

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: 4/5/2014 **Business ID:** 97077fe
Business: PAOLUCCI RESTAURANT

Inspection: 48001181
Store ID:
Phone: 9133671241
Inspector: KDA48
Reason: 01 Routine
Results: Follow-up

115 S 3RD
 ATCHISON, KS 66002

Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
04/05/14	10:10 AM	02:30 PM	4:20	0:05	4:25	0	
Total:			4:20	0:05	4:25	0	

FOOD ESTABLISHMENT PROFILE	
Updated Risk Category <u>RAC# 06 High Risk</u>	Updated Size Range <u>2. 5,000 - 10,000 sq feet</u>
Insp. Notification <u>Print</u>	Lic. Insp. <u>No</u>
Priority(P) Violations <u>9</u> Priority foundation(Pf) Violations <u>2</u>	
Certified Manager on Staff <input type="checkbox"/>	Address Verified <input checked="" type="checkbox"/>
Certified Manager Present <input type="checkbox"/>	Actual Sq. Ft. _____

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

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(l) <i>P - Wash Hands (As needed) 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 after engaging in other activities that contaminate the hands [Kitchen employee cracked a raw shell eggs onto the flat top grill then immediately touched a customer plate and put it on the holding line. Corrected on site (COS) employee washed hands and inspector provided education on when to wash hands.]</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. [Kitchen employee handled a customers breakfast biscuit with bare hands. COS by discarding the biscuit.]</i>						
8. Adequate handwashing facilities supplied and accessible.		..	p	..	..	..	..
<i>Fail Notes</i>	5-205.11(B) <i>Pf - A HANDWASHING SINK may not be used for purposes other than handwashing. [When I first arrived, one dirty pan and a plastic jug being stored in the basin of the hand sink. COS by moving items out of the sink.]</i>						
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	..	..	..	..
<i>Fail Notes</i>	3-302.11(A)(1)(b) <i>P - FOOD shall be protected from cross contamination by separating raw animal FOODS during storage, preparation, holding, and display from Cooked READY-TO-EAT FOOD. [In the kitchen walk in cooler, one box of raw pork bacon being stored on top of cans of beer. COS by moving bacon to an approved location.]</i>						
	3-302.11(A)(2) <i>P - Cross Contamination by type (separate equipment) - FOOD shall be protected from cross contamination by separating types of raw animal FOODS from each other such as beef, FISH, lamb, pork, and POULTRY during storage, preparation, holding, and display by: using separate EQUIPMENT for each type; arranging each type of FOOD in EQUIPMENT so that cross contamination of one type with another is prevented; or, preparing each type of FOOD at different times or in separate areas [In the kitchen walk in cooler, one raw fish filet (on a plate) being stored on top of a container of raw chicken. COS by moving fish to an approved location.]</i>						
14. Food-contact surfaces: cleaned and sanitized.		p	..	..	..	..	..
<i>This item has Notes. See Footnote 1 at end of questionnaire.</i>							

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Protection from Contamination	Y N O A C R
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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

This item has Notes. See Footnote 2 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

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

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

This item has Notes. See Footnote 4 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.**
[In the deli make table, ham salad at 46 F, cream cheese 47 F and hot dogs at 44 F. Date marking indicated that the items had been in the cooler more than 4 hours. The ambient temperature of the unit caused the product to be out of temperature. COS by discarding the items.

In the deli display case, 1 tuna salad 46 F, 1 potato salad 46 F, 1 chicken salad 47 F, 1/4 NY cheesecake 48 F, 3/4 turtle cheesecake 48 F, 1/4 pumpkin pie 46 F, 1 KC cream pie 46 F, 1 French silk pie 47 F, 17 lbs party ham from 45-46 F, 5 hot dogs 46 F, 6 lbs turkey from 44-46 F, 8 lbs corned beef 47 F, 8 lbs bologna 46 F, 8 lbs roast beef 46 F. Date marking indicated that the items had been in the unit more than 4 hours. The ambient air temperature of the unit caused the product to be out of temperature. COS by discarding all items.

Omelete prep station, deli style ham at 54 F. Ham and other non PHFs were in individual pans, in another metal pan on ice. Employee stated the ham had been out for approximately half an hour. COS, ham moved to cooler.]

21. Proper date marking and disposition. . . p . . p . .

Fail Notes | 3-501.18(A)(3) | **P - RTE PHF/TCS, Disposition (discard if dated for 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 marked to indicate a date or day by which the FOOD shall be consumed on the PREMISES, sold, or discarded when held at a temperature of 5°C (41°F) or less that is more than 7 days from the date of preparation or opening, with the day of preparation counted as Day 1.**

[In the kitchen walk in cooler, one bucket of meat sauce with date marking of 4/3-4/10 and one bucket of italian sausage meat sauce with date marking of 4/3-4/10. COS by properly date marking and educating on date marking protocol.

In the deli display case, turkey with date marking of 4/4-4/11. COS, item was discarding for cold holding violation.]

