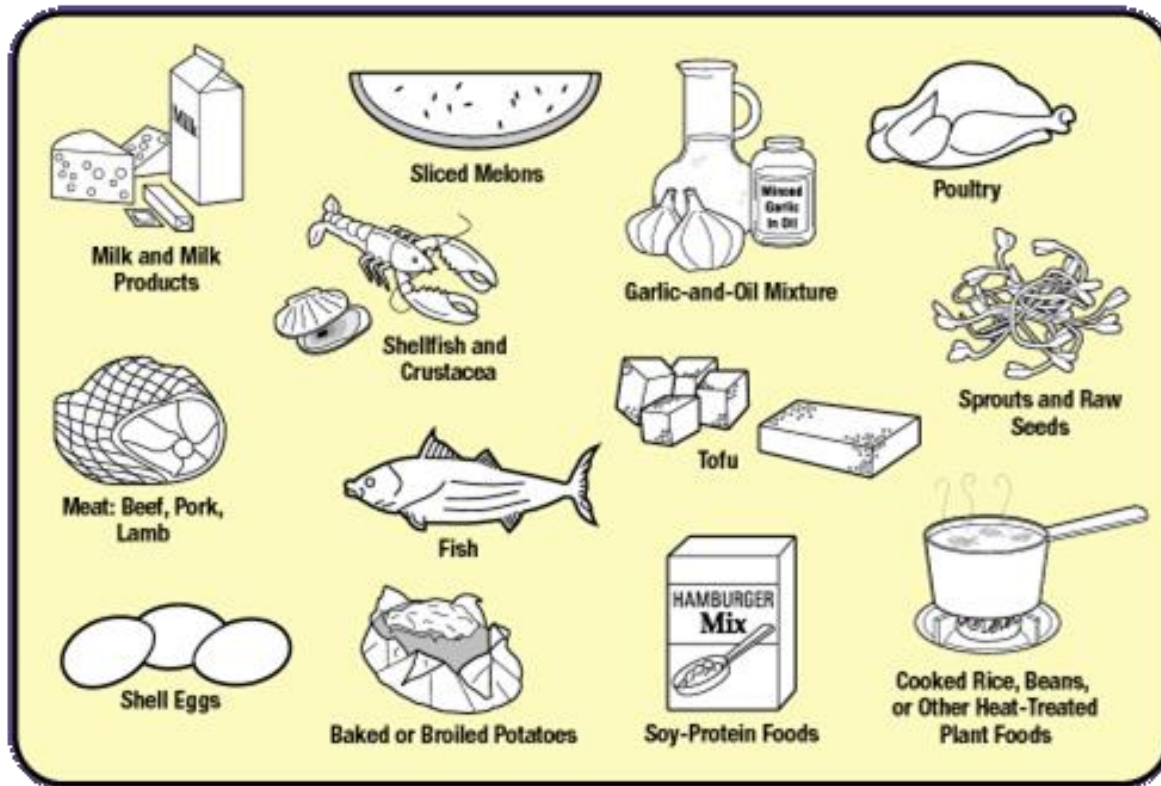
# **1-201.10 TCS FOODS**

Time and Temperature Control for Safety foods

(formerly Potentially Hazardous Foods)

- Proteins, carbohydrates
- Moist
- Neutral, slightly acidic

# TCS FOODS



**NEW:** Cut leafy greens, cut tomatoes, cut melons

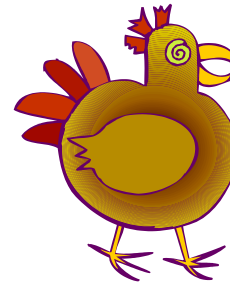
# BACTERIA



## Salmonella

Raw poultry

Contaminated produce



## Vibrio

Raw shellfish, oysters



## Listeria

Soft cheeses, deli meats



# BACTERIA



## E. Coli

Meats, Fecal matter

Contaminated produce



## Shigella

Unwashed vegetables



**3-501.16**

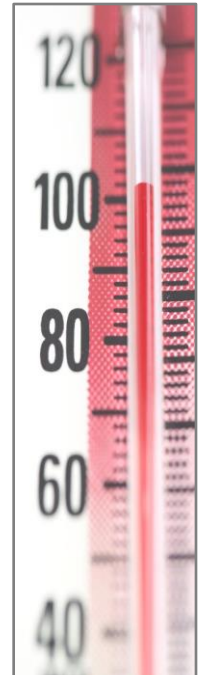
**HOT HOLDING TEMPERATURE  
REDUCED TO 135° F**

**“NEW” TEMPERATURE DANGER ZONE**

**41° F – 135° F**

**135 ° F**

**41° F**



## 3-501.16

## HOT AND COLD HOLDING

- Cold TCS foods: 41° F or below
- Hot-holding TCS foods: 135° F or higher
- Discard after 4 hours of total exposure to 41° – 135° F

**Priority**



# TIME & TEMPERATURE CONTROLS

Minimize time at 41° – 135° F, < 4 hrs total for TCS

- Receive & store TCS foods quickly
- Cold foods 41° F or below
- Cook foods to safe internal temperatures
- Hold foods 135° F or above
- Cool, thaw, reheat foods



## 3-501.17

## DATEMARKING FOODS

Label prepared TCS foods with Use-by or sell date

- If not to be used within 24 hours of preparation
- Maximum of 7 days of refrigerated storage
- Day 1 is preparation date
- Cannot exceed  
Manufacturer's date

Priority foundation

The image shows a food label template with the following fields and features:

- Item / PRODUCTO**: A line for writing the item name.
- Prep Date / PREPARAR AL DIA**: A line for writing the preparation date, followed by AM/PM checkboxes.
- Use By / FECHA DE DESECHAR**: A line for writing the use-by date, followed by AM/PM checkboxes. This section is highlighted with a yellow background.
- Shelf Life / PERIODO DE CONSERVACIÓN**: A line for writing the shelf life, followed by checkboxes for "Days" and "Employee" (COCHERO).
- Day-of-the-week strip**: A row of colored tabs labeled MON, TUE, WED, THU, FRI, SAT, and SUN.
- Logos**: A blue circular logo with "Maydoner" and a "SUPERMOVABLE" logo in the bottom right corner.

