

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: 5/20/2014 **Business ID:** 118148FE
Business: BALDWIN DINER DEPOT
 516 Ames St
 516 AMES ST
 BALDWIN CITY, KS 66006

Inspection: 40000898
Store ID:
Phone: 7855943123
Inspector: KDA40
Reason: 10 Licensing
Results: No Follow-up

Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
05/20/14	11:45 PM	11:45 PM	0:00	2:00	2:00	0	
Total:			0:00	2:00	2:00	0	

FOOD ESTABLISHMENT PROFILE

Insp. Notification Print _____ Lic. Insp. Yes _____
 Priority(P) Violations 2 _____ Priority foundation(Pf) Violations 1 _____ Left App. No _____ Lic. Approved Yes _____
 Certified Manager on Staff .. _____ Address Verified p _____ 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, 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
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KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

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	..	..	p	..
<i>Fail Notes</i>	2-301.14(G) <i>P - Wash Hands (Raw to RTE) FOOD EMPLOYEES shall clean their hands and exposed portions of their arms as specified under § 2-301.12 immediately before engaging in FOOD preparation including working with exposed FOOD, clean EQUIPMENT and UTENSILS, and unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES and when switching between working with raw FOOD and working with READY-TO-EAT FOOD [Cook while wearing gloves, handles raw hamburger. He then handled RTE food without having changed gloves or washing hands. COS-educated and hands washed.]</i>						
7.	No bare hand contact with RTE foods or approved alternate method properly followed.	..	..	..	..	..	..
8.	Adequate handwashing facilities supplied and accessible.	..	..	..	..	..	..
Approved Source		Y	N	O	A	C	R
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		Y	N	O	A	C	R
13.	Food separated and protected.	p	..	..	..	..	..
14.	Food-contact surfaces: cleaned and sanitized.	..	p	..	..	..	..
<i>Fail Notes</i>	4-602.12(B) <i>Cleaning Microwaves - The cavities and door seals of microwave ovens shall be cleaned at least every 24 hours by using the manufacturer's recommended cleaning procedure. [The interior of the microwave oven was soiled with dried spilled food. The cook indicated he did not know when it had last been cleaned.]</i>						
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 1 at end of questionnaire.</i>						
17.	Proper reheating procedures for hot holding.	..	..	p	..	..	..
18.	Proper cooling time and temperatures.	p	..	..	..	..	..
	<i>This item has Notes. See Footnote 2 at end of questionnaire.</i>						
19.	Proper hot holding temperatures.	p	..	..	..	p	..
	<i>This item has Notes. See Footnote 3 at end of questionnaire.</i>						
20.	Proper cold holding temperatures.	..	p	..	..	p	..
	<i>This item has Notes. See Footnote 4 at end of questionnaire.</i>						

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Potentially Hazardous Food Time/Temperature	Y N O A C R
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Fail Notes | 3-501.16(A)(2) | *P - PHF/TCS Cold Holding - POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) shall be maintained at 5°C (41°F) or less.
[In prep table: single serving packets of deli turkey meat were at 52.7F, 51.4F, 49.6F, 46.0F, 44.4F, 45.1F. Mixed salad greens at 49.4F. Sausage at 54.6F. According to cook, the turkey, mixed salad greens and the sausage had been in the unit overnight. COS-discarded. A container of pooled eggs resting in an ice bath were at 53.1F. Cook indicated the eggs had been on ice since 930am. The level of ice was below the food level of the eggs. COS-more ice added.]*

- | | | | | | | |
|---|----|----|----|----|----|----|
| 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 | .. | .. | p | .. |
|--|----|---|----|----|---|----|

Fail Notes | 3-603.11(B) | *Pf - Consumer Advisory for Raw or Undercooked Food (Disclosure requirements) - DISCLOSURE shall include: A description of the animal-derived FOODS, such as "oysters on the half shell (raw oysters)," "raw-EGG Caesar salad," and "hamburgers (can be cooked to order)"; or, Identification of the animal-derived FOODS by asterisking them to a footnote that states that the items are served raw or undercooked, or contain (or may contain) raw or undercooked ingredients.
[The menu does have a disclosure, but no reminder or description of the cooked to order food available (hamburger and eggs). COS-Wall plague provided and posted.]*

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 | .. | .. | p | .. |

Fail Notes | 7-102.11 | *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.
[A container of what was identified as bleach water by employee was not labeled. COS-labeled.]*

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 | .. | .. | .. | .. | .. |

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Food Temperature Control		Y	N	O	A	C	R
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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

Prevention of Food Contamination		Y	N	O	A	C	R
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36. Insects, rodents and animals not present. .. p

This item has Notes. See Footnote 5 at end of questionnaire.

