

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: 11/12/2013 **Business ID:** 100889FE
Business: LA FIESTA

Inspection: 07002686
Store ID:
Phone: 6207410031
Inspector: KDA07
Reason: 03 Complaint
Results: No Follow-up

2123 N SUMMIT
 ARKANSAS CITY, KS 67005

Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
11/12/13	03:45 PM	06:00 PM	2:15	0:45	3:00	0	
Total:			2:15	0:45	3:00	0	

FOOD ESTABLISHMENT PROFILE

Insp. Notification Email Sent Notification To _____ Lic. Insp. No
 Priority(P) Violations 2 Priority foundation(Pf) Violations 1
 Certified Manager on Staff .. Address Verified p Actual Sq. Ft. 4200
 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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KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

	Y	N	O	A	C	R
Good Hygienic Practices						
4. Proper eating, tasting, drinking, or tobacco use	p	..	..	..	..	..
5. No discharge from eyes, nose and mouth.	p	..	..	..	..	..
Preventing Contamination by Hands						
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	..	..	p	..
<i>Fail Notes</i>	<p>6-301.12 Pf - Each HANDWASHING SINK or group of adjacent HANDWASHING SINKS shall be provided with: Individual, disposable towels; a continuous towel system that supplies the user with a clean towel; a heated-air hand drying device; or a hand drying device that employs an air-knife system that delivers high velocity, pressurized air at ambient temperatures. [No papertowels at handwash sink next to food production line COS-Towels restocked by employee.]</p>					
Approved Source						
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						
13. Food separated and protected.	p	..	..	..	..	..
14. Food-contact surfaces: cleaned and sanitized.	p	..	..	..	..	..
<i>This item has Notes. See Footnote 1 at end of questionnaire.</i>						
15. Proper disposition of returned, previously served, reconditioned and unsafe food.	p	..	..	..	..	..
Potentially Hazardous Food Time/Temperature						
16. Proper cooking time and temperatures.	..	..	p	..	..	..
17. Proper reheating procedures for hot holding.	p	..	..	..	..	..
18. Proper cooling time and temperatures.	p	..	..	..	..	..
<i>This item has Notes. See Footnote 2 at end of questionnaire.</i>						
19. Proper hot holding temperatures.	p	..	..	..	..	..
<i>This item has Notes. See Footnote 3 at end of questionnaire.</i>						
20. Proper cold holding temperatures.	p	..	..	..	..	..
<i>This item has Notes. See Footnote 4 at end of questionnaire.</i>						
21. Proper date marking and disposition.	..	p	..	..	p	..

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Potentially Hazardous Food Time/Temperature	Y	N	O	A	C	R
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Fail Notes	<p>3-501.18(A)(2) <i>P - RTE PHF/TCS, Disposition (discard if in a container w/out a date) Refrigerated, READY-TO-EAT, POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) prepared or opened and held in a FOOD ESTABLISHMENT for more than 24 hours shall be discarded if it is not clearly marked to indicate the date or day by which the FOOD shall be consumed on the PREMISES, sold, or discarded when held at a temperature of 5°C (41°F) or less for a maximum of 7 days, with the day of preparation counted as Day 1. [In walk in cooler pan of shredded beef cooked per employee 9:30am 11/11/2013 has no date marking COS-Date marked by employee NOTE: estimated over 20 percent of food items date marked had date marking errors in walk in cooler Education]</i></p> <p>3-501.18(A)(3) <i>P - RTE PHF/TCS, Disposition (discard if dated for more than 7 days) Refrigerated, READY-TO-EAT, POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) prepared or opened and held in a FOOD ESTABLISHMENT for more than 24 hours shall be discarded if it is marked to indicate a date or day by which the FOOD shall be consumed on the PREMISES, sold, or discarded when held at a temperature of 5°C (41°F) or less that is more than 7 days from the date of preparation or opening, with the day of preparation counted as Day 1. [In walk in cooler carnitas (cooked Beef) date marked 11/2/2013 per manager was actually cooked 11/6/2013 and expires 11/12/2013 COS-Date corrected by employee and manager will discard if not completely used today 11/12/2013 In Walk in cooler refried beans date marked 11/1/2013 expired COS- Owner Discarded VD Note: Estimated over 20 percent of food items in walk in cooler had date marking issues education]</i></p>
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22. Time as a public health control: procedures and record.	p
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Consumer Advisory	Y	N	O	A	C	R
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23. Consumer advisory provided for raw or undercooked foods.	p
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Highly Susceptible Populations	Y	N	O	A	C	R
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24. Pasteurized foods used; prohibited foods not offered.	p
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Chemical	Y	N	O	A	C	R
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25. Food additives: approved and properly used.	p
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26. Toxic substances properly identified, stored and used.	p
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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
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29. Water and ice from approved source.	p
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30. Variance obtained for specialized processing methods.	p
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Food Temperature Control	Y	N	O	A	C	R
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31. Proper cooling methods used; adequate equipment for temperature control.	p
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32. Plant food properly cooked for hot holding.	p
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33. Approved thawing methods used.	p
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KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

