

**Kansas Department of Agriculture**  
**Division of Food Safety and Lodging**  
 1320 Research Park Drive, Manhattan, KS 66502  
 (office) 785-564-6767 (fax) 785-564-6779

**KANSAS FOOD ESTABLISHMENT INSPECTION REPORT**

**Insp Date:** 9/18/2012      **Business ID:** 100889FR  
**Business:** LA FIESTA

**Inspection:** 07002015  
**Store ID:**  
**Phone:** 6207410031  
**Inspector:** KDA07  
**Reason:** 02 Follow-up  
**Results:** Administrative Review

2123 N SUMMIT  
 ARKANSAS CITY, KS 67005

**Time In / Time Out**

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
09/18/12	02:00 PM	04:30 PM	2:30	0:15	2:45	0	
<b>Total:</b>			2:30	0:15	2:45	0	

**FOOD ESTABLISHMENT PROFILE**

Updated Risk Category \_\_\_\_\_ Updated Sq. Footage Under 5,000 sq feet  
 Insp. Notification Print Critical Violations 8 Lic. Insp. No  
 Address Verified p

**INSPECTION INFORMATION**

Risk factors are improper practices or procedures identified as the most prevalent contributing factors of food-borne illness or injury. Public health interventions are control measures to prevent food-borne illness or injury.

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

Violations cited in this report must be corrected within the time frames entered below, or as stated in sections 8-405.11 of the food code.

HACCP=Hazard Analysis-Critical Control Point, BHC=Bare Hand Contact, RTE=Ready to Eat, CRITICAL=Critical Violation, SWING=Swing Violation (May be critical or non-critical), HSP=Highly Susceptible Population, K.S.A.=Kansas Statutes Annotated, All temperatures are measured in degrees Fahrenheit (°F).

PLEASE CALL (785) 296-5600 OR VISIT [www.ksda.gov/food\\_safety/](http://www.ksda.gov/food_safety/) IF YOU HAVE ANY QUESTIONS.

COMPLIANCE KEY: Y=in compliance; N=not in compliance; O=not observed; A=not applicable; C=corrected on-site during inspection; R=repeat violation.

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

	Y	N	O	A	C	R
<b>Demonstration of Knowledge</b>						
1. Certification by accredited program, compliance with Code, or correct responses.	..	..	p	..	..	..
<b>Employee Health</b>						
2. Management awareness; policy present.	p	..	..	..	..	..
3. Proper use of reporting, restriction and exclusion.	p	..	..	..	..	..
<b>Good Hygienic Practices</b>						
4. Proper eating, tasting, drinking, or tobacco use	..	p	..	..	p	..

# KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Good Hygienic Practices	Y	N	O	A	C	R
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*Fail Notes* | 2-401.11\* **CRITICAL - Eating, Drinking, or Using Tobacco**  
*[Employee drink stored over food production line COS-Corrected on site manager removed (repeat) Employee drink on clean drain board of dish washer COS-employee removed (repeat)]*

5. No discharge from eyes, nose and mouth. p . . . . .

Preventing Contamination by Hands	Y	N	O	A	C	R
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6. Hands clean and properly washed. p . . . . .

7. No bare hand contact with RTE foods or approved alternate method properly followed. p . . . . .

8. Adequate handwashing facilities supplied and accessible. p . . . . .

Approved Source	Y	N	O	A	C	R
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9. Food obtained from approved source. . . . p . . .

10. Food received at proper temperature. . . . p . . .

11. Food in good condition, safe and unadulterated. . . p . . . p . .

*Fail Notes* | 3-101.11\* **CRITICAL - Safe, Unadulterated, & Honestly Presented**  
*[In kitchen single door cooler, raw fish in restricted oxygen packaging, thawing in sealed package. COS-Employee vented 1 full pan of packages. Discussed partial opening of packages to thaw fish. 1 package discarded by manager.]*

12. Required records available: shellstock tags, parasite destruction. . . . . . p . .

Protection from Contamination	Y	N	O	A	C	R
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13. Food separated and protected. . . p . . . p . .

