

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: 12/11/2013 **Business ID:** 95429FE
Business: VAN DYKE GROCERY INC

Inspection: 48001019
Store ID:
Phone: 9133673485
Inspector: KDA48
Reason: 01 Routine
Results: Follow-up

401 N 4TH ST
 ATCHISON, KS 66002

Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
12/11/13	09:45 AM	12:05 PM	2:20	1:05	3:25	0	
Total:			2:20	1:05	3:25	0	

FOOD ESTABLISHMENT PROFILE

Insp. Notification Email Sent Notification To _____ Lic. Insp. No
 Priority(P) Violations 1 Priority foundation(Pf) Violations 1
 Certified Manager on Staff Address Verified p Actual Sq. Ft. 2500
 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

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

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 | .. | .. | .. | .. | .. |
| 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 | .. | .. | .. | .. | .. |
| 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 | .. | .. | .. | .. | .. |
| <i>This item has Notes. See Footnote 1 at end of questionnaire.</i> | | | | | | | |
| 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 | .. | .. |
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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 | .. | .. |
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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 | .. | .. | .. | .. | .. |

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Safe Food and Water	Y N O A C R
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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

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

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 ..

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| <i>Fail Notes</i> | 3-602.11(B)(2) | <i>Label information (packaged in establishment - Ingredients) Label information shall include, if made from two or more ingredients, a list of ingredients in descending order of predominance by weight, including a declaration of artificial color or flavor and chemical preservatives, if contained in the FOOD.
[Packaged on site, of commercially prepared cherry mash and peanut clusters have no labeling including a list of ingredients.]</i> |
| | 3-602.11(B)(3) | <i>Label information (packaged in establishment - Net Contents) Label information shall include an accurate declaration of the quantity of contents.
[Packaged on site, of commercially prepared cherry mash and peanut clusters have no labeling including a declaration of net contents.]</i> |
| | 3-602.11(B)(4) | <i>Label information (packaged in establishment - Business Information) Label information shall include the name and place of business of the manufacturer, packer, or distributor.
[Packaged on site, of commercially prepared cherry mash and peanut clusters have no labeling including business information.]</i> |
| | 3-602.11(B)(5) | <i>Pf - Label information (packaged in establishment - Food Allergens) Label information shall include the name of the FOOD source for each MAJOR FOOD ALLERGEN contained in the FOOD unless the FOOD source is already part of the common or usual name of the respective ingredient.
[Packaged on site, of commercially prepared cherry mash and peanut clusters have no labeling including a list of common food allergens. COS by removing the candies from the shelf.]</i> |

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

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

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| <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.
[Out on the retail floor, in the produce section found several boxes of crackers being stored on the floor.]</i> |
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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
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41. In-use utensils: properly stored. p

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Proper Use of Utensils	Y	N	O	A	C	R
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|---|----|----|----|----|----|----|
| 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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|---|----|---|----|----|----|----|
| 45a. Food and non-food contact surfaces cleanable, properly designed, constructed and used-P and Pf items | .. | p | .. | .. | .. | .. |
|---|----|---|----|----|----|----|

<i>Fail Notes</i>	4-102.11(A)(1)	<p><i>P - Materials that are used to make SINGLE-SERVICE and SINGLE-USE ARTICLES may not allow the migration of deleterious substances.</i></p> <p><i>[In the raw meat, walk in cooler found a plastic tub of beef sirloin was found covered with a black plastic trash bag. Also in a white deep freeze in the back room of the store, found various cuts of beef being stored in a white plastic trash bag. Bags not approved for food storage/covering. COS by replacing the trash bags with approved food coverings/storage bag.]</i></p>
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|---|---|----|----|----|----|----|
| 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 | .. | .. | .. | .. | .. |

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

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|--------------------------------------|---|----|----|----|----|----|
| 47. Non-food contact surfaces clean. | p | .. | .. | .. | .. | .. |
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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 4 at end of questionnaire.

<i>Fail Notes</i>	5-203.13(A)	<p><i>At least 1 service sink or 1 curbed cleaning facility equipped with a floor drain shall be provided and conveniently located for the cleaning of mops or similar wet floor cleaning tools and for the disposal of mop water and similar liquid waste.</i></p> <p><i>[The location does not have a service sink or a curbed mop sink.]</i></p>
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| 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 | .. | .. | p | .. |
|----------------------|----|---|----|----|---|----|

<i>Fail Notes</i>	K.S.A. 65-657(b)	<p><i>The following acts and the causing thereof within the state of Kansas are hereby prohibited: The adulteration or misbranding of any food, drug, device or cosmetic.</i></p> <p><i>[On a retail shelf, found three bottles of "Top Care, Cough & Sore Throat" with expiration date of 10/13. COS by discarding the bottles.]</i></p>
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EDUCATIONAL MATERIALS

The following educational materials were provided p

Material Distributed | Education Title #29 Labeling

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Footnote 1

Notes:

In the floor model, deli case found commercially prepared tuna salad held at 39 F and raw pork ribs held at 34 F

In the raw meat, walk in cooler found made on site ham salad held at 32 F

In the dairy, walk in cooler found milk held at 39 F

In the retail case (from left to right) found hot dogs held at 41 F, block of cheddar cheese held at 39 F, cream cheese held at 38 F, milk held at 41 F and cut lettuce held at 42 F

Footnote 2

Notes:

All freezer items were frozen solid.

Footnote 3

Notes:

Location is using chlorine sanitizer in the three vat sink; chlorine test strips provided.

Footnote 4

Notes:

The location will apply for a variance to dump their dirty mop water down the toilet. I went over this form with the owner, which added to the duration of the inspection.

NOTICE OF NON COMPLIANCE WITH KANSAS LAW

Insp Date: 12/11/2013 **Business ID:** 95429FE
Business: VAN DYKE GROCERY INC

Inspection: 48001019
Store ID:
Phone: 9133673485
Inspector: KDA48
Reason: 01 Routine

401 N 4TH ST
 ATCHISON, KS 66002

Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes;
12/11/13	09:45 AM	12:05 PM	2:20	1:05	3:25	0	
Total:			2:20	1:05	3:25	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 01/11/14

Inspection Report Number 48001019 Inspection Report Date 12/11/13

Establishment Name VAN DYKE GROCERY INC

Physical Address 401 N 4TH ST City ATCHISON

Zip 66002

Additional Notes and Instructions

Location does not have a mop sink. They will request a variance to dump dirty mop water down the toilet.