

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: 6/5/2014 **Business ID:** 113923FE
Business: CANCUN MEXICAN GRILL

Inspection: 45004597
Store ID:
Phone: 6208423180
Inspector: KDA45
Reason: 12 Expired License
Results: Follow-up

725 W MAIN ST
 ANTHONY, KS 67003

Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
06/05/14	10:45 AM	02:00 PM	3:15	1:00	4:15	0	
Total:			3:15	1:00	4:15	0	

FOOD ESTABLISHMENT PROFILE	
Updated Risk Category <u>RAC# 06 High Risk</u>	Updated Size Range <u>3. 10,001 - 50,000 sq feet</u>
Insp. Notification <u>Email</u> Sent Notification To _____	Lic. Insp. <u>Yes</u>
Priority(P) Violations <u>5</u> Priority foundation(Pf) Violations <u>4</u> Left App. <u>Yes</u>	Lic. Approved <u>Yes</u>
Certified Manager on Staff <input type="checkbox"/>	Address Verified <input checked="" type="checkbox"/>
Certified Manager Present <input type="checkbox"/>	Actual Sq. Ft. <u>12,000</u>

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	..	..	..

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	..	..	p	..
<i>Fail Notes</i>	2-301.15	<i>Pf - Where to Wash Hands- FOOD EMPLOYEES shall clean their hands only in a HANDWASHING SINK or APPROVED automatic handwashing facility. [The cook was observed washing his hands in the service sink. Corrected on Site - Educated and had cook wash hands in the kitchen handwashing sink.]</i>					
7. No bare hand contact with RTE foods or approved alternate method properly followed.		..	p	..	..	p	..
<i>Fail Notes</i>	3-301.11(B)	<i>P - FOOD EMPLOYEES may not contact exposed, READY-TO-EAT FOOD with their bare hands and shall use suitable UTENSILS such as deli tissue, spatulas, tongs, single-use gloves, or dispensing EQUIPMENT. [The cook was observed bare hand touching a hamburger bun on the grill. Corrected on Site - Educated and Voluntary Discarded.]</i>					
8. Adequate handwashing facilities supplied and accessible.		p	..	..	..	..	..
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	..	..	p	..
<i>Fail Notes</i>	3-101.11	<i>P - FOOD shall be safe, UNADULTERATED, and honestly presented. [A bottle of Grenadine (stored at the bar) had 2 fruit flies floating in the bottom. Corrected on Site - Voluntary Discarded.]</i>					
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)	<i>P - FOOD shall be protected from cross contamination by separating raw animal FOODS during storage, preparation, holding, and display from raw READY-TO-EAT FOOD including other raw animal FOOD such as FISH for sushi or MOLLUSCAN SHELLFISH, or other raw READY-TO-EAT FOOD such as fruits and vegetables [In the South Make Table Reach In, there was an uncovered container of raw bacon directly over an uncovered container of cut broccoli. Corrected on Site - Rearranged.]</i>					
14. Food-contact surfaces: cleaned and sanitized.		..	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. [The table mounted can opener, has food and grime build up on the cutting blade. According to owner's wife, it hasn't been cleaned in awhile. Corrected on Site - Moved to 3 Vat Sink.]</i>					

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Protection from Contamination	Y N O A C R
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Fail Notes | 4-602.11(E)(4) *Non-PHF/TCS Food Contact Surface Cleaning Frequency (ice bins, soda nozzles) Surfaces of UTENSILS and EQUIPMENT contacting FOOD that is not POTENTIALLY HAZARDOUS (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) shall be cleaned, in EQUIPMENT such as ice bins and BEVERAGE dispensing nozzles and enclosed components of EQUIPMENT such as ice makers, cooking oil storage tanks and distribution lines, BEVERAGE and syrup dispensing lines or tubes, coffee bean grinders, and water vending EQUIPMENT: at a frequency specified by the manufacturer; or, absent manufacturer specifications, at a frequency necessary to preclude accumulation of soil or mold.*
[In the Bulk Ice Machine, there is mold and grime build up on the inside top ledge.]

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

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

17. Proper reheating procedures for hot holding. p

18. Proper cooling time and temperatures. p

19. Proper hot holding temperatures. .. p p ..

This item has Notes. See Footnote 2 at end of questionnaire.