## 3-401.14 NON-CONTINUOUS COOKING OF RAW ANIMAL FOODS

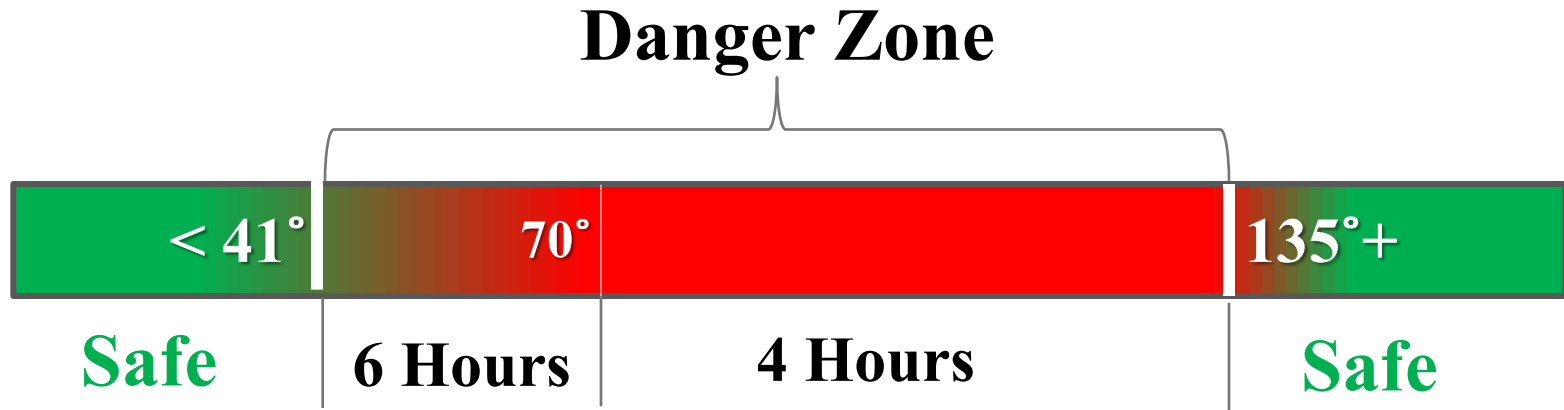
- Initial par-cooking time < 60 minutes
- Cooked and cooled properly
- Refrigerated or held under TPHC
- Finish cooking according to FDA required temps

Priority



# 3-501.19

## TIME AS A PUBLIC HEALTH CONTROL



- Food may reside at these temperature for limited times
- Written procedures required
- Foods must be labeled with time removed from temperature control

**Priority foundation**



## 3-304.15 PROPER GLOVE USE

- Changed when they become soiled
- Every 4 hours during continuous use
- After handling raw meat and before touching cooked or ready-to-eat foods

**NEW:** Handwashing in between is not required when performing same task

**Priority**



## 2-103.11

## PERSON IN CHARGE

Additional duties:

- Ensures illness reporting by employees
- Supervising food employee practices
- Ensures employees trained in food safety and allergy safety

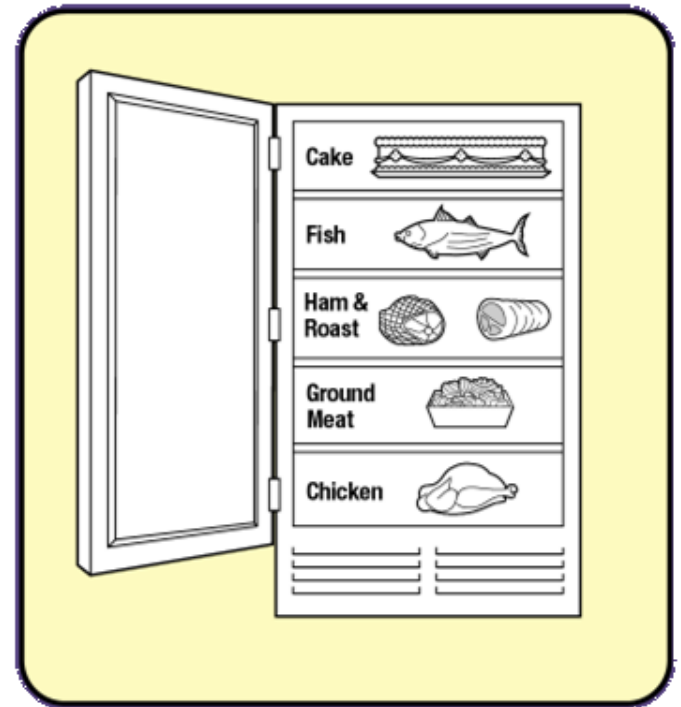
Priority foundation



## 3-302

# STORAGE IN COOLERS

- Prevent Cross contamination in refrigerator  
Raw and ready to eat foods **Priority**
- Any storage order- freezer **Core**
- 41° F for TCS foods **Priority**



# 3-403.11 REHEATING

Currently: Foods prepared in-house, leftovers:

- Reheat to 165° F within 2 hours

**NEW:** Commercially processed and packaged RTE foods

May be reheated to 135° F when being reheated  
for hot holding

(Approved source: licensed, regulated processing plant)

**Priority**

# 3-304.17

## REFILLING RETURNABLE CONTAINERS

Containers must be clean, sanitized, visually inspected

Non-TCS beverages:

- Container is rinsed in hot water before filling

- May be filled by consumer or employee if dispensing method is contamination-free transfer process

**Priority**



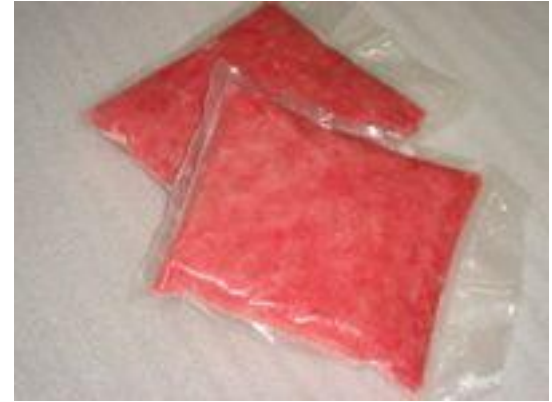
# 3-502.11 SPECIAL PROCESSES

Variance needed:

- Sushi
- Vacuum packing, Sous vide
- Curing, smoking meats
- **Raw sprouts production (new)**
- Selling unpasteurized, unlabeled juice packages
- Mollusk tanks **Priority foundation**

# 3-502.12

## ROP, SOUS VIDE



Reduced oxygen packaging non-TCS foods

- No HACCP plan required if food is at 41° F or below,
- pH is 4.6 or less or  $A_w$  is .92 or less
- Discarded in 30 days

Priority foundation

**3-502.12**

## **ROP FISH**



**Reduced oxygen packaging, sous vide**

Risks: *Clostridium botulinum*/toxin

*Listeria monocytogenes*

Fish must be frozen before, during and after packaging

**Priority**

## 3-501.13 THAWING FROZEN ROP FISH

**ROP** Reduced oxygen packaging

Risks: Clostridium botulinum/toxin  
Listeria monocytogenes



- Must be removed from package prior to thawing in refrigerator OR
- If using running H<sub>2</sub>O or microwave, remove from package before or immediately after thawing

**Core**

# CLEANING AND SANITATION



**2-501.11**

## **CLEAN-UP OF VOMIT, DIARRHEA**

Establishment must have procedures in place for clean up of vomit and diarrheal events



Priority foundation

# AUTOMATIC WAREWASHER

- High temperature machine:  
Rinse water temperature 180° F
- For hot water sanitization



