

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: 10/31/2014 **Business ID:** 118247FE
Business: GATEWAY TO KANSAS SODA FOUNTAIN & GRILL

 504 COMMERCIAL ST
 ATCHISON, KS 66002

Inspection: 48001480
Store ID:
Phone: 9133671533
Inspector: KDA48
Reason: 01 Routine
Results: Follow-up

Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
10/31/14	01:40 PM	05:10 PM	3:30	0:03	3:33	0	
Total:			3:30	0:03	3:33	0	

FOOD ESTABLISHMENT PROFILE

Insp. Notification Print _____ Lic. Insp. No _____
 Priority(P) Violations 7 _____ Priority foundation(Pf) Violations 1 _____
 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

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	..	..	..	..	..
7. No bare hand contact with RTE foods or approved alternate method properly followed.		..	p	..	..	p	..
<i>This item has Notes. See Footnote 1 at end of questionnaire.</i>							
<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. [Cook employee handled a chocolate covered peanutbutter rice crisy bar with her bare hands and proceded to serve it to a customer. Corrected on site (COS) education was given on bare hand contact.]</i>					
8. Adequate handwashing facilities supplied and accessible.		p	..	..	..	..	..
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	..	..	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 Kenmore cooler, made on site peanutbutter cookie dough (made with raw egg) was being stored above a pitcher of lemonade. Also one container of raw pie crust dough (made with raw egg) being stored over bags of shredded cheese. Corrected on site (COS) cookie dough moved to an approved location, pie crust dough discarded for date marking violation.]</i>					
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
16. Proper cooking time and temperatures.		p	..	..	..	..	..
<i>This item has Notes. See Footnote 2 at end of questionnaire.</i>							
17. Proper reheating procedures for hot holding.		..	..	p	..	..	..
18. Proper cooling time and temperatures.		..	..	p	..	..	..
19. Proper hot holding temperatures.		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>							

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Potentially Hazardous Food Time/Temperature	Y	N	O	A	C	R
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Fail Notes	<p>3-501.16(A)(2) <i>P - PHF/TCS Cold Holding - POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) shall be maintained at 5°C (41°F) or less.</i> <i>[Made on site caramel sauce, made with real butter and whipping cream was sitting out on the counter at 64 F. Manager stated the sauce was made yesterday morning. COS, sauce was discarded.</i></p> <p><i>In the Adcraft make table, deli turkey at 48 F, made on site egg salad at 45 F, sliced yellow cheese at 46 F, deli ham at 47 F, boiled eggs at 45 F, hot dog at 50 F, corned beef at 47 F, made on site thousand island dressing 46 F, made on site tuna salad at 47 F, pepperjack cheese at 45 F, sliced provolone at 49 F, sliced white cheese at 47 F, shredded cheese at 52 F, 2 packages of corned beef at 47 F and 48 F, 2 packages of raw ground beef at 44 F and 46 F, raw hamburger pattys at 48 F, raw pork tenderloin 46 F and raw bacon at 49 F. All items had been in the cooler for more than four hours. Employees stated the unit had been open quite a bit during lunch. But also, employees do not monitor temperature, so they couldn't tell me what temperature foods started at this morning. COS, all items except the raw ground beef and raw pork tenderloins were discarded. Beef and pork was moved to a freezer.]</i></p>
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21. Proper date marking and disposition.

Fail Notes	<p>3-501.18(A)(1) <i>P - RTE PHF/TCS, Disposition (discard if held 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 held at a temperature of 5°C (41°F) or less for more than 7 days, with the day of preparation counted as Day 1.</i> <i>[In the Kenmore cooler, one container of made on site pie crust dough (made with raw eggs) with a preparation date of 10/22. COS, pie crust was discarded.]</i></p> <p>3-501.18(A)(2) <i>P - RTE PHF/TCS, Disposition (discard if in a container w/out a date) 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 not clearly marked to indicate the 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 for a maximum of 7 days, with the day of preparation counted as Day 1.</i> <i>[In the Kenmore cooler, one 1-gallon jug of opened milk with no date marking. Employees stated it was opened yesterday around 11:00 am. Also one container of opened cottage cheese with no date marking. Employees stated it was opened 10/28. One container of made on site chocolate frosting with no date marking. Employee stated it was made on 10/28. COS, items date marked.]</i></p>
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22. Time as a public health control: procedures and record.

Consumer Advisory	Y	N	O	A	C	R
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23. Consumer advisory provided for raw or undercooked foods.

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

Chemical	Y	N	O	A	C	R
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25. Food additives: approved and properly used.

26. Toxic substances properly identified, stored and used.

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Chemical	Y N O A C R
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<i>Fail Notes</i>	7-204.11	<p><i>P - Chemical SANITIZERS and other chemical antimicrobials applied to FOOD-CONTACT SURFACES shall meet the requirements specified in 40 CFR 180.940 Tolerance exemptions for active and inert ingredients for use in antimicrobial formulations (food-contact surface sanitizing solutions).</i></p> <p><i>[At the three compartment sink, warewashing was taking place and there were glass cups and a plate in a chlorine sanitizer solution. The solution was tested at over 200 parts per million (ppm). The label present did not indicate a parts per million use of the product. COS, a new solution of 100 ppm was made.]</i></p>
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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

GOOD RETAIL PRACTICES	
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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 ..