	Y	N	O	A	C	R
Food Temperature Control						
34. Thermometers provided and accurate.	p	..	..	..	..	..
Food Identification						
35. Food properly labeled; original container.	p	..	..	..	..	..
Prevention of Food Contamination						
36. Insects, rodents and animals not present.	p	..	..	..	..	..
<i>This item has Notes. See Footnote 5 at end of questionnaire.</i>						
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						
41. In-use utensils: properly stored.	..	p	..	..	p	..
<i>Fail Notes</i> | 3-304.12(B) | <i>In-use utensil storage (Non-PHF/TCS-handles above food) During pauses in FOOD preparation or dispensing, FOOD preparation and dispensing UTENSILS shall be stored in FOOD that is not POTENTIALLY HAZARDOUS (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) with their handles above the top of the FOOD within containers or EQUIPMENT that can be closed, such as bins of sugar, flour, or cinnamon. [Ice scoop handle touching ice in ice bin COS-Owner relocated scoop]</i>						
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						
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	..	..	..	..
<i>Fail Notes</i> | 4-501.11(B) | <i>EQUIPMENT components such as doors, seals, hinges, fasteners, and kick plates shall be kept intact, tight, and adjusted in accordance with manufacturer's specifications. [Doors on 2 freezers in back storage rooms broken]</i>						
46. Warewashing facilities: installed, maintained, and used; test strips.	p	..	..	..	..	..
47. Non-food contact surfaces clean.	..	p	..	..	..	..
<i>Fail Notes</i> | 4-601.11(C) | <i>NonFOOD-CONTACT SURFACES of EQUIPMENT shall be kept free of an accumulation of dust, dirt, FOOD residue, and other debris. [Nonfood contact surfaces of ice machine lid dirty with mildew like substance.]</i>						
Physical Facilities						
48. Hot and cold water available; adequate pressure.	p	..	..	..	..	..
49. Plumbing installed; proper backflow devices.	p	..	..	..	..	..
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

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Physical Facilities	Y	N	O	A	C	R
53. Physical facilities installed, maintained and clean.	p
54. Adequate ventilation and lighting; designated areas used.	p	..	..	..	..	..
Administrative/Other	Y	N	O	A	C	R
55. Other violations	p	..	..	..	..	..

EDUCATIONAL MATERIALS

The following educational materials were provided p

Material Distributed | Education Title #08 Date Marking

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Footnote 1

Notes:

Automatic Dishwasher 50ppm Chlorine (Parts per million)

Footnote 2

Notes:

Refried beans 38 made 11/12/13

Footnote 3

Notes:

Taco meat 169, 208, refried beans 137, chicken polo 167

Discussed Queso cheese holding temperatures

Footnote 4

Notes:

Sliced tomatoes 36, pico sauce 35, lettuce 38, shredded cheese 40, chorezio 38, shrimp 37, fish 35, scallops 34, steak raw 36, salsa 42, Make tables air 36, 41, walk in cooler air 38, Beef 41, shredded beef 38, refried beans 38, pico degallo 35, eggs 42.7,

Footnote 5

Notes:

Reviewed 3 reports from facility pest control company dated 9/7, 10/4 and 11/1/2013 none of the reports showed activity. in the facility and facility is treated monthly for a variety of pests including Cockroaches.

VOLUNTARY DESTRUCTION REPORT

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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 Refried Beans Qty 3 Units lbs Value \$ 7.50

Description

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A

2. Product Salsa Qty 1 Units each Value \$ 1.00

Description

Reason Product Destroyed Adulterated Method Product Destroyed Garbage Disposal

Disposal Location _____ Embargo Hold Tag # N/A

FIELD WARNING LETTER

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ARKANSAS CITY, KS 67005

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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.