## **4-302.13 MECHANICAL WAREWASHER TEMPERATURES**

Must have irreversible registering temperature indicators for high temp machines



**Priority foundation**

## 3-304.14

Wiping cloths stored in sanitizer buckets,  
stored off floor

**Core**

## 4-501.114

Sanitizer buckets contain  
proper concentration

**Priority**



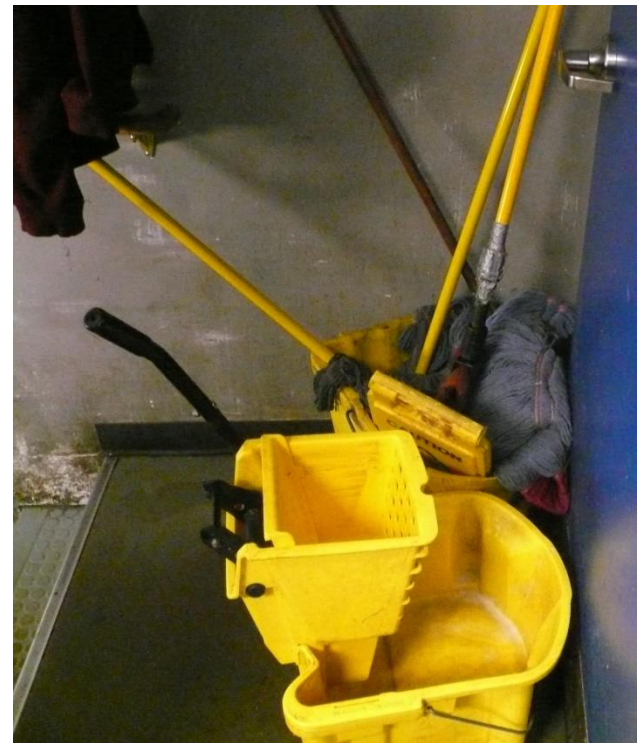
## **5-203.13**

Service sinks must be provided (Mop sink)  
No urinals or toilets for disposing of liquids

## **6-501.18**

Cleaning of plumbing fixtures  
(handsinks, toilets, urinals  
as often as necessary

Core



# 6-501.111 PEST CONTROL

Facility is pest free

Conditions to control entry and harborage

**Core**



# EXISTING ITEMS...

## AND THEIR RISK DESIGNATIONS



## 3-401.11 COOKING FOODS

- Cooking foods kills microorganisms to safe levels
- Cooking does not destroy toxins
- Use a food thermometer

**Priority**



# 3-501.14 COOLING HOT FOODS

Do it *fast* to prevent harmful bacteria growth

## Two-Stage Process

- 1) Cool from 135°F to 70°F in 2 hrs
  - 2) from 70°F to 41°F in next 4 hrs
- (6 hours total)

**Priority**



# 3-301.11 NO BARE HAND CONTACT

- Not allowed with cooked, “Ready-to-eat” foods
- Use some barrier:

Gloves

Utensils

Deli papers

**Priority**



# FOOD PROTECTED FROM CONTAMINATION

3-304.11

Food contacts only clean equipment, linens

3-302.11

Food separated and protected (raw separated from ready-to-eat foods)

**Priority**



**3-501.114**

## **SANITIZER CONCENTRATION**

Iodine (12.5-25 ppm)

Chlorine (50-200 ppm)

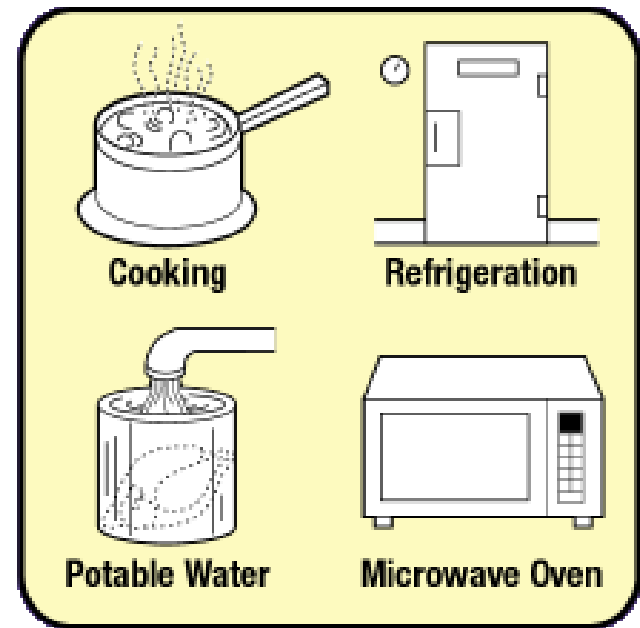
Quats (200-400 ppm)

**Priority**



## 3-501.13 THAWING

- In refrigerator at 41°F or less
- Under running potable water 70°F or below
- In the microwave, cook immediately
- Cook it frozen



**Core**

# **4-601.11**

## **FOOD CONTACT SURFACES**

Equipment and Utensils must be cleaned  
to sight and touch



**Priority foundation**

## 2-103.11 ALLERGEN RESPONSIBILITY

- State and local Allergen policies are being followed
- Manager or designated person to be responsible for allergen safety
- PIC must be knowledgeable about allergens

**Priority foundation**



## 5-204.11 HANDSINK ACCESSIBILITY

Or not supplied properly

- No Soap
- No paper towels
- No waste basket near sink

**Priority foundation**



# 8-304.11

## PUBLIC NOTICE OF INSPECTIONS

Food establishment must notify customers that:

- Most recent inspection report is available to review
- Post a sign or placard in conspicuous location or
- Other method acceptable by regulatory authority

Core

FORM 3-A

### Food Establishment Inspection Report

Page \_\_\_\_ of \_\_\_\_

As Governed by State Code Section XXX.XXX No. of Risk Factor/Intervention Violations \_\_\_\_\_ Date \_\_\_\_\_  
Do Good County No. of Repeat Risk Factor/Intervention Violations \_\_\_\_\_ Time In \_\_\_\_\_  
12345 Any Street, Our Town, State 11111 Score (optional) \_\_\_\_\_ Time Out \_\_\_\_\_

Establishment \_\_\_\_\_ City/State \_\_\_\_\_ Zip Code \_\_\_\_\_ Telephone \_\_\_\_\_  
License/Permit # \_\_\_\_\_ Address \_\_\_\_\_ Permit Holder \_\_\_\_\_ Purpose of Inspection \_\_\_\_\_ Est. Type \_\_\_\_\_ Risk Category \_\_\_\_\_

#### FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS

Circle designated compliance status (IN, OUT, N/A) for each numbered item Mark "X" in appropriate box for COG and/or R

| Compliance Status                                                                                           | Compliance Status                                                                         |
|-------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|
| 1 IN OUT Person in charge present, demonstrates knowledge, and performs duties.                             | 17 IN OUT Proper disposition of returned, previously served, reconditioned & unusual food |
| 2 IN OUT N/A Certified Food Protection Manager                                                              | 18 IN OUT N/A NO Proper cooling time & temperatures                                       |
| 3 IN OUT Management, food employee and conditional employee, knowledge, responsibilities and reporting      | 19 IN OUT N/A NO Proper reheating procedures for hot holding                              |
| 4 IN OUT Proper use of restriction and exclusion                                                            | 20 IN OUT N/A NO Proper cooling time and temperature                                      |
| 5 IN OUT Procedures for responding to vomiting and diarrheal events                                         | 21 IN OUT N/A NO Proper hot holding temperatures                                          |
| 6 IN OUT NO Proper eating, testing, drinking, or tobacco use                                                | 22 IN OUT N/A NO Proper cold holding temperatures                                         |
| 7 IN OUT NO No discharge from eyes, nose, and mouth                                                         | 23 IN OUT N/A NO Proper date marking and disposition                                      |
| 8 IN OUT NO Hands clean & properly washed                                                                   | 24 IN OUT N/A NO Time as a Public Health Control, procedures & records                    |
| 9 IN OUT N/A NO No bare hand contact with RTE food or a pre-approved alternative procedure properly allowed | 25 IN OUT N/A Consumer Advisory                                                           |
| 10 IN OUT Adequate handwashing sinks properly supplied and accessible                                       | 26 IN OUT N/A Highly Susceptible Populations                                              |
| 11 IN OUT Food obtained from approved source                                                                | 27 IN OUT N/A Pasteurized foods used; prohibited foods not offered                        |
| 12 IN OUT N/A NO Food received at proper temperature                                                        | 28 IN OUT N/A Food Color Additives and Toxic Substances                                   |
| 13 IN OUT Food in good condition, safe, & unadulterated                                                     | 29 IN OUT N/A Food additives: approved & properly used                                    |
| 14 IN OUT N/A NO Required records available: shellstock tags, parasite destruction                          | 30 IN OUT N/A Toxic substances properly identified, stored, & used                        |
| 15 IN OUT N/A NO Protection from Contamination                                                              | 31 IN OUT N/A Compliance with various specialized processes/HACCP                         |
| 16 IN OUT N/A NO Food separated and protected                                                               |                                                                                           |
| 17 IN OUT N/A NO Food-contact surfaces: cleaned & sanitized                                                 |                                                                                           |

