



THE CITY OF NEW YORK

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

Michael R. Bloomberg
Mayor

Thomas R. Frieden, M.D., M.P.H.
Commissioner

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I hereby find, pursuant to Section 1043, subdivision e, paragraph (1), subparagraph (c) of the New York City Charter, that there is substantial need for the implementation of the new rule in Chapter 23 of Title 24 of the Rules of the City of New York, codifying the inspection procedures for food service establishments, upon publication of such rule in the *City Record*. As noted in the rule's Statement of Basis and Purpose, the Department of Health and Mental Hygiene (the "Department") will be better able to meet the public's expectation that food provided at food service establishments is wholesome and being prepared in sanitary surroundings. Additionally, the new rule enables the Department to return to the use of a handheld computer in the field for recording inspection results, which will make its inspection process more effective and efficient. The ability to transmit inspection results from the handheld computer software to the Department's Food Safety and Community Sanitation Tracking System will improve the Department's ability to track inspection results and perform compliance inspections when they are needed.

There is accordingly substantial need for the implementation of the inspection scoring system and attendant inspection procedures before the thirty day waiting period provided by New York City Charter Section 1043(e)(1)(c) because such scoring system is risk based, and therefore more protective of the public health, than the current inspection evaluation methodology being used by the Department.

Thomas R. Frieden, M.D., M.P.H.
Commissioner of Health and Mental Hygiene

Approved by:

Mayor

Dated: 2/16/05