*Fail Notes* | 3-302.11(A)(1)(a)\* **CRITICAL - Separation-Raw & raw RTE**  
*[In upright cooler in kitchen raw chicken stored over raw diced beef COS-Manager relocated chicken ]*

3-302.11(A)(2)(b)\* **CRITICAL - Species Separation-separation in equipment**  
*[In upright cooler in kitchen raw fish, scallops, and chicken stored over cooked pork COS-manager relocated pork and raw chicken]*

14. Food-contact surfaces: cleaned and sanitized. . . p . . . p . .

***This item has Notes. See Footnote 1 at end of questionnaire.***

*Fail Notes* | 4-601.11A\* **CRITICAL - Food Contact Clean to Sight and Touch**  
*[In kitchen on back food preparation table can opener cutting surface dirty with buildup of dried food COS-Employee cleaned and sanitized.]*

15. Proper disposition of returned, previously served, reconditioned and unsafe food. p . . . . .

Potentially Hazardous Food Time/Temperature	Y	N	O	A	C	R
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16. Proper cooking time and temperatures. p . . . . .

***This item has Notes. See Footnote 2 at end of questionnaire.***

17. Proper reheating procedures for hot holding. p . . . . .

18. Proper cooling time and temperatures. p . . . . .

19. Proper hot holding temperatures. . . p . . . p p

***This item has Notes. See Footnote 3 at end of questionnaire.***

*Fail Notes* | 3-501.16(A)(1)\* **CRITICAL - PHF Hot Holding->135°F**  
*[On hot holding table red sauce 123 COS-discarded VD On hot holding table cooked rice 110 COS-employee reheated to 165 then returned rice to hot holding line Both products were allowed to be reheated @ less than 2 hours after cooking. repeat ]*

20. Proper cold holding temperatures. . . p . . . p p

***This item has Notes. See Footnote 4 at end of questionnaire.***

# KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Potentially Hazardous Food Time/Temperature	Y	N	O	A	C	R
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*Fail Notes* | 3-501.16(A)(2)(a)\* **CRITICAL - PHF Cold Holding-<41°F**  
*[In kitchen in cold holding well at food production area Diced tomatoes 54 COS-Discarded VD by employee In cold holding tub by grill pan of diced tomatoes 48 COS-employee removed to walk in cooler to chill to below 41.]*

- |   |    |    |    |    |    |    |
|---|----|----|----|----|----|----|
| 21. Proper date marking and disposition.                    | p  | .. | .. | .. | .. | .. |
| 22. Time as a public health control: procedures and record. | .. | .. | p  | .. | .. | .. |

Consumer Advisory	Y	N	O	A	C	R
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|--|---|----|----|----|----|----|
| 23. Consumer advisory provided for raw or undercooked foods. | p | .. | .. | .. | .. | .. |
|--|---|----|----|----|----|----|

Highly Susceptible Populations	Y	N	O	A	C	R
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|---|----|----|---|----|----|----|
| 24. Pasteurized foods used; prohibited foods not offered. | .. | .. | p | .. | .. | .. |
|---|----|----|---|----|----|----|

Chemical	Y	N	O	A	C	R
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|--|---|----|----|----|----|----|
| 25. Food additives: approved and properly used.            | p | .. | .. | .. | .. | .. |
| 26. Toxic substances properly identified, stored and used. | p | .. | .. | .. | .. | .. |

Conformance with Approved Procedures	Y	N	O	A	C	R
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- |   |    |    |   |    |    |    |
|---|----|----|---|----|----|----|
| 27. Compliance with variance, specialized process and HACCP plan. | .. | .. | p | .. | .. | .. |
|---|----|----|---|----|----|----|

GOOD RETAIL PRACTICES						
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Safe Food and Water	Y	N	O	A	C	R
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|---|----|----|----|----|----|----|
| 28. Pasteurized eggs used where required.                 | .. | .. | p  | .. | .. | .. |
| 29. Water and ice from approved source.                   | p  | .. | .. | .. | .. | .. |
| 30. Variance obtained for specialized processing methods. | .. | .. | p  | .. | .. | .. |

