

BOARD OF HEALTH MEETING

May 14, 2007

CALL TO ORDER: Dr. Barbara Beck called the meeting to order at 7:40 PM

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PRESENT: Dr. Barbara Beck, Dr. John Straus, Gerard Cody and Steven Ward

Minute Review: The board reviewed the minutes of April 18, 2007. Dr. Straus made a motion to approve the minutes of April 18, 2007. Dr. Beck stepped down as chair and seconded the motion. All were in favor.

Old/New Business: Steven Ward asked that the board consider changing the permit expiration date for Tobacco Sales and Location Permits from December 31<sup>st</sup> to November 30<sup>th</sup> so that these permits would expire on the same date as the Food Establishment Permits. Dr. Straus made a motion to change the Tobacco Sales and Location Permit due date from December 31<sup>st</sup> to November 30<sup>th</sup> of each year. Dr. Beck stepped down as chair and seconded the motion. All were in favor.

New Ginza Restaurant, Administrative Hearing: Mr. Johnny Tong, owner of New Ginza Restaurant, represented New Ginza Restaurant (NGR) and he was accompanied by his consultant Mr. Samuel Wong of MD Consulting. Gerard Cody stated that NGR was before the board for serious and repeated violations of the Food Code including, but not limited to non-compliance with the provisions of the sushi HACCP variance that was granted by the BOH when the NGR first opened. Mr. Cody gave an overview of the health department's administrative hearing and the violations contained in the order letter to NGR dated April 2, 2007.

The board expressed their displeasure with the long history of sanitary code violations noted at the establishment and cautioned owner Johnny Tong that compliance with the sushi variance and the Food Code is essential for NGR in order to ensure that additional administrative actions against NGR would not be taken in the future. NGR consultant Mr. Samuel Wong stated that he is committed to assuring that the NGR staff is trained in food safety and the sushi variance procedures and that the variance and Food Code provisions

are complied with at all times. Gerard Cody stated that Mr. Tong and Mr. Wong would be before the board for an update at the board's June 2007 meeting.

BU/Biolab: Jonathan Hecht, Eugene B. Benson, Susan Falkoff, Ernesta Krackiewicz and Lynn C. Klotz spoke on behalf of Watertown Citizens for Environmental Safety (WCES) and the citizens of Watertown regarding their concerns with the safety and the lack of regulations in locating a BSL4 Laboratory in Boston. Eugene Benson, Staff Attorney for ACE (Alternatives for Community and Environment) spoke about an industry that self regulates. He also stated that BU failed to comply with their own protocol in the past when the release of tularemia became publicly known. Mr. Benson went on further to describe that having emergency plans for pathogen/bioagent release is not practical (SARS release was cited as an example).

Lynn C. Klotz spoke to the lack of a cogent rationale for a BSL4 lab particularly one located in a densely populated area such as Boston. Mr. Klotz spoke to the research that would happen in a BSL3/4 lab and that it would be limited to extremely virulent pathogens (viruses). He went on to list and explain 3 kinds of risks associated with such labs; 1) Accidents - such as the Oakland pediatric anthrax release and SARS; 2) Non accident dangers to lab workers and 3) Terrorist - such as when an employee decides commit a terrorist act.

After much discussion the board, with the assistance of those who spoke on behalf of WCES, agreed to hold a hearing to discuss this matter in the near future with interested parties and representatives from the BU Biolab and the community. The 3 dates that were discussed for the hearing were June 14<sup>th</sup>, June 18<sup>th</sup> or September 18<sup>th</sup>. The board thought that the best date would be September 18, 2007 since this would allow the health department to work with Mr. Benson and representatives from WCES to develop an agenda and a list of those invited to the meeting.

Emergency Preparedness: Gerard Cody and Steven Ward gave an update on department progress on this year's deliverables.

Next Meeting: June 20, 2007

Adjourned: 10:10 PM