<i>Fail Notes</i>	6-202.15(A)(3)	<p><i>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. [The back door to the establishment has an extension cord running from the dining room to the outdoor deep freezer. The extension cord is under the door along the threshold preventing the door from completely closing.]</i></p>
	6-202.15(D)	<p><i>Outer openings (Screens/Air Curtains) Except when flying insects and other pests are absent due to the location of the ESTABLISHMENT, the weather, or other limiting condition, if the windows or doors of a FOOD ESTABLISHMENT, or of a larger structure within which a FOOD ESTABLISHMENT is located, are kept open for ventilation or other purposes, or a TEMPORARY FOOD ESTABLISHMENT is not provided with windows and doors, the openings shall be protected against the entry of insects and rodents by: 16 mesh to 25.4 mm (16 mesh to 1 inch) screens; properly designed and installed air curtains to control flying insects; or, other effective means. [There is a sliding window in the kitchen between the steam table and the prep table. The window was open approximately 6 inches. There is no screen. Two flying insects were in the kitchen. COS-window closed.]</i></p>

37. Contamination prevented during food preparation, storage and display. p

38. Personal cleanliness. p

39. Wiping cloths: properly used and stored. .. p p ..

<i>Fail Notes</i>	3-304.14(B)(1)	<p><i>Wiping cloths (Storage) Cloths in-use for wiping counters and other EQUIPMENT surfaces shall be held between uses in a chemical sanitizer solution at an appropriate concentration. [wet wipe cloth was stored on serving tray on counter. Wet wipe cloths were stored in buckets with no measureable amount of chlorine. COS-cloth removed, sanitizer discarded and remade.]</i></p>
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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

<i>Fail Notes</i>	3-304.12(A)	<p><i>In-use utensil storage (Handles above top of container) Except as specified under 3-304.12(B), during pauses in FOOD preparation or dispensing, FOOD preparation and dispensing UTENSILS shall be stored in the FOOD with their handles above the top of the FOOD and the container. [In container of bread crumbs, there is a scoop with handle resting in contact with food.]</i></p>
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42. Utensils, equipment and linens: properly stored, dried and handled. .. p

<i>Fail Notes</i>	4-903.11(B)	<p><i>Clean EQUIPMENT and UTENSILS shall be stored as specified under ¶ (A) of this section and shall be stored: In a self-draining position that allows air drying; and, Covered or inverted. [There were approximately 12 plastic bowls which had been stacked wet, not in a self-draining position. COS-removed for rewashing.]</i></p>
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43. Single-use and single-service articles: properly used. p

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Proper Use of Utensils	Y	N	O	A	C	R
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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

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 shall be kept free of an accumulation of dust, dirt, FOOD residue, and other debris. [The tracts of the sliding glass door RIC are soiled with dried food debris.]</i>
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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 6 at end of questionnaire.

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

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

This item has Notes. See Footnote 7 at end of questionnaire.

<i>Material Distributed</i>	<i>Education Title #02 Consumer Advisory [Wall plaque]</i>
	<i>Education Title #09 Did You Wash 'Em Flier</i>
	<i>Education Title #24 Hand Sink Sign</i>

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Footnote 1

Notes:

cooked hamburger at 160F.

Footnote 2

Notes:

mashed potatoes prepared at 930am were in RIC at 1145 am at 53F.

Footnote 3

Notes:

Steam table: mashed potatoes at 178F, sausage gravy at 179F.

Footnote 4

Notes:

In ice bath: sliced cheese at 41F.
True RIC: raw hamburger at 39F, hashbrowns at 39F.
Sliding door RIC: deli turkey at 40F, mixed salad greens at 43F.
Grill drawers: ham slice at 30F, raw hamburger at 38F,
Prep table: tuna salad at 41F. sliced tomatoes at 42F.
Pepsi RIC: coconut cream pie at 37F.
Whirlpool residential-style RIC: ambient temperature at 42F, milk at 35F.

Footnote 5

Notes:

PIC indicated the establishment is serviced monthly by a pest control company.

Footnote 6

Notes:

Hand sink hot water temperature achieved 135F.

Footnote 7

Notes:

5 Keys to Food Safety

VOLUNTARY DESTRUCTION REPORT

Insp Date: 5/20/2014 **Business ID:** 118148FE
Business: BALDWIN DINER DEPOT
 516 Ames St
 516 AMES ST
 BALDWIN CITY, KS 66006

Inspection: 40000898
Store ID:
Phone: 7855943123
Inspector: KDA40
Reason: 10 Licensing

Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
05/20/14	11:45 PM	11:45 PM	0:00	2:00	2:00	0	
Total:			0:00	2:00	2:00	0	

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 turkey Qty 2 Units lbs Value \$ 2.00

Description

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A

2. Product sausage Qty 2 Units TBS Value \$ 1.00

Description

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A

3. Product mixed greens Qty 0.5 Units bag Value \$ 2.00

Description

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A

FIELD WARNING LETTER

Insp Date: 5/20/2014 **Business ID:** 118148FE
Business: BALDWIN DINER DEPOT
516 Ames St
516 AMES ST
BALDWIN CITY, KS 66006

Inspection: 40000898
Store ID:
Phone: 7855943123
Inspector: KDA40
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FIELD WARNING LETTER

The Kansas Food, Drug and Cosmetic Act, effective July 1, 2012, K.S.A. 65-619 *et seq.* and regulations promulgated pursuant thereto, grants the Kansas Department of Agriculture authority to regulate food establishments and food processing plants. The Kansas Food Code is adopted and amended by K.A.R. 4-28-8 through 15.

During the inspection today of the Food Establishment listed above, violations of the Kansas Food Code were observed. The violations are documented in the attached Kansas Food Establishment Inspection Report.

Although we will not take further action at this time based on this inspection report, repeated violations observed during future inspections 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 Kansas Food, Drug and Cosmetic Act;
- and/or any other penalty authorized by law.

Future inspections will be initiated during the next routine inspection cycle, unless we receive a complaint about the food establishment.