

**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:** 12/4/2014      **Business ID:** 104073FE  
**Business:** LOPEZ DE MEXICO  
  
 112 S 6TH  
 ATCHISON, KS 66002

**Inspection:** 48001520  
**Store ID:**  
**Phone:** 9133672422  
**Inspector:** KDA48  
**Reason:** 01 Routine  
**Results:** Follow-up

**Time In / Time Out**

| Date          | In       | Out      | Insp | Travel | Total | Mileage | Notes: |
|---------------|----------|----------|------|--------|-------|---------|--------|
| 12/04/14      | 01:10 PM | 04:15 PM | 3:05 | 0:05   | 3:10  | 0       |        |
| <b>Total:</b> |          |          | 3:05 | 0:05   | 3:10  | 0       |        |

**FOOD ESTABLISHMENT PROFILE**

Insp. Notification Print      Lic. Insp. No  
 Priority(P) Violations 7 Priority foundation(Pf) Violations 2  
 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](http://www.agriculture.ks.gov), EMAIL [fsl@kda.ks.gov](mailto: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 | .. | .. | p | .. |
|-------------------------------------|----|---|----|----|---|----|

|                   |  |
|-------------------|--|
| <i>Fail Notes</i> | <p>2-301.14(E) <i>P - Wash Hands (Soiled Utensils) 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 handling soiled EQUIPMENT or UTENSILS</i><br/> <i>[Kitchen employee wearing gloves, handled soiled dishes and was using the sprayer at the garbage disposal to rinse dirty dishes, then loaded the soiled dishes in racks to go into the dish machine. Employee then immediately picked up clean plastic cambro containers. Did not wash hands in between soiled and clean dishes. Corrected on site (COS) employee washed hands and education was given on when to wash hands. ]</i></p> |
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|--|---|----|----|----|----|----|
| 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  | .. | .. | p  | .. |

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|-------------------|--|
| <i>Fail Notes</i> | <p>3-101.11 <i>P - FOOD shall be safe, UNADULTERATED, and honestly presented.</i><br/> <i>[In the two door True reach in cooler, one whole uncut yellow squash and two whole uncut zucchinis with spots and white mold on them. COS, items were discarded. ]</i></p> |
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|--|----|----|----|---|----|----|
| 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  | .. | .. | p  | .. |

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

|                   |   |
|-------------------|---|
| <i>Fail Notes</i> | <p>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.</i><br/> <i>[One small round plastic container storing shredded chicken on the steam table had caked on dark brown debris on the inside of the container. COS, chicken was moved to another container. ]</i></p> |
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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  | .. | .. | .. | .. | .. |
| <b><i>This item has Notes. See Footnote 2 at end of questionnaire.</i></b> |    |    |    |    |    |    |
| 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 3 at end of questionnaire.***

# KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

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|---|---|---|---|---|---|---|
| Potentially Hazardous Food Time/Temperature | Y | N | O | A | C | R |
|---|---|---|---|---|---|---|

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|------------|----------------|---|
| Fail Notes | 3-501.16(A)(1) | <p><i>P - PHF/TCS Hot Holding - POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) shall be maintained at 57°C (135°F) or above.</i></p> <p><i>[On the steam table, one plastic container of shredded chicken at 121 F. Person in charge (PIC) stated the chicken had been out since approximately 12:30 pm. The chicken was in a plastic container sitting in a metal pan in the steam table. COS, chicken was moved to cold holding. ]</i></p> |
|------------|----------------|---|

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><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></p> <p><i>[Sitting out on the counter in plastic containers, cut tomatoes 65 F, shredded lettuce 66 F, shredded cheese 60 F, sour cream 57 F. PIC stated the items had been out since approximately 11:30 am. Also 8 containers of made on site salsa sitting out on a cart at 57 F. PIC stated they'd been out for approximately one hour and 15 minutes. Also, sitting on top of another container in the steam table was a container of white cheese sauce mix at 86 F. PIC stated it had been out less than an hour. COS, the cheese sauce mixture was moved to the steam table to reheat, all other items moved to cold holding. ]</i></p> |
|------------|----------------|---|

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

|            |                |  |
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| Fail Notes | 3-501.18(A)(2) | <p><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></p> <p><i>[In the two door True reach in cooler, two container of prepared on site "salsa starter." PIC stated this item is cooked chilies that are frozen then moved back to refrigeration and added to their made on site salsa. These two container were cooked and froze on the same day and removed to refrigeration on 12/1. COS items were date marked. ]</i></p> |
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22. Time as a public health control: procedures and record. .. .. . p .. ..