<i>Fail Notes</i>	4-301.11	<p><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.</i></p> <p><i>[The the Adcraft make table had an ambient temperature of 43.7 F. Food in the make table ranged from 44-50 F. COS, unit was emptied and dropped to 37.9 F]</i></p>
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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 p ..

<i>Fail Notes</i>	3-306.11	<p><i>P - Food protected - Except for nuts in the shell and whole, raw fruits and vegetables that are intended for hulling, peeling, or washing by the CONSUMER before consumption, FOOD on display shall be protected from contamination by the use of PACKAGING; counter, service line, or salad bar FOOD guards; display cases; or other effective means.</i></p> <p><i>[Two trays of cookies were sitting out on the front counter with no covering or protection for them. Also there was one glass cup of sliced lemons at the drink station with no cover or protection. COS, cookies were covered with a glass top and lemons were pulled behind the counter.]</i></p>
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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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Proper Use of Utensils	Y	N	O	A	C	R
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41. In-use utensils: properly stored. p

42. Utensils, equipment and linens: properly stored, dried and handled. .. p

Fail Notes 4-901.11(B) *Equipment/utensils (Cloth drying) After cleaning and SANITIZING, EQUIPMENT and UTENSILS may not be cloth dried, except that UTENSILS that have been air-dried may be polished with cloths that are maintained clean and dry. [Employee was drying plates with a dish towel. Education given on air drying protocol.]*

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

45b. Food and non-food contact surfaces cleanable, properly designed, constructed and used- Core items .. p

Fail Notes 4-501.12 *Surfaces such as cutting blocks and boards that are subject to scratching and scoring shall be resurfaced if they can no longer be effectively cleaned and SANITIZED, or discarded if they are not capable of being resurfaced. [The cutting board on the front of the make table is excessively scored.]*

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

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

Fail Notes 4-603.16(A) *Warewashing Rinse (Separate) Washed UTENSILS and EQUIPMENT shall be rinsed so that abrasives are removed and cleaning chemicals are removed or diluted through the use of water or a detergent-sanitizer solution by use of a distinct, separate water rinse after washing and before SANITIZING if using: A 3-compartment sink; Alternative manual WAREWASHING EQUIPMENT equivalent to a 3-compartment sink as specified in ¶ 4-301.12(C); or, A 3-step washing, rinsing, and SANITIZING procedure in a WAREWASHING system for CIP EQUIPMENT. [Employee washing dishes at three compartment sink, washed dishes in soapy water then immediately put dishes in the sanitizer solution; no rinse applied.]*

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

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	Y	N	O	A	C	R
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The following educational materials were provided p

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EDUCATIONAL MATERIALS

<i>Material Distributed</i>	<i>Education Title #04</i>	<i>No Bare-Hand Contact</i>
	<i>Education Title #08</i>	<i>Date Marking</i>
	<i>Education Title #27</i>	<i>Hot and Cold Holding</i>
	<i>Education Title #43</i>	<i>Storing Food in WIC</i>

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Footnote 1

Notes:

Inspector was unaware that the peanutbutter bar was for a customer; it seemed like the employee was serving herself. The customer was already eating the bar when inspector realized what had happened. No voluntary distruction was possible.

Footnote 2

Notes:

raw pork tenderloin cooked on the flat top to 192 F
raw hamburger patty cooked on flat top to 190 F

Footnote 3

Notes:

Crock pot, taco soup 186 F
steam well, taco meat 166 F
Elite crock pot, nacho cheese 186 F

Footnote 4

Notes:

make table, cut tomatoes 43 F
Kenmore, milk 41 F
2 door True, macho cheese 35 F

Footnote 5

Notes:

Location uses chlorine sanitizer in the three compartment sink; chlorine test strips provided.

VOLUNTARY DESTRUCTION REPORT

Insp Date: 10/31/2014 **Business ID:** 118247FE
Business: GATEWAY TO KANSAS SODA FOUNTAIN & GRILL

Inspection: 48001480
Store ID:
Phone: 9133671533
Inspector: KDA48
Reason: 01 Routine

504 COMMERCIAL ST
 ATCHISON, KS 66002

Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
10/31/14	01:40 PM	05:10 PM	3:30	0:03	3:33	0	
Total:			3:30	0:03	3:33	0	

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 Deli Meats Qty 5 Units contai Value \$

Description Including deli 1 turkey, 1 ham, 1 hot dogs 2 corned beef. Held above 41 F for unknown period of time.

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A

2. Product Deli Salads Qty 2 Units contai Value \$

Description Included egg salad and tuna salad. Held above 41 for unknown period of time.

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A

3. Product Cheese Qty 5 Units contai Value \$

Description Included sliced yellow cheese, provolone, pepperjack sliced white cheese and shredded cheese. Held above 41 F for unknown period of time.

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 Boiled Eggs Qty 6 Units eggs Value \$ _____

Description Held above 41 F for unknown period of time.

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A