

**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:** 7/31/2014      **Business ID:** 115848FE  
**Business:** EL PATRON

**Inspection:** 35001394  
**Store ID:**  
**Phone:** 7855942711  
**Inspector:** KDA35  
**Reason:** 02 Follow-up  
**Results:** Administrative Review

711 8TH ST, PO BOX 788  
 BALDWIN CITY, KS 66006

**Time In / Time Out**

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
07/31/14	10:30 AM	12:00 PM	1:30	0:30	2:00	0	
<b>Total:</b>			1:30	0:30	2:00	0	

**FOOD ESTABLISHMENT PROFILE**

Physical Address 711 8TH ST City BALDWIN CITY  
711 8th St. Zip 66006  
 Owner El Patron Inc License Type FE  
 Risk Category RAC# 06 High Risk RAC/Size Confirmed  Size Range Under 5,000 sq feet  
 Insp. Notification Print Lic. Insp. No  
 Priority(P) Violations 1 Priority foundation(Pf) Violations 3  
 Certified Manager on Staff  Address Verified  Actual Sq. Ft. \_\_\_\_\_  
 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](http://www.agriculture.ks.gov), EMAIL [fsl@kda.ks.gov](mailto: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

# KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

	Y	N	O	A	C	R
<b>Demonstration of Knowledge</b>	Y	N	O	A	C	R
1. Certification by accredited program, compliance with Code, or correct responses.	..	..	..	..	..	..
<b>Employee Health</b>	Y	N	O	A	C	R
2. Management awareness; policy present.	..	..	..	..	..	..
3. Proper use of reporting, restriction and exclusion.	..	..	..	..	..	..
<b>Good Hygienic Practices</b>	Y	N	O	A	C	R
4. Proper eating, tasting, drinking, or tobacco use	p	..	..	..	..	..
5. No discharge from eyes, nose and mouth.	..	..	..	..	..	..
<b>Preventing Contamination by Hands</b>	Y	N	O	A	C	R
6. Hands clean and properly washed.	..	..	..	..	..	..
7. No bare hand contact with RTE foods or approved alternate method properly followed.	..	..	..	..	..	..
8. Adequate handwashing facilities supplied and accessible.	..	..	..	..	..	..
<b>Approved Source</b>	Y	N	O	A	C	R
9. Food obtained from approved source.	..	..	..	..	..	..
10. Food received at proper temperature.	..	..	..	..	..	..
11. Food in good condition, safe and unadulterated.	p	..	..	..	..	..
12. Required records available: shellstock tags, parasite destruction.	..	..	..	..	..	..
<b>Protection from Contamination</b>	Y	N	O	A	C	R
13. Food separated and protected.	p	..	..	..	..	..
14. Food-contact surfaces: cleaned and sanitized.	..	p	..	..	p	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.</i> <i>[On a dish storage table there were 4 plates (out of 20) that were found stored as clean with dried food debris on the food contact surface. COS: Plates placed at the dishwasher to be rewashed. ]</i>						
15. Proper disposition of returned, previously served, reconditioned and unsafe food.	..	..	..	..	..	..
<b>Potentially Hazardous Food Time/Temperature</b>	Y	N	O	A	C	R
16. Proper cooking time and temperatures.	..	..	..	..	..	..
17. Proper reheating procedures for hot holding.	..	..	..	..	..	..
18. Proper cooling time and temperatures.	..	..	..	..	..	..
19. Proper hot holding temperatures.	..	..	..	..	..	..
20. Proper cold holding temperatures.	p	..	..	..	..	..
<b><i>This item has Notes. See Footnote 1 at end of questionnaire.</i></b>						
21. Proper date marking and disposition.	..	p	..	..	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>	<p>3-501.18(A)(1) <i>P - RTE PHF/TCS, Disposition (discard if held 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 held at a temperature of 5°C (41°F) or less for more than 7 days, with the day of preparation counted as Day 1.</i></p> <p><i>[Inside of the walk in cooler there was chipotle cream with a preparation date of 7/22 held longer than 7 days. According to an employee it was made 5 days ago and was relabeled 7/26. Inside of the same cooler there were two containers of pork carnitas with a preparation date of 7/18. According to an employee they were made on 7/26. COS: Label removed and product dated with 7/26. Inside of the same cooler there were pre-cooked chicken tenders with a thaw date of 7/18 that were held longer than 7 days. COS: According to an employee the tenders were pulled on 7/26 and dated it as such. ]</i></p>
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22. Time as a public health control: procedures and record.      .. .. . . . . .