Food Temperature Control	Y	N	O	A	C	R
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|--|----|---|----|----|---|----|
| 31. Proper cooling methods used; adequate equipment for temperature control. | .. | p | .. | .. | p | .. |
|--|----|---|----|----|---|----|
- Fail Notes* | 3-501.15 **Proper cooling methods used for PHF**  
*[Cooling refried beans in 6 inch pan in walk in cooler less than 2 hours after cooking 100. COS-employee transferred to 2 inch pan ]*

- |   |   |    |    |    |    |    |
|---|---|----|----|----|----|----|
| 32. Plant food properly cooked for hot holding. | p | .. | .. | .. | .. | .. |
| 33. Approved thawing methods used.              | p | .. | .. | .. | .. | .. |
| 34. Thermometers provided and accurate.         | p | .. | .. | .. | .. | .. |

Food Identification	Y	N	O	A	C	R
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|--|---|----|----|----|----|----|
| 35. Food properly labeled; original container. | p | .. | .. | .. | .. | .. |
|--|---|----|----|----|----|----|

Prevention of Food Contamination	Y	N	O	A	C	R
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|--|----|---|----|----|----|----|
| 36. Insects, rodents and animals not present; no unauthorized persons. | .. | p | .. | .. | .. | .. |
|--|----|---|----|----|----|----|
- Fail Notes* | 6-501.111(C)\* **CRITICAL - Effective pest control measures in place**  
*[\* critical 1 adult and 1 young german cockroach observed on wall and under hot holding service line on wall and floor. COS-Manager dealt with cockroaches Facility treated on regular schedule with last 2 treatments 9/10/2012 and 9/17/2012 by Schendel Pest Services of Wichita Kansas ]*

- |   |    |    |    |    |    |    |
|---|----|----|----|----|----|----|
| 37. Contamination prevented during food preparation, storage and display. | p  | .. | .. | .. | .. | .. |
| 38. Personal cleanliness.   | p  | .. | .. | .. | .. | .. |
| 39. Wiping cloths: properly used and stored.                              | .. | .. | p  | .. | .. | .. |

# KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Prevention of Food Contamination	Y	N	O	A	C	R
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40. Washing fruits and vegetables.	..	..	p	..	..	..
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Proper Use of Utensils	Y	N	O	A	C	R
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41. In-use utensils: properly stored.	p	..	..	..	..	..
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42. Utensils, equipment and linens: properly stored, dried and handled.	p	..	..	..	..	..
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43. Single-use and single-service articles: properly used.	p	..	..	..	..	..
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44. Gloves used properly.	p	..	..	..	..	..
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Utensils, Equipment and Vending	Y	N	O	A	C	R
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45a. Food and non-food contact surfaces cleanable, properly designed, constructed and used-Critical items	p	..	..	..	..	..
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45b. Food and non-food contact surfaces cleanable, properly designed, constructed and used-non-critical items	p	..	..	..	..	..
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46. Warewashing facilities: installed, maintained, and used; test strips.	..	p	..	..	..	..
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*Fail Notes* | 4-302.14 *Sanitizer test kit*  
[No sanitizer test kit available in facility ]

47. Non-food contact surfaces clean.	p	..	..	..	..	..
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Physical Facilities	Y	N	O	A	C	R
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48. Hot and cold water available; adequate pressure.	p	..	..	..	..	..
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49. Plumbing installed; proper backflow devices.	p	..	..	..	..	..
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50. Sewage and waste water properly disposed.	p	..	..	..	..	..
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51. Toilet facilities: properly constructed, supplied and cleaned.	p	..	..	..	..	..
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52. Garbage and refuse properly disposed; facilities maintained.	p	..	..	..	..	..
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53. Physical facilities installed, maintained and clean.	p	..	..	..	..	..
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54. Adequate ventilation and lighting; designated areas used.	p	..	..	..	..	..
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Administrative/Other	Y	N	O	A	C	R
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55. Other violations	p	..	..	..	..	..
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***This item has Notes. See Footnote 5 at end of questionnaire.***

EDUCATIONAL MATERIALS
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The following educational materials were provided      p

<i>Material Distributed</i>	<i>Education Title #35</i>	<i>Food Temperature Log</i>
	<i>Education Title #42</i>	<i>Daily Self-Inspection Checklist</i>
	<i>Education Title #43</i>	<i>Storing Food in WIC</i>

# KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

## **Footnote 1**

**Notes:**

dish machine 50ppm chlorine

## **Footnote 2**

**Notes:**

Pork on grill 210

## **Footnote 3**

**Notes:**

Queso 140, Shredded beef 158, Shredded chicken 184, taco meat 159,

## **Footnote 4**

**Notes:**

Cut lettuce 35, Pico degallo 41, Pork 36, fish 30, Beef 32, chicken 38, walk in cooler air 42, Queso 43, Beef 42, chicken 42, Chicken polo 41, salsa 43

## **Footnote 5**

**Notes:**

Facility attended FOFS training on 8/20/12012 and manager has attended Serve Safe class with certificate posted by front counter.

## VOLUNTARY DESTRUCTION REPORT

**Insp Date:** 9/18/2012      **Business ID:** 100889FR  
**Business:** LA FIESTA

2123 N SUMMIT  
 ARKANSAS CITY, KS 67005

**Inspection:** 07002015  
**Store ID:**  
**Phone:** 6207410031  
**Inspector:** KDA07  
**Reason:** 02 Follow-up

**Time In / Time Out**

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
09/18/12	02:00 PM	04:30 PM	2:30	0:15	2:45	0	
Total:			2:30	0:15	2:45	0	

**ACTIONS**

Number of products Voluntarily Destroyed   2  

**VOLUNTARY DESTRUCTION REPORT**

I have this day voluntarily destroyed, or caused to be destroyed, the merchandise described below. Said merchandise found in my possession was unfit for human consumption, misbranded, or otherwise unlawful. Destruction and final disposition of said merchandise has been done in a manner approved by the above named Inspector, representative of the Kansas Department of Agriculture.

I hereby release the Kansas Department of Agriculture, and its members, agents, and representatives from any and all liability.

1. Product Red Sauce Qty 1 Units pint Value \$ 2.00

Description

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A

2. Product ROP fish Qty 1 Units each Value \$ 10.00

Description

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A

## NOTICE OF NON COMPLIANCE WITH KANSAS LAW

**Insp Date:** 9/18/2012  
**Business:** LA FIESTA

**Business ID:** 100889FR

**Inspection:** 07002015

**Store ID:**

**Phone:** 6207410031

**Inspector:** KDA07

**Reason:** 02 Follow-up

2123 N SUMMIT  
 ARKANSAS CITY, KS 67005

**Time In / Time Out**

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
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Total:			2:30	0:15	2:45	0	

**NOTICE OF NON COMPLIANCE WITH KANSAS LAW**

Food Establishments. The Kansas Food Code, Section 8-405.11(B) as adopted and amended by K.A.R. 4-28-8 through 15, requires that all critical violations shall be corrected no later than 10 days after this inspection and all noncritical violations shall be corrected no later than 90 days after this inspection unless otherwise directed on this form.

Failure to comply with the food safety law and its regulations may result in embargo of non-compliant products; immediate closure of your establishment; civil penalties of up to \$1,000.00 per violation; denial of license renewal, modification, suspension and/or revocation of any license or authority issued pursuant to the food safety law; and/or any other penalty authorized by law. Pursuant to K.S.A. 65-655 et seq, licensees issued authority under the Kansas Food, Drug and Cosmetic Act may apply to the secretary for an extension of the time prescribed above.

The Kansas Food, Drug and Cosmetic Act, effective July 1, 2012 includes K.S.A. 65-619 et seq. and regulations promulgated pursuant thereto and grants the Kansas Department of Agriculture the authority to regulate mobile retail ice cream vendors; food establishments; food vending machines; and food processing plants.

PLEASE CALL (785) 296-5600 IF YOU HAVE ANY QUESTIONS.

Follow up Scheduled \_\_\_\_\_

Inspection Report Number 07002015

Inspection Report Date 09/18/12

Establishment Name LA FIESTA

Physical Address 2123 N SUMMIT City ARKANSAS CITY

Zip 67005

Additional Notes and Instructions

Repeat violations followup will be per Kansas Department of Agriculture direction.