#### GOOD RETAIL PRACTICES

Good Retail Practices are preventative measures to control the addition of pathogens, chemicals, and physical objects into foods. Mark "X" in box if numbered item is not in compliance Mark "X" in appropriate box for COG and/or R

| Compliance Status                                                                 | Compliance Status                                                                            |
|-----------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|
| 30 IN OUT Safe Food and Water                                                     | 43 IN OUT Proper Use of Utensils                                                             |
| 31 IN OUT Pasteurized eggs used when required                                     | 44 IN OUT Utensils, equipment & linens properly stored, dried, & handled                     |
| 32 IN OUT Water & ice from approved source                                        | 45 IN OUT Single-use/single-service articles properly stored & used                          |
| 33 IN OUT Variance obtained for specialized processing methods                    | 46 IN OUT Gloves used properly                                                               |
| 34 IN OUT Food Temperature Control                                                | 47 IN OUT Utensils, Equipment and Vending                                                    |
| 35 IN OUT Proper cooling methods used; adequate equipment for temperature control | 48 IN OUT Food & non-food contact surfaces cleanable, properly designed, constructed, & used |
| 36 IN OUT Plant food properly cooked for hot holding                              | 49 IN OUT Warewashing facilities: installed, maintained, & used; test strips                 |
| 37 IN OUT Approved reheating methods used                                         | 50 IN OUT Non-food contact surfaces clean                                                    |
| 38 IN OUT Thermometers provided & accurate                                        | 51 IN OUT Physical Facilities                                                                |
| 39 IN OUT Food Identification                                                     | 52 IN OUT Hot & cold water available; adequate pressure                                      |
| 40 IN OUT Food properly labeled, original container                               | 53 IN OUT Plumbing installed; proper backflow devices                                        |
| 41 IN OUT Prevention of Food Contamination                                        | 54 IN OUT Sewage & waste water properly disposed                                             |
| 42 IN OUT Insects, rodents, & animals not present                                 | 55 IN OUT Toilet facilities properly constructed, supplied, & cleaned                        |
| 43 IN OUT Contamination prevented during food preparation, storage & display      | 56 IN OUT Garbage & refuse properly disposed; facilities maintained                          |
| 44 IN OUT Personal cleanliness                                                    | 57 IN OUT Physical facilities installed, maintained, & clean                                 |
| 45 IN OUT Wiping cloths properly used & stored                                    | 58 IN OUT Adequate ventilation & lighting; designated areas used                             |
| 46 IN OUT Washing fruits & vegetables                                             |                                                                                              |

Person in Charge (Signature) \_\_\_\_\_ Date: \_\_\_\_\_  
Inspector (Signature) \_\_\_\_\_ Follow-up: YES NO (Circle one) Follow-up Date: \_\_\_\_\_

Special Requirements: 590.000 ☐ Anti-choking ☐ Tobacco ☐ Allergen Awareness ☐ Local law ☐ Other \_\_\_\_\_  
Total violations: Priority \_\_\_\_\_ Priority foundation \_\_\_\_\_ Core \_\_\_\_\_

# INSPECTION FORM FEATURES



# INSPECTION FORM WILL INCLUDE:

- FDA 2013 Food Code references
- Risk designation for each item

- P Priority
- Pf Priority foundation
- C Core

- Massachusetts requirements for Allergen awareness, Chokesaver Tobacco

| FOOD ESTABLISHMENT INSPECTION REPORT |            |                                                                                                                                                             |                                                                                                                                                                                                      |
|--------------------------------------|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Name                                 | Date       | Type of Operation(s)                                                                                                                                        | Type of Inspection                                                                                                                                                                                   |
| Address                              | Risk Level | <input type="checkbox"/> Food Service<br><input type="checkbox"/> Retail<br><input type="checkbox"/> Residential Kitchen<br><input type="checkbox"/> Mobile | <input type="checkbox"/> Routine<br><input type="checkbox"/> Re-inspection<br><input type="checkbox"/> Previous Inspection                                                                           |
| Telephone                            |            | <input type="checkbox"/> Temporary<br><input type="checkbox"/> Caterer<br><input type="checkbox"/> Bed & Breakfast                                          | <input type="checkbox"/> Pre-operation<br><input type="checkbox"/> Suspect Illness<br><input type="checkbox"/> General Complaint<br><input type="checkbox"/> HACCP<br><input type="checkbox"/> Other |
| Owner                                | HACCP Y/N  | Time Inc.                                                                                                                                                   | Permit No.                                                                                                                                                                                           |
| Person in Charge (PIC)               |            |                                                                                                                                                             |                                                                                                                                                                                                      |
| Inspector                            |            |                                                                                                                                                             |                                                                                                                                                                                                      |

Each violation checked requires an explanation on the narrative page(s) and a citation of specific provision(s) violated.

**Violations Related to Foodborne Illness Interventions and Risk Factors (Red Items)**  
Violations marked may pose an imminent health hazard and require immediate corrective action as determined by the Board of Health.

**Non-compliance with:**  
Anti-Cheating Tobacco ☐ 896.005 (E) ☐ 896.005 (F) ☐

**FOOD PROTECTION MANAGEMENT**  
☐ 1. PIC Assigned / Knowledgeable / Duties

**EMPLOYEE HEALTH**  
☐ 2. Reporting of Diseases by Food Employees and PIC  
☐ 3. Personnel with Infections Restricted/Excluded

**FOOD FROM APPROVED SOURCE**  
☐ 4. Food and Water from Approved Source  
☐ 5. Receiving/Condition  
☐ 6. Tagging/Records/Accuracy of Ingredient Statements  
☐ 7. Conformance with Approved Procedures/HACCP Plans

**PROTECTION FROM CONTAMINATION**  
☐ 8. Separation/ Segregation/ Protection  
☐ 9. Food Contact Surfaces Cleaning and Sanitizing  
☐ 10. Proper Adequate Handwashing  
☐ 11. Good Hygienic Practices

**Violations Related to Good Retail Practices (Blue Items)**  
Critical (C) violations marked must be corrected immediately or within 10 days as determined by the Board of Health. Non-critical (N) violations must be corrected immediately or within 90 days as determined by the Board of Health.