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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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

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

Fail Notes 7-201.11(B) *P - Chemical Storage (Not Above Food, etc.) POISONOUS OR TOXIC MATERIALS shall be stored so they cannot contaminate FOOD, EQUIPMENT, UTENSILS, LINENS, and SINGLE-SERVICE and SINGLE-USE ARTICLES by locating the POISONOUS OR TOXIC MATERIALS in an area that is not above FOOD, EQUIPMENT, UTENSILS, LINENS, and SINGLE-SERVICE or SINGLE-USE ARTICLES. [At the bar upstairs, one bottle of hand soap being stored on top of the ice machine. COS by moving soap to an approved location.]*

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

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

Fail Notes 4-301.11 *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 deli make table had an ambient of 44.1 F and the deli display case had an ambient of 43.2 F. Neither are capable to holding potentially hazardous foods at 41 F or below.]*

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

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

Fail Notes 3-305.11(A)(1) *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. [At the bar upstairs, metal bin with ice plate, ice on top of ice plate being used as customer ice.]*

38. Personal cleanliness. p

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

	Y	N	O	A	C	R
Prevention of Food Contamination						
39. Wiping cloths: properly used and stored.	p	..	..	..	..	..
<i>This item has Notes. See Footnote 6 at end of questionnaire.</i>						
40. Washing fruits and vegetables.	..	..	p	..	..	..
Proper Use of Utensils						
41. In-use utensils: properly stored.	p	..	..	..	..	..
42. Utensils, equipment and linens: properly stored, dried and handled.	p	..	..	..	..	..
<i>Fail Notes</i>	4-903.11(A) <i>Cleaned EQUIPMENT and UTENSILS, laundered LINENS, and SINGLE-SERVICE and SINGLE-USE ARTICLES shall be stored: In a clean, dry location; Where they are not exposed to splash, dust, or other contamination; and, At least 15 cm (6 inches) above the floor. [At the bar upstairs, the soda guns were stored in black holsters with heavy accumulation of white moldy residue.]</i>					
43. Single-use and single-service articles: properly used.	p	..	..	..	..	..
44. Gloves used properly.	p	..	..	..	..	..
Utensils, Equipment and Vending						
45a. Food and non-food contact surfaces cleanable, properly designed, constructed and used-P and Pf items	..	p	..	..	p	..
<i>Fail Notes</i>	4-102.11(A)(1) <i>P - Materials that are used to make SINGLE-SERVICE and SINGLE-USE ARTICLES may not allow the migration of deleterious substances. [4-102.11(B)(1) Materials that are used to make single-service and single-use articles shall be Safe P In the kitchen, one thank you bag stored toasted bread. Also in storage room, several more thank you bags storing toasted bread. Owner stated the bread was to be used for crutons. COS by moving bread to an approved container.]</i>					
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	..	..	..	..	..
<i>This item has Notes. See Footnote 7 at end of questionnaire.</i>						
47. Non-food contact surfaces clean.	p	..	..	..	..	..
Physical Facilities						
48. Hot and cold water available; adequate pressure.	p	..	..	..	..	..
49. Plumbing installed; proper backflow devices.	..	p	..	..	..	..
<i>Fail Notes</i>	5-203.15 <i>P - If not provided with an air gap as specified under § 5-202.13, a dual check valve with an intermediate vent preceded by a screen of not less than 100 mesh to 25.4 mm (100 mesh to 1 inch) shall be installed upstream from a carbonating device and downstream from any copper in the water supply line. [The soda carbonators (one at the bar, one downstairs) do not have intermediate vents.]</i>					
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

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Administrative/Other

Y N O A C R

55. Other violations

p " " " " "

EDUCATIONAL MATERIALS

The following educational materials were provided p

Material Distributed | Education Title #22 Focus On Food Safety Manual (on the Website)

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Footnote 1

Notes:

Low temp dish machine using chlorine sanitizer was in use during my visit. The machine was tested at 75 ppm.
Three compartment sink in the bar uses quat sanitizer, solution was tested at 200 ppm.

Footnote 2

Notes:

Raw hamburger cooked to 183 F on the flat top grill.

Footnote 3

Notes:

Kitchen steam table, red meat sauce 136 F
Soup warmer, potato soup 150 F

Footnote 4

Notes:

Breakfast prep station, raw shell eggs (cracked) 42 F
sandwich make table, leaf lettuce 43 F. Lower portion, boiled eggs 39 F
3 door True (opposite flat top grill), french toast mix 40 F
Kitchen walk in cooler, deli ham 38 F
Deli walk in cooler, swiss cheese 35 F

Footnote 5

Notes:

Freezer items were frozen solid.

Footnote 6

Notes:

Wet wiping cloths being stored in a chlorine sanitizer solution of 25 ppm.

Footnote 7

Notes:

Chlorine test strips provided.

NOTICE OF NON COMPLIANCE WITH KANSAS LAW

Insp Date: 4/5/2014 **Business ID:** 97077fe
Business: PAOLUCCI RESTAURANT

115 S 3RD
 ATCHISON, KS 66002

Inspection: 48001181
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Phone: 9133671241
Inspector: KDA48
Reason: 01 Routine

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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 05/05/14

Inspection Report Number 48001181 Inspection Report Date 04/05/14

Establishment Name PAOLUCCI RESTAURANT

Physical Address 115 S 3RD City ATCHISON
 Zip 66002

Additional Notes and Instructions

Location needs to request a variance for lack of mop sink.

VOLUNTARY DESTRUCTION REPORT

Insp Date: 4/5/2014 **Business ID:** 97077fe
Business: PAOLUCCI RESTAURANT

115 S 3RD
 ATCHISON, KS 66002

Inspection: 48001181
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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 Hot dogs Qty 9 Units each Value \$ _____

Description Item was held above 41 F for more than 4 hours.

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A

2. Product Ham/tuna/potato Salad Qty 4 Units contai Value \$ _____

Description Item was held above 41 F for more than 4 hours.

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A

3. Product Cheesecakes Qty 1 Units whole Value \$ _____

Description Included NY style and turtle. Item was held above 41 F for more than 4 hours.

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A

VOLUNTARY DESTRUCTION REPORT

VOLUNTARY DESTRUCTION REPORT

4. Product Deli meats Qty 47 Units lbs Value \$ _____

Description Included ham, turkey, roast beef and bologna. Item was held above 41 F for more than 4 hours.

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A