

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: 5/28/2015 **Business ID:** 104322FE
Business: LA FIESTA

Inspection: 58003265
Store ID:
Phone: 7852631470
Inspector: KDA58
Reason: 12 Expired License
Results: Follow-up

2210 N BUCKEYE
 ABILENE, KS 67410

Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
05/28/15	10:30 AM	03:00 PM	4:30	0:05	4:35	0	from within Abilene
Total:			4:30	0:05	4:35	0	

FOOD ESTABLISHMENT PROFILE			
Insp. Notification <u> Email </u>	Sent Notification To _____	Lic. Insp. <u> Yes </u>	
Priority(P) Violations <u> 5 </u>	Priority foundation(Pf) Violations <u> 2 </u>	Left App. <u> Yes </u>	Lic. Approved <u> Yes </u>
Certified Manager on Staff <u> .. </u>	Address Verified <u> p </u>	Actual Sq. Ft. <u> 5600 </u>	
Certified Manager Present <u> .. </u>			

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.

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

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 " |
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<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 [Dishwash person after handling and spraying off soiled dishes, glasses and food equipment and being place in the auto wash machine, failed to wash hands before immediately handling clean equipment that came out of the auto wash machine. Corrected with Education and rewashed his hands.]</i></p>
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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>	<p>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. [Waiter places cut lemons onto drink glass with bare hand contact. Corrected on site by education by owner who also saw this and gave instructions to other staff persons on site.]</i></p>
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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 " " p " |

<i>Fail Notes</i>	<p>3-101.11 <i>P - FOOD shall be safe, UNADULTERATED, and honestly presented. [One 3 gallon plastic container, with rice in water 1/3 full had a skinned over layer of mold. This was located on a shelf above a prep sink in the food preparation room and appeared to have been overlooked, not being able to see the contents at that extended height above the sink. Corrected by discarding.</i></p> <p style="margin-top: 10px;"><i>One flying insect was found in one open bottle of peachtree snaps at the bar area in the amount of one half pint in volume. Corrected on Site (COS) discarded.]</i></p>
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| 12. Required records available: shellstock tags, parasite destruction. | " " " p " " |
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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 " |

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Protection from Contamination

Y N O A C R

Fail Notes	<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> <i>[Gallon can opener had food residue on the cut blade. Employee says they are cleaned daily, but the upper edge of the cut blade at the area where the screw hold blade to handle has dried residue that required a pressure spracting to remove. COS recleaned</i></p> <p><i>Also observe that one of the food equipment metal containers still had the day dot type sticker on the bottom of the pan that is stored away as clean.</i></p> <p><i>Two knives were stored away as clean on a wall magnet holder and they had a small amount of dried-on food residue.</i></p> <p style="text-align: center;">]</p> <p>4-702.11 <i>P - Sanitizing Before Use, After Cleaning - UTENSILS and FOOD-CONTACT SURFACES of EQUIPMENT shall be SANITIZED before use after cleaning.</i> <i>[Dishes were observed being run through the auto wash machine and a test was done to measure sanitizer strength and found to be recording no detect for chlorine. A professional service rep for the machine just happend to arrive moments later, assigned to service the machine for another issue related to the machine. While there he trouble-shooted and found the need for a replacing of a faulty supply line hose. COS as noted and testing at 100 parts per million]</i></p>
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15. Proper disposition of returned, previously served, reconditioned and unsafe food.

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Potentially Hazardous Food Time/Temperature

Y N O A C R

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	<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>[kitchen make table line with one reach in cooler having raw chicken at 44, pooled eggs 44, chorizo 55, beef 40, shrimp 40 fish at 37. Owner advised the help left them out on the table before transferring to this reach in cooler. Normally came from the walk in cooler. Temperatures recorded on foods from overnight verify that the unit is operating properly. COS by education.</i></p> <p><i>Also at the front buffet line is a cold holding unit that is has the metal containers in the opening slots resting on ice that is filled underneath. The ice does not come up to the top level of the temperature sensitive foods and does not maintain 41 or less. Advised by owner that the buffet salad bar is set up only from 11:00 am to 2:00 pm and he discarded the sensitive products. Corrected on site by the fact he is discarded the remaining portions in the next 15 minutes.]</i></p>
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21. Proper date marking and disposition.

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22. Time as a public health control: procedures and record.

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KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

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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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 .. . p ..

