

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: 8/6/2013 **Business ID:** 113923FE
Business: CANCUN MEXICAN GRILL

Inspection: 10004118
Store ID:
Phone: 6208423180
Inspector: KDA10
Reason: 03 Complaint
Results: Follow-up

725 W MAIN ST
 ANTHONY, KS 67003

Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
08/06/13	10:30 AM	01:00 PM	2:30	0:45	3:15	0	
Total:			2:30	0:45	3:15	0	

FOOD ESTABLISHMENT PROFILE

Insp. Notification Print Lic. Insp. No

Priority(P) Violations 5 Priority foundation(Pf) Violations 4

Certified Manager on Staff Address Verified p Actual Sq. Ft. 12,000

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

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	..	..	..	..
<i>Fail Notes</i> | 6-501.18 <i>PLUMBING FIXTURES such as HANDWASHING SINKS, toilets, and urinals shall be cleaned as often as necessary to keep them clean. [Grime build up on (on/off) handles at the Kitchen handwashing sink.]</i>						
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	..	..	p	..
<i>Fail Notes</i> | 3-101.11 <i>P - FOOD shall be safe, UNADULTERATED, and honestly presented. [The following items (stored at the Bar) had fruit flies floating in contents: Tequila, Tequila Gold, Triple Sec, Barton Vodka, McCormick Vodka, McCormick Rum and Wild Turkey. Corrected on Site: all were discarded]</i>						
12. Required records available: shellstock tags, parasite destruction.	..	..	..	p	..	..
Protection from Contamination						
13. Food separated and protected.	..	p	..	..	..	..
<i>Fail Notes</i> | 3-302.11(A)(1)(b) <i>P - FOOD shall be protected from cross contamination by separating raw animal FOODS during storage, preparation, holding, and display from Cooked READY-TO-EAT FOOD. [An uncovered container of raw pork chorizo was stored directly above an uncovered container of fully cooked marinated pork (in Kitchen Prep Table).]</i>						
14. Food-contact surfaces: cleaned and sanitized.	..	p	..	..	..	..
<i>Fail Notes</i> | 4-601.11(A) <i>Pf - Food Contact Clean to Sight and Touch - EQUIPMENT FOOD-CONTACT SURFACES and UTENSILS shall be clean to sight and touch. [Ice machine has dust build up on the door ledge. Three knives, stored as clean on south wall magnet, had dried food residue build up. Note: Knives were removed and placed in warewashing area.]</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 1 at end of questionnaire.</i>						
19. Proper hot holding temperatures.	p	..	..	..	..	..
<i>This item has Notes. See Footnote 2 at end of questionnaire.</i>						
20. Proper cold holding temperatures.	..	p	..	..	p	..

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Potentially Hazardous Food Time/Temperature	Y	N	O	A	C	R
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<i>Fail Notes</i>	3-501.16(A)(2)	<p><i>P - PHF/TCS Cold Holding - POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) shall be maintained at 5°C (41°F) or less.</i></p> <p><i>[Individual bottles of salsa were 51 degrees F (in Coke Reach in Cooler). Note: Manager stated the bottles were filled at 9:30 am from salsa stored in the Walk in Cooler. Corrected on Site: Removed and placed in the the Beer Reach in Cooler (ambient 37.9 degrees F).]</i></p>
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21. Proper date marking and disposition. .. p p ..

<i>Fail Notes</i>	3-501.18(A)(2)	<p><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.</i></p> <p><i>[Opened package of (fully cooked) hot dogs in the Walk in Cooler lacked a consume by date. Note: Manager stated they were opened 8/5/13. In the Kitchen Prep Table there was a container of fully cooked marinated pork without a consume by date. Note: Manager stated it was prepared 8/3/13. Corrected on Site - Dated items]</i></p>
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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

<i>Fail Notes</i>	7-102.11	<p><i>Pf - Common Name (Working Containers) Working containers used for storing POISONOUS OR TOXIC MATERIALS such as cleaners and SANITIZERS taken from bulk supplies shall be clearly and individually identified with the common name of the material.</i></p> <p><i>[Handheld pump sprayer, clear liquid contents and no label, was stored in warewashing area. Note: Manager stated it was degreaser]</i></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

GOOD RETAIL PRACTICES	Y	N	O	A	C	R
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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

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Food Temperature Control	Y	N	O	A	C	R
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Fail Notes | 4-301.11 *Pf - Temperature Capacity - EQUIPMENT for cooling and heating FOOD, and holding cold and hot FOOD, shall be sufficient in number and capacity to provide FOOD temperatures as specified under Chapter 3.
[Coke Reach in Cooler, which was storing individual bottles of salsa, was 49.1 degrees F (ambient). Note: all items were removed]*