| C | N | Item                             | Code            |
|---|---|----------------------------------|-----------------|
|   |   | 23. Management and Personnel     | (FC-2)(580.005) |
|   |   | 24. Food and Food Protection     | (FC-3)(580.004) |
|   |   | 25. Equipment and Utensils       | (FC-4)(580.005) |
|   |   | 26. Water, Plumbing and Waste    | (FC-5)(580.006) |
|   |   | 27. Physical Facility            | (FC-6)(580.007) |
|   |   | 28. Poisonous or Toxic Materials | (FC-7)(580.008) |
|   |   | 29. Special Requirements         | (580.009)       |
|   |   | 30. Other                        |                 |

☐ 12. Prevention of Contamination from Hands  
☐ 13. Handwash Facilities  
☐ 14. Approved Food or Color Additives  
☐ 15. Toxic Chemicals  
☐ 16. Cooking Temperatures  
☐ 17. Reheating  
☐ 18. Cooling  
☐ 19. Hot and Cold Holding  
☐ 20. Time As a Public Health Control  
☐ 21. Food and Food Preparation for HSP

**TEMPERATURE CONTROLS (Presumably Hazardous Foods)**  
☐ 16. Cooking Temperatures  
☐ 17. Reheating  
☐ 18. Cooling  
☐ 19. Hot and Cold Holding  
☐ 20. Time As a Public Health Control

**REQUIREMENTS FOR HIGHLY SUSCEPTIBLE POPULATIONS (HSP)**  
☐ 21. Food and Food Preparation for HSP

**CONSUMER ADVISORY**  
☐ 22. Posting of Consumer Advisories

**Number of Violated Provisions Related To Foodborne Illnesses Interventions and Risk Factors (Red Items 1-22):**  
**Official Order for Correction:** Based on an inspection today, the items checked indicate violations of 105 CMR 590.000/Federal Food Code. This report, when signed below by a Board of Health member or its agent constitutes an order of the Board of Health. Failure to correct violations cited in this report may result in suspension or revocation of the food establishment permit and cessation of food establishment operations. If aggrieved by this order, you have a right to a hearing. Your request must be in writing and submitted to the Board of Health at the above address within 10 days of receipt of this order.

**DATE OF RE-INSPECTION:**

|                        |       |                         |
|------------------------|-------|-------------------------|
| Inspector's Signature: | Date: | Page ____ of ____ Pages |
| PIC's Signature:       | Date: |                         |

# INSPECTION FORM

## FDA Retail Risk Factor Study guidelines

|            |                   |
|------------|-------------------|
| <b>IN</b>  | In compliance     |
| <b>OUT</b> | Out of compliance |
| <b>NA</b>  | Not applicable    |
| <b>NO</b>  | Not observed      |
| <b>COS</b> | Corrected on site |
| <b>R</b>   | Repeat violation  |



# Food Establishment Inspection Report

Page \_\_\_\_ of \_\_\_\_

Health Department...

|                  |  |               |  |                                                   |  |           |  |               |
|------------------|--|---------------|--|---------------------------------------------------|--|-----------|--|---------------|
| Establishment    |  | Address       |  | No. of Risk Factor/Intervention Violations        |  | Date      |  |               |
|                  |  |               |  | No. of Repeat Risk Factor/Intervention Violations |  | Time In   |  |               |
|                  |  |               |  | Score (optional)                                  |  | Time Out  |  |               |
| City/State       |  | Zip Code      |  | Telephone                                         |  |           |  |               |
| License/Permit # |  | Permit Holder |  | Purpose of Inspection                             |  | Est. Type |  | Risk Category |

## FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS

Circle designated compliance status (IN, OUT, N/O, N/A) for each numbered item

Mark "X" in appropriate box for COS and/or R

IN=in compliance    OUT=not in compliance    N/O=not observed    N/A=not applicable

COS=corrected on-site during inspection    R=repeat violation

| Compliance Status                        |                |                                                                                               | COS | R | Compliance Status                                                                                                                                                                                                                                                                                            |                |                                                                                | COS | R |
|------------------------------------------|----------------|-----------------------------------------------------------------------------------------------|-----|---|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|--------------------------------------------------------------------------------|-----|---|
| <b>Supervision</b>                       |                |                                                                                               |     |   | <b>Time/Temperature Control for Safety</b>                                                                                                                                                                                                                                                                   |                |                                                                                |     |   |
| 1                                        | IN OUT         | Person in charge present, demonstrates knowledge, and performs duties                         |     |   | 17                                                                                                                                                                                                                                                                                                           | IN OUT         | Proper disposition of returned, previously served, reconditioned & unsafe food |     |   |
| 2                                        | IN OUT N/A     | Certified Food Protection Manager                                                             |     |   | <b>Consumer Advisory</b>                                                                                                                                                                                                                                                                                     |                |                                                                                |     |   |
| <b>Employee Health</b>                   |                |                                                                                               |     |   | <b>Highly Susceptible Populations</b>                                                                                                                                                                                                                                                                        |                |                                                                                |     |   |
| 3                                        | IN OUT         | Management, food employee and conditional employee; knowledge, responsibilities and reporting |     |   | 18                                                                                                                                                                                                                                                                                                           | IN OUT N/A N/O | Proper cooking time & temperatures                                             |     |   |
| 4                                        | IN OUT         | Proper use of restriction and exclusion                                                       |     |   | 19                                                                                                                                                                                                                                                                                                           | IN OUT N/A N/O | Proper reheating procedures for hot holding                                    |     |   |
| 5                                        | IN OUT         | Procedures for responding to vomiting and diarrheal events                                    |     |   | 20                                                                                                                                                                                                                                                                                                           | IN OUT N/A N/O | Proper cooling time and temperature                                            |     |   |
| <b>Good Hygienic Practices</b>           |                |                                                                                               |     |   | 21                                                                                                                                                                                                                                                                                                           | IN OUT N/A N/O | Proper hot holding temperatures                                                |     |   |
| 6                                        | IN OUT N/O     | Proper eating, tasting, drinking, or tobacco use                                              |     |   | 22                                                                                                                                                                                                                                                                                                           | IN OUT N/A N/O | Proper cold holding temperatures                                               |     |   |
| 7                                        | IN OUT N/O     | No discharge from eyes, nose, and mouth                                                       |     |   | 23                                                                                                                                                                                                                                                                                                           | IN OUT N/A N/O | Proper date marking and disposition                                            |     |   |
| <b>Preventing Contamination by Hands</b> |                |                                                                                               |     |   | 24                                                                                                                                                                                                                                                                                                           | IN OUT N/A N/O | Time as a Public Health Control; procedures & records                          |     |   |
| 8                                        | IN OUT N/O     | Hands clean & properly washed                                                                 |     |   | <b>Food/Color Additives and Toxic Substances</b>                                                                                                                                                                                                                                                             |                |                                                                                |     |   |
| 9                                        | IN OUT N/A N/O | No bare hand contact with RTE food or a pre-approved alternative procedure properly allowed   |     |   | 25                                                                                                                                                                                                                                                                                                           | IN OUT N/A     | Consumer advisory provided for raw/undercooked food                            |     |   |
| 10                                       | IN OUT         | Adequate handwashing sinks properly supplied and accessible                                   |     |   | 26                                                                                                                                                                                                                                                                                                           | IN OUT N/A     | Pasteurized foods used; prohibited foods not offered                           |     |   |
| <b>Approved Source</b>                   |                |                                                                                               |     |   | <b>Conformance with Approved Procedures</b>                                                                                                                                                                                                                                                                  |                |                                                                                |     |   |
| 11                                       | IN OUT         | Food obtained from approved source                                                            |     |   | 27                                                                                                                                                                                                                                                                                                           | IN OUT N/A     | Food additives: approved & properly used                                       |     |   |
| 12                                       | IN OUT N/A N/O | Food received at proper temperature                                                           |     |   | 28                                                                                                                                                                                                                                                                                                           | IN OUT N/A     | Toxic substances properly identified, stored, & used                           |     |   |
| 13                                       | IN OUT         | Food in good condition, safe, & unadulterated                                                 |     |   | 29                                                                                                                                                                                                                                                                                                           | IN OUT N/A     | Compliance with variance/specialized process/HACCP                             |     |   |
| 14                                       | IN OUT N/A N/O | Required records available: shellstock tags, parasite destruction                             |     |   | <div style="border: 1px solid black; padding: 10px;"> <p><b>Risk factors</b> are important practices or procedures identified as the most prevalent contributing factors of foodborne illness or injury. Public health interventions are control measures to prevent foodborne illness or injury.</p> </div> |                |                                                                                |     |   |
| <b>Protection from Contamination</b>     |                |                                                                                               |     |   |                                                                                                                                                                                                                                                                                                              |                |                                                                                |     |   |
| 15                                       | IN OUT N/A N/O | Food separated and protected                                                                  |     |   |                                                                                                                                                                                                                                                                                                              |                |                                                                                |     |   |
| 16                                       | IN OUT N/A     | Food-contact surfaces; cleaned & sanitized                                                    |     |   |                                                                                                                                                                                                                                                                                                              |                |                                                                                |     |   |

