

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: 1/26/2015 **Business ID:** 110841FE
Business: MARIA'S AUTHENTIC MEXICAN RESTAURANT

Inspection: 48001579
Store ID:
Phone: 9133675556
Inspector: KDA48
Reason: 01 Routine
Results: Follow-up

801 COMMERCIAL ST STE A
 ATCHISON, KS 66002

Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
01/26/15	01:40 PM	04:55 PM	3:15	0:03	3:18	0	
Total:			3:15	0:03	3:18	0	

FOOD ESTABLISHMENT PROFILE

Insp. Notification Print Lic. Insp. No

Priority(P) Violations 8 Priority foundation(Pf) Violations 5

Certified Manager on Staff .. Address Verified p Actual Sq. Ft. 0

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) 564-6767.

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	..	..	..

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

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
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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 " |
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<i>Fail Notes</i>	2-301.14(G)	<i>P - Wash Hands (Raw to RTE) 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 when switching between working with raw FOOD and working with READY-TO-EAT FOOD [Kitchen employee wearing gloves, handled a raw beef steak, placed it on the flat top grill, removed his gloves and immediately put on a new pair of gloves then handled a ready to eat tortilla. Corrected on site (COS) employee washed hands, tortilla was discarded.]</i>
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| 7. No bare hand contact with RTE foods or approved alternate method properly followed. | " p " " p " |
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<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 picked up three fried taco salad shells with his bare hands. COS, taco shells were discarded.]</i>
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| 8. Adequate handwashing facilities supplied and accessible. | p " " " " " |
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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 " " p " |
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<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 lower portion of the make table, raw beef being stored over a package of cooked ready to eat imitation crab meat. In the walk in cooler, one container of raw pork chorizo sausage being stored over a 5-gallon bucket of ready to eat queso cheese sauce. Also, raw shell eggs being stored over a box of lard. COS raw items moved to approved locations.]</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 lower portion of the make table, raw chicken being stored over raw beef. COS, chicken moved to an approved location.]</i>

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| 14. Food-contact surfaces: cleaned and sanitized. | " p " " p " |
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This item has Notes. See Footnote 2 at end of questionnaire.

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Protection from Contamination	Y N O A C R
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<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></p> <p><i>[One metal lid, one clear container and one yellow bucket, stored as clean not in use, had left over food debris on them. Also the counter mounted can opener had food and grime build-up on the blade. Also, one small white cutting board, stored behind the bar not in use, had dried on food debris on it. COS, items washed.]</i></p>
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15. Proper disposition of returned, previously served, reconditioned and unsafe food.	p
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Potentially Hazardous Food Time/Temperature	Y N O A C R
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16. Proper cooking time and temperatures.	p
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This item has Notes. See Footnote 3 at end of questionnaire.

17. Proper reheating procedures for hot holding. p
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18. Proper cooling time and temperatures. p
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19. Proper hot holding temperatures.	p
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This item has Notes. See Footnote 4 at end of questionnaire.

20. Proper cold holding temperatures.	p
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This item has Notes. See Footnote 5 at end of questionnaire.

21. Proper date marking and disposition.	.. p p ..
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<i>Fail Notes</i>	<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></p> <p><i>[In the tall, one door Turbo air brand cooler, two trays of cooked chile rellenos with no date marking. Employee stated they were cooked on 1/22. In the walk in cooler, two 5-gallon buckets of prepared queso cheese sauce with no date marking. Employee stated they were made on 1/24. Also, one pan of cooked ground beef with no date marking. Employee stated it was made on 1/25. COS, all items 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
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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
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Chemical	Y N O A C R
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25. Food additives: approved and properly used. p
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26. Toxic substances properly identified, stored and used.	.. p p ..
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KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Chemical	Y N O A C R
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Fail Notes	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. [One yellow bucket with a wet wiping cloth and clear liquid and no label. PIC stated it was bleach water. Also on spray bottle of a light yellow liquid and no label, employee stated it was grill cleaner. COS, containers labeled.]</i>
	7-201.11(B)	<i>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. [In the storage closet opposite the women's restroom, one bottle each of hydrogen peroxide and rubbing alcohol being stored on a shelf above a large container of dried beans. COS, toxic items moved to an approved location.]</i>

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
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29. Water and ice from approved source.	p
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30. Variance obtained for specialized processing methods. p
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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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This item has Notes. See Footnote 6 at end of questionnaire.