32. Plant food properly cooked for hot holding. p

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

33. Approved thawing methods used. . . . p

34. Thermometers provided and accurate. . . p

Fail Notes | 4-203.11 *Pf - Food thermometers (Accuracy) FOOD TEMPERATURE MEASURING DEVICES that are scaled only in Celsius or dually scaled in Celsius and Fahrenheit shall be accurate to ±1°C in the intended range of use. FOOD TEMPERATURE MEASURING DEVICES that are scaled only in Fahrenheit shall be accurate to ±2°F in the intended range of use.
[Probe food thermometer, stored in Kitchen, read 79 degrees (ambient). Note: Inspector temperature read 85 degrees F (calibrated 7/23/13)]*

4-204.112(A) *Temperature Measuring Devices (Sensor Location) In a mechanically refrigerated or hot FOOD storage unit, the sensor of a TEMPERATURE MEASURING DEVICE shall be located to measure the air temperature or a simulated product temperature in the warmest part of a mechanically refrigerated unit and in the coolest part of a hot FOOD storage unit.
[Ambient air thermometer, in the Walk in Cooler, is stored next to the fan.]*

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. . . p

Fail Notes | 6-202.15(A)(3) *Outer openings (Doors) Outer openings of a FOOD ESTABLISHMENT shall be protected against the entry of insects and rodents by solid, self-closing, tight-fitting doors.
[East exit door, near service sink, has gaps along the bottom, top and north side which are large enough to allow entrance of pests.]*

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

Fail Notes | 3-304.12(B) *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.
[Bowls, with no handles are stored in direct contact with seasonings in storage drawers.]*

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Proper Use of Utensils	Y N O A C R
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Fail Notes | 3-304.12(C) *In-use utensil storage (Cleaned/sanitized surface) During pauses in FOOD preparation or dispensing, FOOD preparation and dispensing UTENSILS shall be stored on a clean portion of the FOOD preparation table or cooking EQUIPMENT only if the in-use UTENSIL and the FOOD-CONTACT surface of the FOOD preparation table or cooking EQUIPMENT are cleaned and SANITIZED at the required frequency.*
[Kitchen knife is stored on a wall magnet with soil and grime build up (north Kitchen wall). Note: Fly swatter was also stored on magnet.]

- 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

Fail Notes | 4-101.11(A) *P - FCS materials (Safe) Materials that are used in the construction of UTENSILS and FOOD-CONTACT SURFACES OF EQUIPMENT shall be safe.*
[Spices \ seasonings are stored in non food grade plastic containers (Sterilite storage drawers).]

45b. Food and non-food contact surfaces cleanable, properly designed, constructed and used-Core items .. p

Fail Notes | 4-501.11(B) *EQUIPMENT components such as doors, seals, hinges, fasteners, and kick plates shall be kept intact, tight, and adjusted in accordance with manufacturer's specifications.*
[Reach in Freezer door came completely off the hinges (and onto the floor) when opened for inspection.]

4-501.12 *Surfaces such as cutting blocks and boards that are subject to scratching and scoring shall be resurfaced if they can no longer be effectively cleaned and SANITIZED, or discarded if they are not capable of being resurfaced.*
[The cutting board, attached to the Make Table, has deep cuts.]

- 46. Warewashing facilities: installed, maintained, and used; test strips. p
 - 47. Non-food contact surfaces clean. .. p
- Fail Notes* | 4-601.11(C) *NonFOOD-CONTACT SURFACES of EQUIPMENT shall be kept free of an accumulation of dust, dirt, FOOD residue, and other debris.*
[Kitchen stove top has soil and grease build up.]
- 4-602.13 *NonFOOD-CONTACT SURFACES of EQUIPMENT shall be cleaned at a frequency necessary to preclude accumulation of soil residues.*
[Grime build up in door seal of Kitchen Prep Table. Food debris build up in Kitchen Prep Table. Grease build up on topside of Kitchen oven.]

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
- Fail Notes* | 5-205.15(B) *Plumbing system (Maintained) A PLUMBING SYSTEM shall be maintained in good repair.*
[Water filter, in cabinet below fountain machine, is leaking into a plastic tub which is full and overflowing onto the cabinet floor and into the next cabinet as well.]
- 50. Sewage and waste water properly disposed. p
 - 51. Toilet facilities: properly constructed, supplied and cleaned. p

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Physical Facilities	Y	N	O	A	C	R
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|--|----|----|----|----|----|----|
| 52. Garbage and refuse properly disposed; facilities maintained. | p | .. | .. | .. | .. | .. |
| 53. Physical facilities installed, maintained and clean. | .. | p | .. | .. | .. | .. |

