

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: 1/24/2012 **Business ID:** 104073FR
Business: LOPEZ DE MEXICO

Inspection: 12003632
Store ID:
Phone: 9133672422
Inspector: KDA12
Reason: 01 Routine
Results: Follow-up

112 S 6TH
 ATCHISON, KS 66002

Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
01/24/12	10:05 AM	11:48 AM	1:43	0:15	1:58	0	
Total:			1:43	0:15	1:58	0	

FOOD ESTABLISHMENT PROFILE

Insp. Notification Email Critical Violations 4 Lic. Insp. No

Sent Notification To _____

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 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

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

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
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	..	..	..	..	..
Approved Source	Y	N	O	A	C	R
9. Food obtained from approved source.	p	..	..	..	..	..
<i>This item has Notes. See Footnote 2 at end of questionnaire.</i>						
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	..	..	p	..
<i>Fail Notes</i> | 3-302.11(A)(1)(b)* CRITICAL - Separation-Raw & cooked RTE [Raw shell eggs stored above the cheese in the RIC (Reach in Cooler). Corrected]						
14. Food-contact surfaces: cleaned and sanitized.	..	p	..	..	p	..
<i>This item has Notes. See Footnote 3 at end of questionnaire.</i>						
<i>Fail Notes</i> | 4-601.11A* CRITICAL - Food Contact Clean to Sight and Touch [Can opener blade had visible food debris on the blade. (Corrected put through the dish washer)]						
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 4 at end of questionnaire.</i>						
17. Proper reheating procedures for hot holding.	..	..	p	..	..	..
<i>This item has Notes. See Footnote 5 at end of questionnaire.</i>						
18. Proper cooling time and temperatures.	..	..	p	..	..	..
<i>This item has Notes. See Footnote 6 at end of questionnaire.</i>						
19. Proper hot holding temperatures.	p	..	..	..	..	..
<i>This item has Notes. See Footnote 7 at end of questionnaire.</i>						
20. Proper cold holding temperatures.	p	..	..	..	..	..
<i>This item has Notes. See Footnote 8 at end of questionnaire.</i>						
<i>Fail Notes</i> | 3-501.16(A)(2)(a)* CRITICAL - PHF Cold Holding-<41°F [Cooked jalapeno peppers were in 44F in the RIC (Reach in Cooler).]						
21. Proper date marking and disposition.	..	p	..	..	p	..
<i>Fail Notes</i> 3-501.18(A)(2)* CRITICAL - RTE PHF, Disposition-discard if in a container w/out a date [No date marking on 5 gallon container of salsa, diced tomatoes, open container of milk, and cooked jalapeno peppers that had been open since Saturday. (Corrected)]						
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

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

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 .. . p ..

Fail Notes | 3-302.12 *Food storage containers identified with common name of food [No common name of a container of what the manager stated was arbol peppers. (Corrected)]*

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

This item has Notes. See Footnote 9 at end of questionnaire.

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

This item has Notes. See Footnote 10 at end of questionnaire.

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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Utensils, Equipment and Vending	Y	N	O	A	C	R
45a. Food and non-food contact surfaces cleanable, properly designed, constructed and used- Critical items	..	p
<i>Fail Notes</i> | 4-101.11* <i>CRITICAL - Utensils/food-contact surfaces of safe materials [Tortillas, homemade salsa, salt, and sugar were stored in non food grade containers.]</i>						
45b. Food and non-food contact surfaces cleanable, properly designed, constructed and used- non-critical items	p	..	..	..	..	..
46. Warewashing facilities: installed, maintained, and used; test strips.	p	..	..	..	..	..
<i>This item has Notes. See Footnote 11 at end of questionnaire.</i>						
47. Non-food contact surfaces clean.	..	p	..	..	..	..
<i>Fail Notes</i> | 4-601.11(C) <i>Nonfood contact surfaces of equipment clean [The side of the fryer area had a buildup of food and grease debris.]</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	..	..	..	..	..
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> | 6-501.12(A) <i>Physical facilities clean [The floor and walls in the corner and under the fryer area has a buildup of grease and food debris.]</i>						
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

<i>Material Distributed</i>	<i>Education Title #06</i>	<i>Cooling</i>
	<i>Education Title #08</i>	<i>Date Marking</i>
	<i>Education Title #27</i>	<i>Hot and Cold Holding</i>
	<i>Education Title #28</i>	<i>Ice Bath Cooling</i>
	<i>Education Title #43</i>	<i>Storing Food in WIC</i>
	<i>Education Title #44</i>	<i>Cooking Temperatures</i>
	<i>Education Title #45</i>	<i>Food Temperatures</i>
	<i>Education Title #46</i>	<i>Thermometer Use</i>
	<i>Education Title #49</i>	<i>Two-Stage Cooling</i>

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Footnote 1

Notes:

Manager stated that they send ill employees home if they come home sick. I explained the Big 5 highly contagious disease to the manager. She did not know of them.

Footnote 2

Notes:

Manager stated that they get their foods from the local grocery store, Evco, and John Graves

Footnote 3

Notes:

The manager stated that they wash the fryer tongs one time per day. I explained that they shall be properly washed every 4 hours.

Footnote 4

Notes:

Pinto beans cooking on stovetop 198F

Footnote 5

Notes:

Manager stated that they reheat hamburger, rice, and beans in the microwave and then put them in the steam table.

Footnote 6

Notes:

Manager explained that they cool foods from 140F to 70F within 2 hours. She did not know the second step of the cooling process, I explained that from the 70F, that she has 4 hours to get the food to 41F or colder.

Footnote 7

Notes:

Refried beans 148F, hamburger 135F, rice 134F, chili 137F, queso 140F

Footnote 8

Notes:

5 gallon container of salsa in RIC 41F
RIC milk 41, diced tomatoes 40F
RIC sour cream 42F

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Freezers all foods frozen.

Footnote 9

Notes:

This facility has a professional pest control service that comes on a regular basis.

Footnote 10

Notes:

Manager explained that they wash their peppers over the flood rim of the disposal sink to clean and prepare for the freezer.

Footnote 11

Notes:

Dish machine reached 164.5F on the second time through with my thermometer.

NOTICE OF NON COMPLIANCE WITH KANSAS LAW

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Business: LOPEZ DE MEXICO

112 S 6TH
 ATCHISON, KS 66002

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NOTICE OF NON COMPLIANCE WITH KANSAS LAW

Food Service Establishments and Retail Food Stores. 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. 36-508, licensees issued authority under the Kansas Food Service and Lodging Act may apply to the secretary for an extension of the time prescribed above.

* The Food Safety Law, effective October 1, 2004, includes K.S.A. 74-581 et seq.; the Kansas Food, Drug and Cosmetic Act, K.S.A. 65-601 et seq.; the Kansas Food Service and Lodging Act, K.S.A. 36-501 et seq.;, and regulations promulgated pursuant thereto and grants the Kansas Department of Agriculture the authority to regulate mobile retail ice cream vendors; food service establishments located in retail food stores; food vending machines; food vending machine companies and dealers; retail food stores; food processing plants; food service establishments.

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

Follow up Scheduled 02/03/12

Inspection Report Number _____ Inspection Report Date 01/24/12

Establishment Name _____

Physical Address _____ City _____

Zip _____

Additional Notes and Instructions

Violations shall be corrected. Non Food grade containers shall be replaced with food grade containers and all other violations corrected.