

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: 3/7/2013
Business: BRECK (THE)

Business ID: 106882FE

Inspection: 11001549

622 MAIN PO BOX 408
 AMERICUS, KS 66835

Store ID:
Phone: 6204435612
Inspector: KDA11
Reason: 01 Routine
Results: Follow-up

Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
03/07/13	01:25 PM	04:20 PM	2:55	0:20	3:15	0	
Total:			2:55	0:20	3:15	0	

FOOD ESTABLISHMENT PROFILE

Updated Risk Category _____ Updated Sq. Footage 1. Under 5,000 sq feet
 Insp. Notification Print Lic. Insp. No
 Priority(P) Violations 7 Priority foundation(Pf) Violations4
 Certified Manager on Staff Certified Manager Present Address Verified

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).

PLEASE CALL (785) 296-5600 OR VISIT 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

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	..	..	p	..
<i>Fail Notes</i> | 6-301.11 Pf - Handwash cleanser provided [No soap at the front employee handsink - COS by providing soap]						
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	..	..	p	..
<i>Fail Notes</i> | 3-302.11(A)(1)(a) P - Separation-Raw & raw RTE food [Large ziplock plastic bag of raw beef in refrigerator over raw cilantro - COS by moving raw beef to lower area of the refrigerator]						
3-302.11(A)(1)(b) P - Separation-Raw & cooked RTE food [Pan of raw hamburger in RIC sitting on a pan of left over corn - COS by moving to bottom of RIC]						
14. Food-contact surfaces: cleaned and sanitized.	..	p	..	..	p	..
This item has Notes. See Footnote 1 at end of questionnaire.						
<i>Fail Notes</i> | 4-601.11A Pf - Food Contact Clean to Sight and Touch [Ten knives in end wooden cutting block table knife holders - all ten soiled with encrusted food and food smears from previous use, table mounted can opener blade soiled with dried food debris - COS by washing and sanitizing knives and can opener - COS]						
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	..	..	..	..	..
19. Proper hot holding temperatures.	p	..	..	..	..	..
This item has Notes. See Footnote 2 at end of questionnaire.						
20. Proper cold holding temperatures.	p	..	..	..	..	..
This item has Notes. See Footnote 3 at end of questionnaire.						
21. Proper date marking and disposition.	..	p	..	..	p	..
<i>Fail Notes</i> | 3-501.18(A)(1) P - RTE PHF, Disposition-discard if >7days at 41°F [Budweiser RIC: with pan of left over mashed potatoes, pan of cooked mixed vegetables with 2/22 preparation dates - COS by VD]						

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Potentially Hazardous Food Time/Temperature	Y	N	O	A	C	R
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Fail Notes | 3-501.18(A)(2) | *P - RTE PHF, Disposition-discard if in a container w/out a date [Pan of RTE rolled sliced pastrami meat with no date marking - cook indicated unknown preparation date but it was greater than one day in refrigeration - cook VD meat, pan of baked whole potatoes in RIC with no date mark, and container of twice bake potato filling with no date mark - cook indicated both were were baked or prepared on 3/2 - COS by dating both containers]*

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

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

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

Fail Notes | 7-102.11 | *Pf - Common Name, Working Containers [Unlabeled window cleaner spray bottle in womens restroom cabinet - COS by cook labeling glass cleaner]*

7-201.11(A) | *P - Separation, Storage-spacing/partitioning [Bottle of Murphy oil soap and two chemical spry bottles store on shelf with parmesan cheese and table napkins in waitress storage cabinet - COS by moving food and single use articles away from chemicals]*

7-201.11(B) | *P - Separation, Storage-chemicals above food, etc. [Bottle of Ethyl Rubbing alchol stored on a shelf over a box of raw potatoes - COS by moving alcohol]*

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

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 p ..

Fail Notes | 3-501.13 | *Proper thawing methods used for PHF [Raw steaks in plastic bag and RTE sliced turkey in ziplock bags thawing on the preparation tables in the kitchen thawing at room temperature - COS by placing in refrigerators]*

34. Thermometers provided and accurate. .. p p ..

Fail Notes | 4-203.11 | *Pf - Food thermometers accurate in the intended range of use [One out of four thermometers in use in the kitchen was 12 degrees off - it read 20 F in a 32 F ice water bath - COS by calibrating]*