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| Consumer Advisory | Y | N | O | A | C | R |
|-------------------|---|---|---|---|---|---|

23. Consumer advisory provided for raw or undercooked foods. .. .. . p .. ..

|                                |   |   |   |   |   |   |
|--------------------------------|---|---|---|---|---|---|
| Highly Susceptible Populations | Y | N | O | A | C | R |
|--------------------------------|---|---|---|---|---|---|

24. Pasteurized foods used; prohibited foods not offered. .. .. . p .. ..

|          |   |   |   |   |   |   |
|----------|---|---|---|---|---|---|
| Chemical | Y | N | O | A | C | R |
|----------|---|---|---|---|---|---|

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 |
|--------------------------------------|---|---|---|---|---|---|

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 |
|---------------------|---|---|---|---|---|---|

28. Pasteurized eggs used where required. .. .. . p .. ..

# KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

|  | Y  | N  | O  | A  | C  | R  |
|--|----|----|----|----|----|----|
| <b>Safe Food and Water</b>   |    |    |    |    |    |    |
| 29. Water and ice from approved source.  | p  | .. | .. | .. | .. | .. |
| 30. Variance obtained for specialized processing methods.  | .. | .. | .. | p  | .. | .. |
| <b>Food Temperature Control</b>  |    |    |    |    |    |    |
| 31. Proper cooling methods used; adequate equipment for temperature control.   | p  | .. | .. | .. | .. | .. |
| <b><i>This item has Notes. See Footnote 5 at end of questionnaire.</i></b>   |    |    |    |    |    |    |
| 32. Plant food properly cooked for hot holding.  | .. | .. | p  | .. | .. | .. |
| 33. Approved thawing methods used.   | p  | .. | .. | .. | .. | .. |
| 34. Thermometers provided and accurate.  | p  | .. | .. | .. | .. | .. |
| <b>Food Identification</b>   |    |    |    |    |    |    |
| 35. Food properly labeled; original container.   | p  | .. | .. | .. | .. | .. |
| <b>Prevention of Food Contamination</b>  |    |    |    |    |    |    |
| 36. Insects, rodents and animals not present.  | p  | .. | .. | .. | .. | .. |
| 37. Contamination prevented during food preparation, storage and display.  | p  | .. | .. | .. | .. | .. |
| 38. Personal cleanliness.  | p  | .. | .. | .. | .. | .. |
| 39. Wiping cloths: properly used and stored.   | .. | .. | p  | .. | .. | .. |
| 40. Washing fruits and vegetables.   | .. | .. | p  | .. | .. | .. |
| <b>Proper Use of Utensils</b>  |    |    |    |    |    |    |
| 41. In-use utensils: properly stored.  | p  | .. | .. | .. | .. | .. |
| 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  | .. | .. | .. | .. | .. |
| <b>Utensils, Equipment and Vending</b>   |    |    |    |    |    |    |
| 45a. Food and non-food contact surfaces cleanable, properly designed, constructed and used-P and Pf items  | .. | p  | .. | .. | p  | .. |
| <i>Fail Notes</i>  |    |    |    |    |    |    |
| 4-101.11(A)  |    |    |    |    |    |    |
| <i>P - FCS materials (Safe) Materials that are used in the construction of UTENSILS and FOOD-CONTACT SURFACES OF EQUIPMENT shall be safe. [Under the wooden counter, two Sterilite drawers, one filled with dry white rice the other with yellow and red onions. Also one Rubbermaid tote filled with dry pinto beans. Also, in the two door Hobart freezer, two Sterilite drawers one storing beef chimi's and the other chicken chimi's. The foods were in direct contact with the unapproved containers. COS, containers were lined with food grade liners. ]</i> |    |    |    |    |    |    |
| 4-202.11(A)(2)   |    |    |    |    |    |    |
| <i>Pf - FCS (Imperfections) Multiuse FOOD-CONTACT SURFACES shall be free of breaks, open seams, cracks, chips, inclusions, pits, and similar imperfections. [Four clear plastic lids and one white plastic ice scoop with large cracks in them. COS items discarded. ]</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  | .. | .. | .. | .. | .. |
| 47. Non-food contact surfaces clean.   | .. | p  | .. | .. | .. | .. |

# KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

|                                 |   |   |   |   |   |   |
|---------------------------------|---|---|---|---|---|---|
| Utensils, Equipment and Vending | Y | N | O | A | C | R |
|---------------------------------|---|---|---|---|---|---|

|                   |             |  |
|-------------------|-------------|--|
| <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 right side of the dee fat fryer has something blue peeling off of it. Also the metal shelf opposite the wooden counter top has accumulation of dust and food debris on it.]</i> |
|-------------------|-------------|--|

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

|                   |          |   |
|-------------------|----------|---|
| <i>Fail Notes</i> | 5-402.11 | <i>P - Except for floor drains that originate in refrigerated spaces that are constructed as an integral part of the building, a direct connection may not exist between the SEWAGE system and a drain originating from EQUIPMENT in which FOOD is placed. [Behind the bar there is a four compartment sink. The far left compartment has an ice plate in it that is covered with ice. The next compartment to the right was filled with ice that the PIC stated is used as customer ice for drinks. The ice was below the flood level rim of the sink. PIC stated there is an air gap underneath the raised floor in the bar but she could not get to the drain to prove it to the inspector. There is no air gap in the plumbing that is visible. Also, in the kitchen, PIC placed a colander in the round sink with the garbage disposal; which in directly plumbed. PIC then filled the colander with shredded chicken to drain it. The chicken was below the flood level rim of the sink. COS, ice was discarded and chicken was moved out of the sink and education was given.]</i> |
|-------------------|----------|---|

- |  |    |   |    |    |    |    |
|--|----|---|----|----|----|----|
| 51. Toilet facilities: properly constructed, supplied and cleaned. | .. | p | .. | .. | .. | .. |
|--|----|---|----|----|----|----|

|                   |          |  |
|-------------------|----------|--|
| <i>Fail Notes</i> | 6-202.14 | <i>Except where a toilet room is located outside a FOOD ESTABLISHMENT and does not open directly into the FOOD ESTABLISHMENT, such as a toilet room that is provided by the management of a shopping mall, a toilet room located on the PREMISES shall be completely enclosed and provided with a tight-fitting and self-closing door. [The unisex restroom door is not self closing.]</i> |
|-------------------|----------|--|

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|--|---|----|----|----|----|----|
| 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 |
|----------------------|---|---|---|---|---|---|

- |                      |   |    |    |    |    |    |
|----------------------|---|----|----|----|----|----|
| 55. Other violations | p | .. | .. | .. | .. | .. |
|----------------------|---|----|----|----|----|----|

|                       |
|-----------------------|
| EDUCATIONAL MATERIALS |
|-----------------------|

The following educational materials were provided p

- |                             |                            |                                  |
|-----------------------------|----------------------------|----------------------------------|
| <i>Material Distributed</i> | <i>Education Title #07</i> | <i>Corrective Actions</i>        |
|                             | <i>Education Title #08</i> | <i>Date Marking</i>              |
|                             | <i>Education Title #09</i> | <i>Did You Wash 'Em Flier</i>    |
|                             | <i>Education Title #26</i> | <i>Hot and Cold Holding Sign</i> |

# KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

## **Footnote 1**

**Notes:**

High temp dish machine was in use during my visit. The machine was temped at 164.5 F

## **Footnote 2**

**Notes:**

Raw chicken was cooked on the stove to 203 F

## **Footnote 3**

**Notes:**

steam table, white cheese sauce 153 F

## **Footnote 4**

**Notes:**

2 door True, mad on site salsa 37 F  
2 door Traulsen, sliced steak 40 F

## **Footnote 5**

**Notes:**

Freezer items frozen solid.

## NOTICE OF NON COMPLIANCE WITH KANSAS LAW

**Insp Date:** 12/4/2014      **Business ID:** 104073FE  
**Business:** LOPEZ DE MEXICO

**Inspection:** 48001520  
**Store ID:**  
**Phone:** 9133672422  
**Inspector:** KDA48  
**Reason:** 01 Routine

112 S 6TH  
 ATCHISON, KS 66002

**Time In / Time Out**

| Date     | In       | Out      | Insp | Travel | Total | Mileage | Notes; |
|----------|----------|----------|------|--------|-------|---------|--------|
| 12/04/14 | 01:10 PM | 04:15 PM | 3:05 | 0:05   | 3:10  | 0       |        |
| Total:   |          |          | 3:05 | 0:05   | 3:10  | 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 12/14/14

Inspection Report Number 48001520      Inspection Report Date 12/04/14

Establishment Name LOPEZ DE MEXICO

Physical Address 112 S 6TH      City ATCHISON  
 Zip 66002

Additional Notes and Instructions