<i>Fail Notes</i>	6-501.114(A)	<p><i>Premises (Unnecessary items) The PREMISES shall be free of items that are unnecessary to the operation or maintenance of the establishment such as EQUIPMENT that is nonfunctional or no longer used.</i></p> <p><i>[There are four automobile tires in the Storage area. There are four out of use Reach in Coolers kept in the Storage area. Numerous out of use tables, chairs and decorations "scattered" throughout the Storage area. An automobile banch seat is kept in the Storage area.]</i></p>
	6-501.12(A)	<p><i>PHYSICAL FACILITIES shall be cleaned as often as necessary to keep them clean.</i></p> <p><i>[Wall mounted fan, in the Kitchen, has grease and soil build up. The soup dispenser, at Kitchen handwashing sink, has grime/grease build up.]</i></p>

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|---|---|----|----|----|----|----|
| 54. Adequate ventilation and lighting; designated areas used. | p | .. | .. | .. | .. | .. |
|---|---|----|----|----|----|----|

Administrative/Other	Y	N	O	A	C	R
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|----------------------|---|----|----|----|----|----|
| 55. Other violations | p | .. | .. | .. | .. | .. |
|----------------------|---|----|----|----|----|----|

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

EDUCATIONAL MATERIALS

The following educational materials were provided p

<i>Material Distributed</i>		<i>Education Title #22</i>	<i>Focus On Food Safety Manual (on the Website)</i> <i>[(Spanish version)]</i>
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KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Footnote 1

Notes:

Chicken 40 (Walk in Cooler)
Rice 40 (Walk in Cooler)

Footnote 2

Notes:

Ground Beef 146 (Steam Table)

Footnote 3

Notes:

Rice 197 (oven)

Footnote 4

Notes:

Manager was unsure if there is a certified manager on staff.

NOTICE OF NON COMPLIANCE WITH KANSAS LAW

Insp Date: 8/6/2013 **Business ID:** 113923FE
Business: CANCUN MEXICAN GRILL

Inspection: 10004118
Store ID:
Phone: 6208423180
Inspector: KDA10
Reason: 03 Complaint

725 W MAIN ST
 ANTHONY, KS 67003

Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes;
08/06/13	10:30 AM	01:00 PM	2:30	0:45	3:15	0	
Total:			2:30	0:45	3:15	0	

NOTICE OF NON COMPLIANCE WITH KANSAS LAW

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 food establishments and food processing plants.

The Kansas Food, Drug and Cosmetic Act requires that all violations shall be corrected no later than 10 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. 65-619 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.

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

Follow up Scheduled 08/16/13

Inspection Report Number 10004118 Inspection Report Date 08/06/13

Establishment Name CANCUN MEXICAN GRILL

Physical Address 725 W MAIN ST City ANTHONY
 _____ Zip 67003

Additional Notes and Instructions

VOLUNTARY DESTRUCTION REPORT

Insp Date: 8/6/2013 **Business ID:** 113923FE
Business: CANCUN MEXICAN GRILL

725 W MAIN ST
 ANTHONY, KS 67003

Inspection: 10004118
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Total:			2:30	0:45	3:15	0	

ACTIONS

Number of products Voluntarily Destroyed 7

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 Tequila Qty _____ Units _____ Value \$ 30

Description 3/4 liter (poured in sink)

Reason Product Destroyed Adulterated Method Product Destroyed _____

Disposal Location Firm Embargo Hold Tag # N/A

2. Product Tequila Gold Qty _____ Units _____ Value \$ 2

Description 4 oz (poured in sink)

Reason Product Destroyed Adulterated Method Product Destroyed _____

Disposal Location Firm Embargo Hold Tag # N/A

3. Product Triple Sec Qty _____ Units _____ Value \$ 2

Description 1/2 liter (poured in sink)

Reason Product Destroyed Adulterated Method Product Destroyed _____

Disposal Location Firm Embargo Hold Tag # N/A

VOLUNTARY DESTRUCTION REPORT

VOLUNTARY DESTRUCTION REPORT

4. Product McCormick Vodka Qty _____ Units _____ Value \$ 2

Description 1/4 liter (poured in sink)

Reason Product Destroyed Adulterated Method Product Destroyed _____

Disposal Location Firm Embargo Hold Tag # N/A

5. Product McCormick Rum Qty _____ Units _____ Value \$ 2

Description 1/4 liter (poured in sink)

Reason Product Destroyed Adulterated Method Product Destroyed _____

Disposal Location Firm Embargo Hold Tag # N/A

6. Product Barton Vodka Qty _____ Units _____ Value \$ 4

Description 3/4 liter

Reason Product Destroyed Adulterated Method Product Destroyed _____

Disposal Location Firm Embargo Hold Tag # N/A

7. Product Wild Turkey Qty _____ Units _____ Value \$ 5

Description 1/3 liter (poured in sink)

Reason Product Destroyed Adulterated Method Product Destroyed _____

Disposal Location Firm Embargo Hold Tag # N/A