Fail Notes | 3-501.16(A)(1) *P - PHF/TCS Hot Holding - POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) shall be maintained at 57°C (135°F) or above.*
[In the Steam Table, there was a container of white cheese sauce at 123.1F. When cheese sauce was stirred, it was retested at 139.6F.]

20. Proper cold holding temperatures. .. p p ..

This item has Notes. See Footnote 3 at end of questionnaire.

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.*
[Sitting on the Top of the South Make Table, there was a container of sliced tomatoes at 50.9F. According to cook, the container had been sitting there since 10:30 a.m. (It was 11:00 a.m.) Corrected on Site - Placed container of sliced tomatoes in an ice bath. In the Walk In Cooler, there was a container of cooked ground beef at 45.8F. and a container of cooked chicken at 46.2F. According to cook, the product had been in the Walk In Cooler, since last night at 9:00 a.m. (It was 11:30 a.m.) Corrected on Site - Voluntary Discarded beef and chicken. Individual bottles of salsa were at 49.3 F., and 49.1F. (in Coke Reach In Cooler). Note: Manager stated the bottles were filled at 11:00 a.m. from salsa stored in the Walk In Cooler. Corrected on Site - Moved all salsa to Walk In Cooler.]

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

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

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

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 |

<i>Fail Notes</i>	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. [In the Wait Staff area, there was a 5 gallon bucket of purple liquid with no label. According to Manager, the purple liquid was Fabulous Cleaner. Corrected on Site - Labeled.]</i>
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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 |
| 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 p .. |
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<i>Fail Notes</i>	4-301.11	<i>Pf - Temperature Capacity - EQUIPMENT for cooling and heating FOOD, and holding cold and hot FOOD, shall be sufficient in number and capacity to provide FOOD temperatures as specified under Chapter 3. [The Coke Reach In Cooler, which was storing individual bottles of salsa, was 46.2F. (ambient). Note: All items were removed.]</i>
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| 32. Plant food properly cooked for hot holding. | p |
| 33. Approved thawing methods used. | .. p p .. |

<i>Fail Notes</i>	3-501.13(A)	<i>TCS Thawing (Refrigeration) POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) shall be thawed under refrigeration that maintains the FOOD temperature at 5°C (41°F) or less. [In the Northeast Storage Room, there were 5 boxes of chicken sitting at room temperature thawing. Corrected on Site - Moved to Walk In Cooler.]</i>
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| 34. Thermometers provided and accurate. | .. p |
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<i>Fail Notes</i>	4-204.112(B)	<i>Temperature Measuring Devices (Integrated or Affixed) Cold or hot holding EQUIPMENT used for POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) shall be designed to include and shall be equipped with at least one integral or permanently affixed TEMPERATURE MEASURING DEVICE that is located to allow easy viewing of the device's temperature display. [Ambient air temperature, in the Walk In Cooler, is stored next to the fan.]</i>
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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 |
|---|----------------------------|

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Prevention of Food Contamination		Y	N	O	A	C	R
<i>Fail Notes</i>	6-202.15(A)(3) <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. [East exit door, near service sink, has gaps along the bottom, top, and north side which are large enough to allow entrance of pests.]</i>						
37. Contamination prevented during food preparation, storage and display.		..	p	..	..	p	..
<i>Fail Notes</i>	3-305.11(A)(1) <i>Food storage - Except as specified in ¶¶ (B) and (C) of 3-305.11, FOOD shall be protected from contamination by storing the FOOD: in a clean, dry location; where it is not exposed to splash, dust, or other contamination; and at least 15 cm (6 inches) above the floor. [In the food prep area, there was a large pan of raw ground beef sitting directly on the floor. Corrected on Site - Removed from floor.]</i>						
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/TCS-handles above food) During pauses in FOOD preparation or dispensing, FOOD preparation and dispensing UTENSILS shall be stored in FOOD that is not POTENTIALLY HAZARDOUS (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) with their handles above the top of the FOOD within containers or EQUIPMENT that can be closed, such as bins of sugar, flour, or cinnamon. [Bowls, with no handles are stored in direct contact with the flour.]</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	..	..	..	..	..
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 kitchen stove top has soil and grease build up.]</i>						
<i>Fail Notes</i>	4-602.13 <i>NonFOOD-CONTACT SURFACES of EQUIPMENT shall be cleaned at a frequency necessary to preclude accumulation of soil residues. [There is grime build up in the door seal of the Kitchen Prep Table. There is food debris build up in the Kitchen Prep Table. There is grease build up on the topside of the Kitchen Oven.]</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	..	..	..	..	..