## GOOD RETAIL PRACTICES

Good Retail Practices are preventative measures to control the addition of pathogens, chemicals, and physical objects into foods.

Mark "X" in box if numbered item is **not** in compliance

Mark "X" in appropriate box for COS and/or R

**COS**=corrected on-site during inspection

**R**=repeat violation

|                                         |                                                                         | COS | R |
|-----------------------------------------|-------------------------------------------------------------------------|-----|---|
| <b>Safe Food and Water</b>              |                                                                         |     |   |
| 30                                      | Pasteurized eggs used where required                                    |     |   |
| 31                                      | Water & ice from approved source                                        |     |   |
| 32                                      | Variance obtained for specialized processing methods                    |     |   |
| <b>Food Temperature Control</b>         |                                                                         |     |   |
| 33                                      | Proper cooling methods used; adequate equipment for temperature control |     |   |
| 34                                      | Plant food properly cooked for hot holding                              |     |   |
| 35                                      | Approved thawing methods used                                           |     |   |
| 36                                      | Thermometers provided & accurate                                        |     |   |
| <b>Food Identification</b>              |                                                                         |     |   |
| 37                                      | Food properly labeled; original container                               |     |   |
| <b>Prevention of Food Contamination</b> |                                                                         |     |   |
| 38                                      | Insects, rodents, & animals not present                                 |     |   |
| 39                                      | Contamination prevented during food preparation, storage & display      |     |   |
| 40                                      | Personal cleanliness                                                    |     |   |
| 41                                      | Wiping cloths: properly used & stored                                   |     |   |
| 42                                      | Washing fruits & vegetables                                             |     |   |

|                                        |                                                                                    | COS | R |
|----------------------------------------|------------------------------------------------------------------------------------|-----|---|
| <b>Proper Use of Utensils</b>          |                                                                                    |     |   |
| 43                                     | In-use utensils: properly stored                                                   |     |   |
| 44                                     | Utensils, equipment & linens: properly stored, dried, & handled                    |     |   |
| 45                                     | Single-use/single-service articles: properly stored & used                         |     |   |
| 46                                     | Gloves used properly                                                               |     |   |
| <b>Utensils, Equipment and Vending</b> |                                                                                    |     |   |
| 47                                     | Food & non-food contact surfaces cleanable, properly designed, constructed, & used |     |   |
| 48                                     | Warewashing facilities: installed, maintained, & used; test strips                 |     |   |
| 49                                     | Non-food contact surfaces clean                                                    |     |   |
| <b>Physical Facilities</b>             |                                                                                    |     |   |
| 50                                     | Hot & cold water available; adequate pressure                                      |     |   |
| 51                                     | Plumbing installed; proper backflow devices                                        |     |   |
| 52                                     | Sewage & waste water properly disposed                                             |     |   |
| 53                                     | Toilet facilities: properly constructed, supplied, & cleaned                       |     |   |
| 54                                     | Garbage & refuse properly disposed; facilities maintained                          |     |   |
| 55                                     | Physical facilities installed, maintained, & clean                                 |     |   |
| 56                                     | Adequate ventilation & lighting; designated areas used                             |     |   |

|                                     |                                                                  |
|-------------------------------------|------------------------------------------------------------------|
| <b>Person in Charge (Signature)</b> | <b>Date:</b>                                                     |
| <b>Inspector (Signature)</b>        | <b>Follow-up:</b> YES   NO   (Circle one) <b>Follow-up Date:</b> |

Special Requirements 590.000

☐

Anti-choking

☐

Tobacco

☐

Allergen Awareness

☐

Local law

☐

Other

Total violations:   Priority \_\_\_\_\_   Priority foundation \_\_\_\_\_   Core \_\_\_\_\_



## Restaurant Menu and Vending Machine Labeling

- Chain with 20 or more locations / 20 Machines
- Doing business under the same name and
- Offering for sale substantially the same menu items

# Restaurant-type foods



- Sit-down restaurants
- Take out/Drive-through
- Hot buffet foods
- Foods intended for immediate consumption

# Required

## 1. Calories for standard menu items

### **Restaurants:**

Menu boards: Next to item name or price

Self-serve items: sign next to each item

### **Vending machines:**

Next to selection button or machine itself  
(if Nutrition facts label not visible)

Vendor contact information

## 2. Post statement of suggested daily caloric intake



## Nutritional information

- Provide upon request  
(post statement on  
menu/board or vending machine)
- Can be in any form:  
Posters, tray liners, handouts, website
- Nutritional values from:  
Nutrition databases, cookbooks,  
laboratory analysis, Nutrition Facts label





## Alcoholic beverages

- Listed in menu or menu board
- Does not include offerings behind bar

# STANDARD 9 - SURVEYS

- 100 food establishments
- In random order
- Special assessment of Risk
- May – November



# Retail Establishment Assessment

1. Observe food safety practices
2. Special assessment of risk factors
3. Analyze data
4. Identify risk factors that need improvement
5. Strategy for improving practices



# QUESTIONS?



cindy@easternfoodsafety.com  
www.easternfoodsafety.com



## Board of Health

Edward Cosgrove, PhD  
Chair

Stephen Epstein, MD, MPP  
Member

Jane Fogg, MD, MPH  
Vice Chair

### Mission

The Needham Board of Health, founded in 1877, and its Public Health Division strive to prevent and control the spread of disease, to address environmental issues, to promote healthy lifestyles, and to protect the public health and social well-being of all Needham's residents, especially the most vulnerable.

