



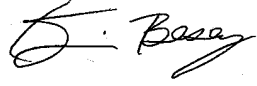
STATE OF MICHIGAN  
DEPARTMENT OF AGRICULTURE  
LANSING

JENNIFER M. GRANHOLM  
GOVERNOR

MITCH IRWIN  
DIRECTOR

**DATE:** February 2, 2006

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

**FROM:** Kevin Besey, Manager  
Food Service Sanitation Section  
Food and Dairy Division 

**SUBJECT: Arsenic in Drinking Water at Food Establishments**

Please note the following regarding arsenic in drinking water at food establishments:

- ✓ On January 23, 2006, the arsenic in drinking water standard dropped to 10 ppb.
- ✓ Arsenic is a long-term, chronic health risk.
- ✓ A few hundred type II public water supplies in Michigan will exceed this standard. A portion of those will be food establishments. Most establishments have either installed treatment units or have entered into agreements with DEQ to make corrections and/or provide bottled water for direct consumption.
- ✓ Most establishments that exceed this standard are in southeast Michigan.
- ✓ Bringing water supplies into compliance is primarily the responsibility of DEQ Drinking Water Section and local health department (LHD) Type II Non-Community Water Supply Program staff.
- ✓ **No action is routinely needed by food program staff.**
  - Establishments that exceed the new standard should not have this routinely written as a violation on food inspections.
  - When specifically requested by Type II or DEQ staff, and if directed by your supervisor, a violation may be written to help support ongoing enforcement efforts.
  - On occasion, LHD Type II staff may wish to discuss feasibility of operator proposed bottled water use with food program staff (i.e. the operator has proposed to use bottled water for all direct consumption purposes. Do you see any feasibility problems with this proposal, based on your knowledge of the operation?)
  - LHD Type II staff may copy food program staff when issuing notices of violation, etc. Take these as informational and take no specific action unless directly requested by Type II staff and action is approved by your supervisor.
  - MDA Food Service Section staff are available for consultation.

- ✓ Solutions that you may see establishments implementing, per agreements signed with DEQ, include:
  - Providing arsenic treatment for either the entire water supply or for specific point of use devices.
  - Posting public notices and/or putting warning signs at sinks.
  - Providing bottled water for direct consumption such as drinking, adding to soups or juices (products that are predominantly water and are directly consumed). Drinking fountains, post-mix pop machines, coffee makers, etc. may be disconnected. Bottled water is not necessary for rinsing or boiling foods, making ice, dishwashing, handwashing, showering, etc.)
  - Submitting monthly operation reports to LHD Type II staff that verify bottled water compliance agreements are being followed.
- ✓ Bottled water in lieu of treatment is considered an interim solution. EPA does not allow bottled water as a permanent solution at the present time. How long an establishment may use bottled water as an interim solution is not known.
- ✓ For specific information on an establishment contact the appropriate LHD Type II staff person.

C: Rich Overmyer, DEQ