

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: 4/23/2013
Business: WHISPERS

Business ID: 105631FE

Inspection: 40000167

13944 MITCHELL CT
 BASEHOR, KS 66007

Store ID:
Phone: 9137243322
Inspector: KDA40
Reason: 01 Routine
Results: Follow-up

Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
04/23/13	08:00 PM	09:00 PM	1:00	0:30	1:30	0	
Total:			1:00	0:30	1:30	0	

FOOD ESTABLISHMENT PROFILE	
Updated Risk Category <u>RAC# 05 High Risk</u>	Updated Sq. Footage <u>1. Under 5,000 sq feet</u>
Insp. Notification <u>Email</u> Sent Notification To _____	Lic. Insp. <u>No</u>
Priority(P) Violations <u>2</u> Priority foundation(Pf) Violations <u>4</u>	
Certified Manager on Staff <input type="checkbox"/>	Certified Manager Present <input type="checkbox"/> Address Verified <input checked="" type="checkbox"/>

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

Good Hygienic Practices		Y	N	O	A	C	R
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|---|--|---|----|----|----|----|----|
| 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
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|--|--|----|----|----|----|----|----|
| 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	<i>Pf - Handwash cleanser provided [The bar handsink did not have soap provided. COS-employee provided soap]</i>
	6-301.12	<i>Pf - Hand Drying Provision. [The bar handsink did not have disposable paper towels. COS-employee provided paper towels.]</i>

Approved Source		Y	N	O	A	C	R
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|---|--|----|----|----|----|----|----|
| 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 - Safe, Unadulterated, & Honestly Presented [Bottle of McCormick Scotch contained a dead fruit fly. Bottle of Cherry Pucker contained 5 dead fruit flies. Bottle of Watermelon Pucker contained 2 dead fruit flies. Bottle of Wild Turkey Bourbon contained a dead fruit fly. COS-alcohol discarded.]</i>
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|--|--|----|----|----|---|----|----|
| 12. Required records available: shellstock tags, parasite destruction. | | .. | .. | .. | p | .. | .. |
|--|--|----|----|----|---|----|----|

Protection from Contamination		Y	N	O	A	C	R
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|---|--|----|----|----|----|----|----|
| 13. Food separated and protected. | | p | .. | .. | .. | .. | .. |
| 14. Food-contact surfaces: cleaned and sanitized. | | .. | p | .. | .. | p | .. |

<i>Fail Notes</i>	4-602.11(E)(4)(b)	<i>Non-PHF Food Contact Surface Cleaning Frequency-ice bins, soda nozzles-to preclude mold/soil build up [Divider plate in ice machine has build up of mold. COS-employee cleaned.]</i>
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|---|--|----|----|---|----|----|----|
| 15. Proper disposition of returned, previously served, reconditioned and unsafe food. | | .. | .. | p | .. | .. | .. |
|---|--|----|----|---|----|----|----|

Potentially Hazardous Food Time/Temperature		Y	N	O	A	C	R
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| 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 | .. | .. | .. |
| 20. Proper cold holding temperatures. | | .. | p | .. | .. | p | .. |

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

<i>Fail Notes</i>	3-501.16(A)(2)(a)	<i>P - PHF Cold Holding-<41°F [In prep table: sliced tomatoes at 48.7 degrees. COS-employee discarded.]</i>
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|---|--|----|----|----|----|----|----|
| 21. Proper date marking and disposition. | | p | .. | .. | .. | .. | .. |
| 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 | .. | .. |
|--|--|----|----|----|---|----|----|

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

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 .. . p ..
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<i>Fail Notes</i>	7-102.11	Pf - Common Name, Working Containers [A spray bottle contained what was identified by employee at glass cleaner was not labeled. COS-employee labeled.]
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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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34. Thermometers provided and accurate.	p
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Food Identification	Y N O A C R
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35. Food properly labeled; original container.	p
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Prevention of Food Contamination	Y N O A C R
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36. Insects, rodents and animals not present.	p
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This item has Notes. See Footnote 2 at end of questionnaire.

37. Contamination prevented during food preparation, storage and display.	p
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38. Personal cleanliness.	p
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39. Wiping cloths: properly used and stored.	p
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40. Washing fruits and vegetables. p
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Proper Use of Utensils	Y N O A C R
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41. In-use utensils: properly stored.	p
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42. Utensils, equipment and linens: properly stored, dried and handled.	p
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43. Single-use and single-service articles: properly used.	p
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44. Gloves used properly. p
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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
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This item has Notes. See Footnote 3 at end of questionnaire.