Food Identification	Y	N	O	A	C	R
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KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Food Identification	Y	N	O	A	C	R
35. Food properly labeled; original container.	p	..	..	..	..	..
Prevention of Food Contamination	Y	N	O	A	C	R
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
41. In-use utensils: properly stored.	..	p	..	..	..	..
<i>Fail Notes</i> | 3-304.12(B) | <i>In-use utensil storage(non-PHF)-handles above food [Waitress ice scoop handle was down in the tub of customer drink ice]</i>						
3-304.12(C) | <i>In-use utensil storage-on cleaned/sanitized surface [In use knives stuck in soiled wooden cutting board holders]</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	Y	N	O	A	C	R
45a. Food and non-food contact surfaces cleanable, properly designed, constructed and used-P and Pf items	..	p	..	..	..	..
<i>Fail Notes</i> | 4-101.11 | <i>P - Utensils/food-contact surfaces of safe materials [Large white plastic Sterlite container (30 gallon) with lid holding (in derict contact with) edible salad bowl shells]</i>						
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	..	..	..	..
<i>Fail Notes</i> | 4-601.11(C) | <i>Nonfood contact surfaces of equipment clean [French fry cutter soiled]</i>						
Physical Facilities	Y	N	O	A	C	R
48. Hot and cold water available; adequate pressure.	p	..	..	..	..	..
49. Plumbing installed; proper backflow devices.	..	p	..	..	..	..
<i>Fail Notes</i> | 5-205.15(B) | <i>Plumbing system maintained in good repair [Front kitchen employee handwash sink drain is plugged so as to hold waste water when in use]</i>						
50. Sewage and waste water properly disposed.	p	..	..	..	..	..
51. Toilet facilities: properly constructed, supplied and cleaned.	..	p	..	..	..	..
<i>Fail Notes</i> | 5-501.17 | <i>Receptacle in women's toilet room covered [Open trash can]</i>						
6-202.14 | <i>Toilet rooms completely enclosed-self closing door [Men restroom door is not self closing]</i>						
52. Garbage and refuse properly disposed; facilities maintained.	p	..	..	..	..	..
53. Physical facilities installed, maintained and clean.	..	p	..	..	..	..

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Physical Facilities	Y N O A C R
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<i>Fail Notes</i>	6-201.11	<i>Floors/walls/ceilings smooth & easily cleanable</i> <i>[Rough floor with tile glue left from floor tile removal, ceilings warped and broken plastic ceiling tiles, dry wall wall with broken holes in wall near floor wall juncture in the kitchen near the back door]</i>
	6-501.12(A)	<i>Physical facilities clean</i> <i>[Back kitchen floors and walls and ceilings soiled with spilled and splashed food debris]</i>

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 " " "

EDUCATIONAL MATERIALS

The following educational materials were provided p

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

Footnote 1

Notes:

50 ppm C=chlorine at the mechanical dishwash machine and at the front bar three compartment sink

Footnote 2

Notes:

Steam Table:

173 F can corn

170 F nacho cheese

178 F mashed potatoes

153 F pepper gravy

Footnote 3

Notes:

Kenmore Refrigerator:

47.1 F on 3/7 dated chili from can - > 4 hrs cooling

40.2 F twice baked potato filling

Budweiser RIC:

40 F taco meat

41 F meat loaf

39 F raw hamburger

Make Table:

40 F sliced tomato top

40 F diced tomato top

39 F sliced tomato bottom

True Refrigerator:

41 F stuffed potato

Front Waitress Refrigerator:

43 F cottage cheese

Front WIC:

40 F raw beef

41 F packaged cheese

Footnote 4

Notes:

Consumer advisory is in black lettering on brown border on the menu (very difficult to see in low light)

NOTICE OF NON COMPLIANCE WITH KANSAS LAW

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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 03/20/13

Inspection Report Number 11001549

Inspection Report Date 03/07/13

Establishment Name BRECK (THE)

Physical Address 622 MAIN PO BOX 408 City AMERICUS

Zip 66835

Additional Notes and Instructions

Seven (P) Priority Critical Violations and four (Pf) Priority foundation critical violations were observed during a routine inspection

VOLUNTARY DESTRUCTION REPORT

Insp Date: 3/7/2013 **Business ID:** 106882FE
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ACTIONS

Number of products Voluntarily Destroyed 3

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 Pan of cooked mixed vegetables Qty 1 Units ea Value \$ 7.00

Description dated 2/22

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A

2. Product Pan of mashed potatoes Qty 1 Units ea Value \$ 3.00

Description dated 2/22

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A

3. Product Four ziplock bags of RTE sliced pastrami Qty 1 Units ea Value \$ 8.00

Description > seven days in refrigeration

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A