

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: 8/5/2013 **Business ID:** 116038FE
Business: NO MERCY BBQ

Inspection: 07002541
Store ID:
Phone: 3166133666
Inspector: KDA07
Reason: 01 Routine
Results: No Follow-up

104 E 6TH STREET
 AUGUSTA, KS 67010

Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
08/05/13	10:35 AM	12:00 PM	1:25	0:05	1:30	0	
Total:			1:25	0:05	1:30	0	

FOOD ESTABLISHMENT PROFILE

Insp. Notification Email Sent Notification To _____ Lic. Insp. No
 Priority(P) Violations 1 Priority foundation(Pf) Violations 0
 Certified Manager on Staff Address Verified p Actual Sq. Ft. 1250
 Certified Manager Present

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.

P=Priority Violation, Pf=Priority foundation violation, HACCP=Hazard Analysis-Critical Control Point, BHC=Bare Hand Contact, RTE=Ready to Eat, HSP=Highly Susceptible Population, K.S.A.=Kansas Statutes Annotated, All temperatures are measured in degrees Fahrenheit (°F).

IF YOU HAVE ANY QUESTIONS PLEASE VISIT www.agriculture.ks.gov, EMAIL fsl@kda.ks.gov, OR CALL (785) 296-5600.

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

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

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Good Hygienic Practices	Y	N	O	A	C	R
4. Proper eating, tasting, drinking, or tobacco use	p
<i>This item has Notes. See Footnote 1 at end of questionnaire.</i>						
5. No discharge from eyes, nose and mouth.	p	..	..	..	..	..
Preventing Contamination by Hands	Y	N	O	A	C	R
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	..	..	..	..	..
<i>This item has Notes. See Footnote 2 at end of questionnaire.</i>						
Approved Source	Y	N	O	A	C	R
9. Food obtained from approved source.	p	..	..	..	..	..
10. Food received at proper temperature.	..	..	p	..	..	..
11. Food in good condition, safe and unadulterated.	p	..	..	..	..	..
12. Required records available: shellstock tags, parasite destruction.	..	..	p	..	..	..
Protection from Contamination	Y	N	O	A	C	R
13. Food separated and protected.	p	..	..	..	..	..
14. Food-contact surfaces: cleaned and sanitized.	p	..	..	..	..	..
15. Proper disposition of returned, previously served, reconditioned and unsafe food.	p	..	..	..	..	..
Potentially Hazardous Food Time/Temperature	Y	N	O	A	C	R
16. Proper cooking time and temperatures.	p	..	..	..	..	..
<i>This item has Notes. See Footnote 3 at end of questionnaire.</i>						
17. Proper reheating procedures for hot holding.	p	..	..	..	..	..
18. Proper cooling time and temperatures.	p	..	..	..	..	..
<i>This item has Notes. See Footnote 4 at end of questionnaire.</i>						
19. Proper hot holding temperatures.	p	..	..	..	..	..
<i>This item has Notes. See Footnote 5 at end of questionnaire.</i>						
20. Proper cold holding temperatures.	..	p	..	..	p	..
<i>This item has Notes. See Footnote 6 at end of questionnaire.</i>						
Fail Notes	3-501.16(A)(2) P - PHF/TCS Cold Holding - POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) shall be maintained at 5°C (41°F) or less. [By fryer cut potatoes 48 COS-corrected on site Owner placed Cut potatoes for French Frys on ice to chill to below 41. IN refrigerator hamburger in door 50 COS - Owner discarded VD]					
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
23. Consumer advisory provided for raw or undercooked foods.	..	..	..	p	..	..
Highly Susceptible Populations	Y	N	O	A	C	R
24. Pasteurized foods used; prohibited foods not offered.	p
Chemical	Y	N	O	A	C	R

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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 . . . |
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GOOD RETAIL PRACTICES