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Utensils, Equipment and Vending	Y	N	O	A	C	R
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45b. Food and non-food contact surfaces cleanable, properly designed, constructed and used-
Core items

Fail Notes | 4-501.12 *Cutting surface maintained smooth
[Cutting board on cold prep table has multiple cuts, scrapes and deep grooves.]*

46. Warewashing facilities: installed, maintained, and used; test strips. .. p

Fail Notes | 4-302.14 *Pf - Sanitizer test kit
[No sanitizer test kit in establishment.]*

47. Non-food contact surfaces clean. p

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

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

Fail Notes | 5-203.13 *Service sink available for cleaning of mops & disposal of liquid waste
[No service sink in establishment.]*
5-205.15(B) *Plumbing system maintained in good repair
[Bar handsink was clogged and would not drain.]*

50. Sewage and waste water properly disposed. p

51. Toilet facilities: properly constructed, supplied and cleaned. .. p

Fail Notes | 5-501.17 *Receptacle in women's toilet room covered
[No covered waste bin in the women't restroom.]*

52. Garbage and refuse properly disposed; facilities maintained. .. p

Fail Notes | 5-501.15() *Outside receptacles designed with tight-fitting lids/doors/covers &
properly installed
[The outside waste bin's lids are broken and provide no coverage
allowing for the attraction of pests.]*

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
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55. Other violations p

EDUCATIONAL MATERIALS

The following educational materials were provided p

<i>Material Distributed</i>	<i>Education Title #10</i>	<i>Did You Wash 'Em Sign / Sticker</i>
	<i>Education Title #22</i>	<i>Focus On Food Safety Manual (on the Website)</i>
	<i>Education Title #38</i>	<i>No Smoking, Eating, Drinking</i>

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Footnote 1

Notes:

Cold hold prep table: shredded cheese at 41 degrees, cheddar cheese at 41 degrees. raw hamburger at 39 degrees. WIC: ambient temperature at 41 degrees.

Footnote 2

Notes:

PIC indicated the establishment is serviced on a monthly basis by a pest control company. Last service was 2 weeks ago.

Footnote 3

Notes:

There are three containers with pitting. Kitchen manager indicated those containers were employees' personal items. Inspector advised that separation between personal items and restaurant items needs to be maintained.

Footnote 4

Notes:

Bar handsink hot water temperature at 103 degrees. Kitchen handsink at 109 degrees. Women't restroom handsink at 118 degrees. Men's restroom handsink at 117 degrees.

VOLUNTARY DESTRUCTION REPORT

Insp Date: 4/23/2013
Business: WHISPERS

Business ID: 105631FE

Inspection: 40000167

Store ID:

Phone: 9137243322

Inspector: KDA40

Reason: 01 Routine

13944 MITCHELL CT
 BASEHOR, KS 66007

Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
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ACTIONS

Number of products Voluntarily Destroyed 4

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 McCormick's Scotch Qty 0.5 Units liter Value \$ 8.00

Description

Reason Product Destroyed Adulterated Method Product Destroyed Garbage Disposal

Disposal Location Firm Embargo Hold Tag # N/A

2. Product Cherry Pucker Qty 8 Units oz Value \$ 5.00

Description

Reason Product Destroyed Adulterated Method Product Destroyed Garbage Disposal

Disposal Location Firm Embargo Hold Tag # N/A

3. Product Watermelon Pucker Qty 4 Units oz Value \$ 1.00

Description

Reason Product Destroyed Adulterated Method Product Destroyed Garbage Disposal

Disposal Location Firm Embargo Hold Tag # N/A

VOLUNTARY DESTRUCTION REPORT

VOLUNTARY DESTRUCTION REPORT

4. Product Wild Turkey Bourbon Qty 0.5 Units liter Value \$ 10.00

Description

Reason Product Destroyed Adulterated Method Product Destroyed Garbage Disposal

Disposal Location Firm Embargo Hold Tag # N/A

NOTICE OF NON COMPLIANCE WITH KANSAS LAW

Insp Date: 4/23/2013
Business: WHISPERS

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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 05/03/13

Inspection Report Number 40000167

Inspection Report Date 04/23/13

Establishment Name WHISPERS

Physical Address 13944 MITCHELL CT City BASEHOR

Zip 66007

Additional Notes and Instructions