### Goals FY 2017 and 2018

#### Administrative

*Ensure the necessary infrastructure to effectively provide essential public health services.*

- Develop Public Health Division-wide communications strategy that incorporates a variety of methods (articles, videos, presentations to community groups, hosting of community forums) to ensure community outreach on pertinent public health issues.
- Pursue small grant funding opportunities to meet distinct community needs (similar to concussion education, and healthy aging initiatives).
- Enhance and refine financial tracking mechanisms to ensure complete and appropriate use of municipal, grant, and donated financial resources
- Develop processes and accrue resources to support the continual gathering of qualitative and quantitative data to inform the activities of the Public Health Division.
- Address the health and physical space challenges of the Public Health Division's office environment, and aggressively pursue an appropriate location for Public Health staff in the short, medium, and long-term.
- **Long-term** - Pursue Public Health Division accreditation and support the establishment of a culture of continuous quality improvement.

## **Community Health**

*Increase the quality, availability, and effectiveness of educational and community-based programs designed to prevent disease and injury, improve health, and enhance quality of life.*

- Support existing community initiatives that address public health concerns including senior nutrition, elder isolation, mental health promotion, and domestic violence awareness.
- Sustain multi-disciplinary work to assist families and community members in need of mental health, domestic violence, and substance use support through the Needham Community Crisis Intervention Team (CCIT).
- Emphasize the importance of affordable and accessible housing as a public health issue for all Needham's residents and especially for the Town's senior citizens.
- Advocate for resources to support and enhance Healthy Aging in the community, such as accessible senior housing and more frequent forms of town or community-run transportation programs.

## **Emergency Management/Emergency Preparedness**

*Improve the community's ability to prevent, prepare for, respond to, and recover from a major emergency.*

- Hire a part-time Emergency Management Coordinator to support achievement of Public Health Division and Town-wide emergency management goals.
- Revise and update Comprehensive Emergency Management Plan (CEMP), Hazard Vulnerability Analysis (HVA), and municipal safety and emergency guidelines.
- Establish a detailed calendar depicting assigned dates for training, exercises, and updates/revisions to existing emergency plans.
- Work towards full certification of the Needham Local Emergency Planning Committee (LEPC), and state and federal recognition as such.

## **Environmental Health (EH)**

*Promote health for all through a healthy environment*

- Hire additional staff to maintain EH Unit capacity for inspections, environmental health monitoring, training, and vendor and general public education.
- Prioritize positive communication and relationships with food service owners and staff and tobacco vendor owners and staff.
- Develop regular schedule for detailed review and revision of all regulations
  - Review and revise Tobacco regulations (2017).
  - Review and revise Trash Haulers regulations (2017).
  - Review and revise Private Well regulations (2017-2018).
- Identify best practices and optimal platforms for electronic inspection reporting capacity.

## **Environmental Health (EH) continued**

### *Promote health for all through a healthy environment*

- **Long-term** - Research best practices and pursue regulatory standards for posting of calorie counts and nutritional information (FY 2018).
- **Long-term** - Develop and implement food establishment grading policies (FY 2020 approximately).

## **Public Health Nursing**

### *Advance population health through quality community/ public health nursing education, research and service.*

- Prepare for 2017 staff transition.
- Examine community demographics and population needs to identify priorities for public health nursing staff capabilities.
- Review and assess Needham's public health nursing capabilities.
- Develop community outreach calendar of focused educational and training programs such as sunscreen, tick borne illnesses, and other timely public health nursing issues.

## **Substance Use Prevention**

### *Reduce substance use and misuse to protect the health, safety, and quality of life for all, especially children.*

- Provide education and information to community about adverse health impacts of substance use and misuse for the youth, adult, and senior populations.
- Advocate for community level policy changes to impact access and availability of alcohol, akin to raising purchase age for tobacco and reducing sale outlet density.
- Expand community support for addressing alcohol compliance in the same fashion as tobacco compliance, with increased inspections (goal of semi-annual) and compliance checks (long-term goal of quarterly, interim goal of semi-annual).
- Increase awareness of proper prescription medication disposal options and secure storage practices within the Town of Needham.
- Research and develop regulations that will govern the use of recreational marijuana, and revise existing regulations that govern medical marijuana. The overall goal of such regulations should be to ensure the safe and sanitary operations of marijuana dispensaries and recreational marijuana establishments, while at the same time educating the community about the dangers of chronic use and general misuse of marijuana, and promoting a safe and healthy environment for all of Needham's residents.
- **Long-term** - Secure commitment for secondary safe and secure disposal locations for prescription medications, in addition to current medication disposal kiosk at the Police Station and the pair of sharps disposal kiosks at the RTS (FY 2020 approximately).

# Proposed pot shop ban: what to know

Times 2/22/18

By Stefan Geller

sgeller@wickedlocal.com

The Needham Planning Board announced earlier this month a proposed zoning bylaw amendment that would prohibit marijuana facilities from setting up shop in town. The board will present the zoning article to Town Meeting in May.

Last night, the board held a public forum at town hall to gauge public opinion on the matter and to give some further detail on what the amendment would mean for the community.

In case you missed it, here are five things you should know about the proposal:

## Medical dispensaries can stay

The bylaw amendment would still allow medical marijuana dispensaries (such as the recently opened Sira Naturals) to stay in town, while banning all other forms of "marijuana establishments." This means marijuana cultivators, independent testing laboratories, marijuana product manufacturers and recreational marijuana retailers (including delivery-only retailers) would be banned.

## Smoking at home is still permitted

While the amendment would stop recreational shops from opening in Needham, it has no effect on the state law permitting the possession of and use of recreational marijuana in your home.

## Your voice on the subject matters

Needham was one of the communities in Massachusetts that had voted against Question Four in last year's election, therefore

allowing this proposed change to be voted on by Town Meeting. Town Meeting members must pass the amendment by a two-thirds vote and your calls to the members could play a crucial role in swinging their votes. To find the names of the Town Meeting members, visit <https://www.needhamma.gov/DocumentCenter/Home/View/1718>.

## Recreational pot shops aren't expected until July

The Cannabis Control Commission is still working on the regulations for the manufacturing and distribution of recreational marijuana, which are expected to be finalized by early July. However, the CCC has received a wave of criticism and calls to scale back the industry, so it has scheduled meetings on Feb. 26, 27 and 28 at which commissioners will discuss

the feedback to the draft regulations and debate what changes should be made before the regulations are finalized.

## Amendment is supported by selectmen

"From the town's perspective, this is something that we need to do given the uncertainty in this area," said Board of Selectmen Chairman Marianne Cooley. "It seems to us prudent as a course of action to go forward with the zoning bylaw."

"We've seen some discussion in the community about why we are pursuing this, and I think the key from my point of view is that implementing a ban at this point - while the new regulations are still uncertain and we're still seeing how this new industry is going to have some unintended consequences - provides a level of protection for the community and allows us to better consider our options," said Board of Selectmen Member Dan Matthews.

# Selectmen give Police OK to start diversion program

Times 2/1/18

By Stefan Geller

sgeller@wickedlocal.com

After winning approval from the Board of Selectmen Tuesday, the Needham Police will begin implementing a diversion program aimed at youth in the juvenile justice system. Here are five facts you need to know about the diversion program:

## What diversion does

This diversion program changes the way police handle youth who have been arrested, by getting them more involved with the community and personally working with the officers rather than sending them to court-ordered programs that act more as punishment than rehabilitation. The aim would be to help them accept responsibility for their mistakes, contribute to the community and reduce the likelihood they will become repeat offenders.