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Physical Facilities			Y	N	O	A	C	R
	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>	6-501.11	<i>PHYSICAL FACILITIES shall be maintained in good repair. [There is a hole (2 foot by 2 foot) in the ceiling directly above the 3 Vat Sink.]</i>						
	6-501.12(A)	<i>PHYSICAL FACILITIES shall be cleaned as often as necessary to keep them clean. [The wall mounted fan, in the kitchen, has grease and soil build up. The soap dispenser, at the kitchen handwashing sink, has grime and grease build up. There is grime and food build up along the floor/wall junctions throughout the kitchen area.]</i>						
	54. Adequate ventilation and lighting; designated areas used.		p	..	..	..	..	..

Administrative/Other			Y	N	O	A	C	R
	55. Other violations		..	p	..	..	..	..
	<i>This item has Notes. See Footnote 4 at end of questionnaire.</i>							
<i>Fail Notes</i>	K.S.A. 65-689(a)	<i>It shall be unlawful for any person to engage in the business of conducting a food establishment or food processing plant unless such person shall have in effect a valid license therefor issued by the secretary. [The facility is operating on an expired license. The facility has filled out the application and has placed a check for \$775 in an envelope and it is sealed. The inspector will observe the envelope be placed in the post office box after the inspection is signed off.]</i>						

EDUCATIONAL MATERIALS

The following educational materials were provided p

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

Footnote 1

Notes:

Off Grill - Chicken Breast - 191.2F.

Footnote 2

Notes:

Steam Table - Refried Beans - 168.9F., Ground Beef - 181.2F., Rice - 182.1F., Chicken - 172.1F.

Footnote 3

Notes:

North Make Table - Shredded Lettuce - 42.4F.

South Make Table - Crab Meat - 41.2F.

Walk In Cooler - Shrimp - 41.3F., Spinach - 40.1F., Milk - 41.2F.

Footnote 4

Notes:

Owned by: N & M Lopez LLC

No Certified Manager on Staff.

There was a language barrier during the inspection.

VOLUNTARY DESTRUCTION REPORT

Insp Date: 6/5/2014 **Business ID:** 113923FE
Business: CANCUN MEXICAN GRILL

Inspection: 45004597
Store ID:
Phone: 6208423180
Inspector: KDA45
Reason: 12 Expired License

725 W MAIN ST
 ANTHONY, KS 67003

Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
06/05/14	10:45 AM	02:00 PM	3:15	1:00	4:15	0	
Total:			3:15	1:00	4:15	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 Hamburger Bun Qty 1 Units each Value \$.50

Description Bare Hand Contact

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A

2. Product Ground Beef Qty 6 Units lbs Value \$ 30.00

Description Out of Temperature

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A

3. Product Cooked Chicken Qty 5 Units lbs Value \$ 35.00

Description Out of Temperature

Reason Product Destroyed _____ Method Product Destroyed _____

Disposal Location _____ Embargo Hold Tag # N/A

NOTICE OF NON COMPLIANCE WITH KANSAS LAW

Insp Date: 6/5/2014 **Business ID:** 113923FE
Business: CANCUN MEXICAN GRILL

Inspection: 45004597
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Phone: 6208423180
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Reason: 12 Expired License

725 W MAIN ST
 ANTHONY, KS 67003

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Date	In	Out	Insp	Travel	Total	Mileage	Notes;
06/05/14	10:45 AM	02:00 PM	3:15	1:00	4:15	0	
Total:			3:15	1:00	4:15	0	

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 06/15/14

Inspection Report Number 45004597 Inspection Report Date 06/05/14

Establishment Name CANCUN MEXICAN GRILL

Physical Address 725 W MAIN ST City ANTHONY

Zip 67003

Additional Notes and Instructions

A Follow Up Inspection will be performed on or after 6/15/14.