Fail Notes	3-501.15(A)	<i>Pf - TCS Cooling (Methods) - Cooling shall be accomplished in accordance with the required time and temperature criteria by using one or more of the following methods based on the type of FOOD being cooled: placing the FOOD in shallow pans; separating the FOOD into smaller or thinner portions; using rapid cooling EQUIPMENT; stirring the FOOD in a container placed in an ice water bath; using containers that facilitate heat transfer; adding ice as an ingredient; or, other effective methods. [One deep metal pan of cooked rice was set on a shelf below the steam table covered tightly with aluminum foil. PIC stated the cook set the rice out to cool some before he put it into cold holding; the rice had been there about an hour. The rice was temped at 135 F. The rice should have been uncovered to allow for air flow. COS, rice was moved to cold holding.]</i>
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32. Plant food properly cooked for hot holding. p
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33. Approved thawing methods used.	p
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34. Thermometers provided and accurate.	p
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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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KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Food Identification		Y	N	O	A	C	R
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<i>Fail Notes</i>	3-302.12	<p><i>Food storage containers (Common Name) Except for containers holding FOOD that can be readily and unmistakably recognized such as dry pasta, working containers holding FOOD or FOOD ingredients that are removed from their original packages for use in the FOOD ESTABLISHMENT, such as cooking oils, flour, herbs, potato flakes, salt, spices, and sugar shall be identified with the common name of the FOOD.</i></p> <p><i>[Small yellow buckets storing salt, pepper, garlic salt had no labels. Also, containers of flour and sugar had no labels. Employee identified ingredients.]</i></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 | .. | .. | .. | .. | .. |
| 37. Contamination prevented during food preparation, storage and display. | | p | .. | .. | .. | .. | .. |
| 38. Personal cleanliness. | | p | .. | .. | .. | .. | .. |
| 39. Wiping cloths: properly used and stored. | | p | .. | .. | .. | .. | .. |
| <i>This item has Notes. See Footnote 7 at end of questionnaire.</i> | | | | | | | |
| 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 | .. | .. | .. | .. | .. |
| 42. Utensils, equipment and linens: properly stored, dried and handled. | | .. | p | .. | .. | .. | .. |
| <i>Fail Notes</i> | 4-903.11(A) | <p><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. [Behind the bar, a black container storing various bartending utensils like measuring cups and bottle pourers had about a 1/2 inch of water in the bottom of the container.]</i></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 | .. | .. | p | .. |
| <i>Fail Notes</i> | 4-101.11(A) | <p><i>P - FCS materials (Safe) Materials that are used in the construction of UTENSILS and FOOD-CONTACT SURFACES OF EQUIPMENT shall be safe. [In the back storage room, one unapproved Sterilite container storing frosted flake cereal. COS, cereal moved to an approved container.]</i></p> | | | | | |
| | 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. [4-102.11(B)(1) Materials that are used to make SINGLE-SERVICE and SINGLE-USE ARTICLES Shall be Safe P</i></p> <p><i>In the kitchen, two cardboard boxes were lined with black plastic trash can liners and were storing unfried tortilla chips. COS, chips moved to approved containers.]</i></p> | | | | | |

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|---|--|----|---|----|----|----|----|
| 45b. Food and non-food contact surfaces cleanable, properly designed, constructed and used-Core items | | .. | p | .. | .. | .. | .. |
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KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Utensils, Equipment and Vending	Y	N	O	A	C	R
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<i>Fail Notes</i>	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 make table is excessively scored. Also one white, one blue and one yellow cutting board had excessive scoring.]
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46. Warewashing facilities: installed, maintained, and used; test strips. p

<i>Fail Notes</i>	4-302.14	Pf - A test kit or other device that accurately measures the concentration in mg/L of SANITIZING solutions shall be provided. [Location uses chlorine sanitizer in the dish machine and sani buckets but could not supply chlorine test strips.]
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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

<i>Fail Notes</i>	5-202.12(A)	Pf - A HANDWASHING SINK shall be equipped to provide water at a temperature of at least 38°C (100°F) through a mixing valve or combination faucet. [The women's restroom handsink would only reach 57 F and the men's restroom handsink would only reach 51 F. All other handsinks reached 100 F or higher. No action was able to be taken.]
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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

EDUCATIONAL MATERIALS

The following educational materials were provided p

<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 #09</i>	<i>Did You Wash 'Em Flier</i>
	<i>Education Title #43</i>	<i>Storing Food in WIC</i>

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Footnote 1

Notes:

Discussed P and Pf violations with DM.

Footnote 2

Notes:

Low temp dish machine using chlorine sanitizer was tested at 100 ppm chlorine.

Footnote 3

Notes:

Raw chicken cooked on the flat top to 194 F

Footnote 4

Notes:

steam table, rice 136 F, ground beef 164 F
steam well, queso 134 F

Footnote 5

Notes:

Make table, cut lettuce 43 F, quacamole 36 F
1 door (tall) Turbo air, chile rellano 42 F
3 door True, raw chicken 41 F
1 door (short) Turbo air, salsa 42 F
1 door (short) Turbo air (beverage station) milk 41 F
walk in cooler, queso 40 F

Footnote 6

Notes:

Freezer items frozen solid.

Footnote 7

Notes:

Wet wiping cloth in chlorine sanitizer solution of 25 ppm

NOTICE OF NON COMPLIANCE WITH KANSAS LAW

Insp Date: 1/26/2015 **Business ID:** 110841FE
Business: MARIA'S AUTHENTIC MEXICAN RESTAURANT

Inspection: 48001579
Store ID:
Phone: 9133675556
Inspector: KDA48
Reason: 01 Routine

801 COMMERCIAL ST STE A
 ATCHISON, KS 66002

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Total:			3:15	0:03	3:18	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 02/05/15

Inspection Report Number 48001579 Inspection Report Date 01/26/15

Establishment Name MARIA'S AUTHENTIC MEXICAN RESTAURANT

Physical Address 801 COMMERCIAL ST STE A City ATCHISON

Zip 66002

Additional Notes
and Instructions

VOLUNTARY DESTRUCTION REPORT

Insp Date: 1/26/2015 **Business ID:** 110841FE
Business: MARIA'S AUTHENTIC MEXICAN RESTAURANT

Inspection: 48001579
Store ID:
Phone: 9133675556
Inspector: KDA48
Reason: 01 Routine

801 COMMERCIAL ST STE A
 ATCHISON, KS 66002

Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
01/26/15	01:40 PM	04:55 PM	3:15	0:03	3:18	0	
Total:			3:15	0:03	3:18	0	

ACTIONS

Number of products Voluntarily Destroyed 1

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 Fried Taco Salad Shells Qty 3 Units _____ Value \$.50

Description Handled with bare hands.

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A