## How it works

Through a magistrate hearing at

Dedham District Court, Needham Police officers can create contracts with juveniles and their families to lead them down a better path, whether it be through counseling, a drug and alcohol screening or community service. The contracts would be made on a case-by-case basis, varying in length and obligation.

## Following the success of other towns

Needham would not be the first town to implement this kind of diversion program; Arlington, Brookline, Cambridge, Taunton and Westborough have each started diversion programs over the past decade. NPD spoke with police and town officials from each of these towns to help shape their own program.

## Selectmen responses

"I think this is great and it shows commitment to preserving the well-being of youth in town," said Selectman Moe Handel.

"I'm sold, I love the idea of a

proactive approach," said Selectman Matthew Borrelli. "This type of program I think is commendable, it's terrific."

"Anything that you can do that helps people get onto better paths is worth a try, and if it's working for other towns it's worth a try here," said Selectman Daniel Matthews.

## Next steps

Going forward, NPD aims to generate community support for the program to maximize its success, which will include reaching out to the YMCA, the community council, the Center at the Heights and Needham Unplugged. NPD will also hire a part-time coordinator and will present the program steps to school personnel, the athletic director and coaches at Needham High School, the interfaith clergy, the Needham Housing Authority and to any remaining community partners. There is not yet a set timeline for implementation. The presentation did not include information on funding.

# Needham Public Health Department releases flu tips

Times 2/8/18

With the influenza season in full swing, The Needham Public Health Division reminds everyone that the best way to prevent the spread of the flu is by vaccination.

Flu shots are still available. Contact 781-455-7500, ext. 511, to set up an appointment to get vaccinated.

Here are some tips to prevent influenza:

Avoid close contact.

Avoid close contact with people who are sick. When you are sick, keep your

distance from others to protect them from getting sick too, 3 to 6 feet.

Stay home when you are sick.

If possible, stay home from work, school and errands when you are sick. This will help prevent spreading your illness to others. CDC recommends that you stay home for at least 24 hours after your fever is gone except to get medical care. Your fever should be gone without the use of a fever-reducing medicine.

Cover your mouth and nose.

Cover your mouth and nose with a tissue when coughing or sneezing. It may prevent those around you from getting sick. Remember cough into your elbow so you don't share when you shake hands.

Clean your hands.

Washing your hands often will help protect you from germs. Wash for at least 20 seconds with warm water and soap. Don't forget between your fingers.

If soap and water are not

available, use an alcohol-based hand rub.

Avoid touching your eyes, nose or mouth.

Germs are often spread when a person touches something that is contaminated with germs and then touches his or her eyes, nose, or mouth.

Practice other good health habits.

Clean and disinfect frequently touched surfaces at home, work or school, especially when someone is ill.

Get plenty of sleep.

# Public Health offers flu advice

*Weekly 2/18/18*  
Influenza season continues and The Needham Public Health Division is reminding the community that the best way to prevent the spread of the flu is by vaccination. Flu shots are still available. Contact (781-455-7500, x511) to set up an appointment to get vaccinated.

Here are some tips to prevent influenza:

## 1. Avoid close contact.

Avoid close contact with people who are sick. When you are sick, keep your distance from others to protect them from getting sick too. 3 to 6 feet!

## 2. Stay home when you are sick.

If possible, stay home from work,

school, and errands when you are sick. This will help prevent spreading your illness to others. The CDC recommends that you stay home for at least 24 hours after your fever is gone except to get medical care. (Your fever should be gone without the use of a fever-reducing medicine).

## 3. Cover your mouth and nose.

Cover your mouth and nose with a tissue when coughing or sneezing. It may prevent those around you from getting sick. Remember cough into your elbow so you don't share when you shake hands.

## 4. Clean your hands.

Washing your hands often will help protect you from germs. Please wash for at least 20 seconds with

warm water and soap. Don't forget between your fingers. If soap and water are not available, use an alcohol-based hand rub.

## 5. Avoid touching your eyes, nose or mouth.

Germs are often spread when a person touches something that is contaminated with germs and then touches his or her eyes, nose, or mouth.

## 6. Practice other good health habits.

Clean and disinfect frequently touched surfaces at home, work or school, especially when someone is ill. Get plenty of sleep, be physically active, manage your stress, drink plenty of fluids, and eat nutritious food.

## Medical pot shop opening this week

Needham location is Sira Natural's third in the state

By Stefan Geller  
sgeller@wickedlocal.com

Needham's first medical marijuana dispensary, Sira Naturals, will open its doors for business at the end of the week, after nearly two years of legal proceedings and development.

"It feels really gratifying. Opening a dispensary in Needham is a huge accomplishment for our organization," said Michael Dundas, Sira Natural's CEO.

With the opening of the Needham location at 29 Franklin St., Sira Naturals becomes the first Registered Marijuana Dispensary (RMD) in the state to open three branches, which is the legal limit in Massachusetts. Its Cambridge and Somerville locations opened on March 15, 2017 and Sept. 27, 2017 respectively.

Dundas said that Sira offers the largest variety of marijuana strains in the state, with 20 different strains on offer and 75 in production at their Milford cultivation facility. Sira also offers marijuana infused products, such as edibles, tinctures and vape oil.

In order to purchase medical marijuana from Sira Naturals, an adult who is diagnosed with a debilitating issue must get a prescription from a primary care physician. Then, the patient must register with the state Department of Health, which will issue an identification card required at the dispensary. No walk-ins are allowed; the dispensary sees patients by appointment only.

"I think that cannabis has been grossly under researched as a medicine, but has an extraordinary track record in terms of

being able to alleviate symptoms of certain debilitating conditions," Dundas said.

Sira Naturals was previously known as Sage Cannabis, but rebranded in late November due to the commonality of the term "sage" in industry.

In May 2016, the Board of Selectmen tentatively voted to issue a letter of non-opposition to Sage Naturals. According to Building Commissioner David Roche, the building permit was officially issued in August 2017.

"The sentiment in Town Meeting was in support of medical marijuana. There were some people who were concerned who live in that neighborhood and people who were against substance use, but by and large residents were in support," said Selectman Moe Handel.

Dundas said he was inspired to get into the medical marijuana business following his experience living in the Bay Area of California for over a decade and witnessing the evolution of the business there.

"California was the first state to legalize medical marijuana in 1996, and I saw [the industry] evolve over time and saw that it was helping people with a variety of debilitating conditions," Dundas said. "And when in 2012 my home state passed a medical marijuana statute I thought this may be a time when I could come back and use what I learned over there."

Sira Naturals will only be for medical purposes despite the legalization of recreational marijuana in Massachusetts. The regulations passed by the Board of Health also prevent the dispensary from selling recreational marijuana in the future under its current permit.

"I think that the town promulgated a fair and well

thought-through process for getting medical access applicants. The town was proactive in soliciting bids from a number of organizations and proactive in the vetting to a very significant extent," said Dundas. "By and large the town has been very supportive."

As part of a community benefit agreement signed by the Board of Selectmen on June 14, Sira Naturals will be required to make annual payment to the town. The minimum payment is \$100,000 or 3 percent of gross sale revenue, depending on which number is higher.