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 |
| 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 |
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Prevention of Food Contamination	Y N O A C R
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|---|---------------|
| 36. Insects, rodents and animals not present. | p |
| 37. Contamination prevented during food preparation, storage and display. | p |
| 38. Personal cleanliness. | p |
| 39. Wiping cloths: properly used and stored. | . . . p . . . |
| 40. Washing fruits and vegetables. | . . . p . . . |

Proper Use of Utensils	Y N O A C R
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|---|---------------|
| 41. In-use utensils: properly stored. | p |
| 42. Utensils, equipment and linens: properly stored, dried and handled. | p |
| 43. Single-use and single-service articles: properly used. | p |
| 44. Gloves used properly. | . . . p . . . |

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-P and Pf items | p |
| 45b. Food and non-food contact surfaces cleanable, properly designed, constructed and used-Core items | p |
| 46. Warewashing facilities: installed, maintained, and used; test strips. | p |
| 47. Non-food contact surfaces clean. | p |

Physical Facilities	Y N O A C R
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| 48. Hot and cold water available; adequate pressure. | p |
| 49. Plumbing installed; proper backflow devices. | p |

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Physical Facilities	Y	N	O	A	C	R
50. Sewage and waste water properly disposed.	p
51. Toilet facilities: properly constructed, supplied and cleaned.	p	..	..	..	..	..
52. Garbage and refuse properly disposed; facilities maintained.	p	..	..	..	..	..
53. Physical facilities installed, maintained and clean.	..	p	..	..	..	..
<i>Fail Notes</i> | 6-501.11 <i>PHYSICAL FACILITIES shall be maintained in good repair. [Ceiling tiles missing over smoker in kitchen]</i>						
54. Adequate ventilation and lighting; designated areas used.	p	..	..	..	..	..

Administrative/Other	Y	N	O	A	C	R
55. Other violations	..	p	..	..	..	..
<i>Fail Notes</i> | 8-304.11(A) <i>Upon issuance of the LICENSE by the REGULATORY AUTHORITY, the LICENSEE shall post the LICENSE in a location in the FOOD ESTABLISHMENT that is conspicuous to CONSUMERS. [Facility has not posted current license in facility.]</i>						

EDUCATIONAL MATERIALS

The following educational materials were provided p

Material Distributed | *Education Title #06* *Cooling*

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Footnote 1

Notes:

Discussed keeping employee drinks from over ice machines

Footnote 2

Notes:

Handwash sink located in a room with the door removed to allow access. discussed with owner about better location for handwash sink that would be closer to kitchen food preparation area.

Footnote 3

Notes:

Brisket 209

Footnote 4

Notes:

Discussed the facility practice of icing down meats at end of night and looking for temperature of 80. Suggested pulling temperature to 70 to make it easier for coolers to cool meats to 41 or below. Education.

Footnote 5

Notes:

Green Beans 190, black eye peas 164, Baked beans 140, nacho cheese 158, Pulled pork 204, 150, Whole chicken 193, ribs 174

Footnote 6

Notes:

refrigerator air 36.8, second refrigerator air 41.4, Beef 43, pork but 41, hot links 39, sour cream 38.6,

FIELD WARNING LETTER

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FIELD WARNING LETTER

The Kansas Food, Drug and Cosmetic Act, effective July 1, 2012, K.S.A. 65-619 *et seq.* and regulations promulgated pursuant thereto, grants the Kansas Department of Agriculture authority to regulate food establishments and food processing plants. The Kansas Food Code is adopted and amended by K.A.R. 4-28-8 through 15.

During the inspection today of the Food Establishment listed above, violations of the Kansas Food Code were observed. The violations are documented in the attached Kansas Food Establishment Inspection Report.

Although we will not take further action at this time based on this inspection report, repeated violations observed during future inspections 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 Kansas Food, Drug and Cosmetic Act;
- and/or any other penalty authorized by law.

Future inspections will be initiated during the next routine inspection cycle, unless we receive a complaint about the food establishment.

VOLUNTARY DESTRUCTION REPORT

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ACTIONS

Number of products Voluntarily Destroyed 1

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 Ground beef Qty 3 Units lbs Value \$ 10.00

Description

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A