Consumer Advisory	Y	N	O	A	C	R
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23. Consumer advisory provided for raw or undercooked foods.      .. .. . . . . .

Highly Susceptible Populations	Y	N	O	A	C	R
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24. Pasteurized foods used; prohibited foods not offered.      .. .. . . . . .

Chemical	Y	N	O	A	C	R
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25. Food additives: approved and properly used.      .. .. . . . . .

26. Toxic substances properly identified, stored and used.      .. p .. . p p

<i>Fail Notes</i>	<p>7-102.11 <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>[Stored next to the beer cooler was an unlabeled spray bottle of a pink liquid. COS: Employee identified spray as sanitizer and labeled it as such. ]</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.      .. .. . . . . .

GOOD RETAIL PRACTICES
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Safe Food and Water	Y	N	O	A	C	R
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28. Pasteurized eggs used where required.      .. .. . . . . .

29. Water and ice from approved source.      .. .. . . . . .

30. Variance obtained for specialized processing methods.      .. .. . . . . .

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.      .. .. . . . . .

33. Approved thawing methods used.      .. .. . . . . .

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

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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# KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

<b>Prevention of Food Contamination</b>	<b>Y N O A C R</b>
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|--|-------------------|
| 36. Insects, rodents and animals not present.                              | .. .. p .. .. ..  |
| <b><i>This item has Notes. See Footnote 2 at end of questionnaire.</i></b> |                   |
| 37. Contamination prevented during food preparation, storage and display.  | .. .. .. .. .. .. |
| 38. Personal cleanliness.  | .. .. .. .. .. .. |
| 39. Wiping cloths: properly used and stored.                               | .. .. .. .. .. .. |
| 40. Washing fruits and vegetables.   | .. .. .. .. .. .. |

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

<b>Utensils, Equipment and Vending</b>	<b>Y N O A C R</b>
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|---|-------------------|
| 45a. Food and non-food contact surfaces cleanable, properly designed, constructed and used-<br>P and Pf items | p .. .. .. .. ..  |
| 45b. Food and non-food contact surfaces cleanable, properly designed, constructed and used-<br>Core items     | .. .. .. .. .. .. |
| 46. Warewashing facilities: installed, maintained, and used; test strips.                                     | .. p .. .. .. p   |

*Fail Notes* | 4-302.14 Pf - A test kit or other device that accurately measures the concentration in mg/L of SANITIZING solutions shall be provided. [There are Chlorine sanitizer test strips for the dishwasher.]

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|--------------------------------------|-------------------|
| 47. Non-food contact surfaces clean. | .. .. .. .. .. .. |
|--------------------------------------|-------------------|

<b>Physical Facilities</b>	<b>Y N O A C R</b>
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|--|-------------------|
| 48. Hot and cold water available; adequate pressure.               | .. .. .. .. .. .. |
| 49. Plumbing installed; proper backflow devices.                   | p .. .. .. .. ..  |
| 50. Sewage and waste water properly disposed.                      | .. .. .. .. .. .. |
| 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.           | .. .. .. .. .. .. |
| 54. Adequate ventilation and lighting; designated areas used.      | .. .. .. .. .. .. |

<b>Administrative/Other</b>	<b>Y N O A C R</b>
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- |                      |                   |
|----------------------|-------------------|
| 55. Other violations | .. .. .. .. .. .. |
|----------------------|-------------------|

<b>EDUCATIONAL MATERIALS</b>
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The following educational materials were provided ..

# KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

## **Footnote 1**

### **Notes:**

Make table  
41-diced tomatoes  
40-sour cream  
42-shredded lettuce  
38-ambient air

## **Footnote 2**

### **Notes:**

Four flies noted. 2 in the dining room and two in the dishwashing area.

## 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 \_\_\_\_\_

Inspection Report Number 35001394

Inspection Report Date 07/31/14

Establishment Name EL PATRON

Physical Address 711 8TH ST City BALDWIN CITY

711 8th St. Zip 66006

Additional Notes and Instructions

Follow up to be determined by the Manhattan Office