<i>Fail Notes</i>	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 garden sprayer with no label of the contents inside unit. According to owner, it is degreaser for the grill area. COS by marking the container.]</i>
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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

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

32. Plant food properly cooked for hot holding. p

33. Approved thawing methods used. p

34. Thermometers provided and accurate. .. p .. . p ..

<i>Fail Notes</i>	4-204.112(B)	<i>Temperature Measuring Devices (Integrated or Affixed) Cold or hot holding EQUIPMENT used for POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) shall be designed to include and shall be equipped with at least one integral or permanently affixed TEMPERATURE MEASURING DEVICE that is located to allow easy viewing of the device's temperature display. [no ambient air temperature devices in three reach in coolers within the building. COS, during the remainder time of the inspection, owner when to retail store and brought them back.]</i>
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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>	3-305.14	<i>During preparation, unPACKAGED FOOD shall be protected from environmental sources of contamination. [four open 5 gallon pails that contain dry spices have lids off and are setting under wire storage racks that have soild and loose rusting metal that have the potential to drop into the containers. COS owner place the lids for the containers and closed the contents.]</i>
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KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Prevention of Food Contamination	Y N O A C R
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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 |
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<i>Fail Notes</i>	3-304.12(B)	<i>In-use utensil storage (Non-PHF/TCS-handles above food) During pauses in FOOD preparation or dispensing, FOOD preparation and dispensing UTENSILS shall be stored in FOOD that is not POTENTIALLY HAZARDOUS (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) with their handles above the top of the FOOD within containers or EQUIPMENT that can be closed, such as bins of sugar, flour, or cinnamon.</i> <i>[At the fountain machine ice bin, the ice scoop was left in the bin with the handle in contact with the ice by one of the employees, while others were returning it in a proper manner. COS education]</i>
	3-304.12(C)	<i>In-use utensil storage (Cleaned/sanitized surface) During pauses in FOOD preparation or dispensing, FOOD preparation and dispensing UTENSILS shall be stored on a clean portion of the FOOD preparation table or cooking EQUIPMENT only if the in-use UTENSIL and the FOOD-CONTACT surface of the FOOD preparation table or cooking EQUIPMENT are cleaned and SANITIZED at the required frequency.</i> <i>[one knife used to cut vegetables was stored on the top of a soiled mixer blender motor at the side of one of the make tables in the food preparation room. COS Cleaned and moved by owner to other location.]</i>

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| 42. Utensils, equipment and linens: properly stored, dried and handled. | .. p |
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<i>Fail Notes</i>	4-903.11(B)	<i>Clean EQUIPMENT and UTENSILS shall be stored as specified under ¶ (A) of this section and shall be stored: In a self-draining position that allows air drying; and, Covered or inverted.</i> <i>[4-903.11(B)(1) Pans that had just come from the auto wash machine were being stacked wet and place on the metal storage rack in the ware wash room. COS education]</i>
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| 43. Single-use and single-service articles: properly used. | p |
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| 44. Gloves used properly. | p |
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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 |
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| 45b. Food and non-food contact surfaces cleanable, properly designed, constructed and used-Core items | p |
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| 46. Warewashing facilities: installed, maintained, and used; test strips. | p |
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| 47. Non-food contact surfaces clean. | .. p |
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<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.</i> <i>[Top flat side top ledge of the ice maker has some dust on the surface.]</i>
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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 |
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This item has Notes. See Footnote 5 at end of questionnaire.

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| 49. Plumbing installed; proper backflow devices. | .. p |
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KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Physical Facilities	Y	N	O	A	C	R
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50. Sewage and waste water properly disposed. p

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. [men's public use toilet room door does not self closed when not in use.]</i>
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52. Garbage and refuse properly disposed; facilities maintained. p

53. Physical facilities installed, maintained and clean. . p

<i>Fail Notes</i>	6-101.11(A) <i>Except as specified in ¶6-101.11(B), materials for indoor floor, wall, and ceiling surfaces under conditions of normal use shall be: SMOOTH, durable, and EASILY CLEANABLE for areas where FOOD ESTABLISHMENT operations are conducted; Closely woven and EASILY CLEANABLE carpet for carpeted areas; and, Nonabsorbent for areas subject to moisture such as FOOD preparation areas, walk-in refrigerators, WAREWASHING areas, toilet rooms, mobile FOOD ESTABLISHMENT SERVICING AREAS, and areas subject to flushing or spray cleaning methods. [small amounts of peeling paint in the walk in cooler and a section of the sheet rock paper coating is peeling away on the ceiling in the food preparation room.]</i>
<i>Fail Notes</i>	6-501.12(A) <i>PHYSICAL FACILITIES shall be cleaned as often as necessary to keep them clean. [under the counter where the wait station fountain machine is located is wet and soiled floors with mold growth, in the corners.]</i>

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

<i>Fail Notes</i>	K.S.A. 65-689(a) <i>It shall be unlawful for any person to engage in the business of conducting a food establishment or food processing plant unless such person shall have in effect a valid license therefor issued by the secretary. [Establishment was operating with an expired food license. COS by submitting a renewal application this day and owner placed in envelope to mail today..]</i>
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EDUCATIONAL MATERIALS

The following educational materials were provided p

<i>Material Distributed</i>	Education Title #04 <i>No Bare-Hand Contact</i> Education Title #09 <i>Did You Wash 'Em Flier</i> Education Title #11 <i>Employee Handwashing</i> Education Title #27 <i>Hot and Cold Holding</i>
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KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Footnote 1

Notes:

Accompanied by KDA inspector 69
This is also a Standardization inspection

Footnote 2

Notes:

shrimp fajita at 164 and chicken fajita at 202 from the grill

Footnote 3

Notes:

at the kitchen make table is shredded beef, mole sauce, refried beans, rice, ground beef cheese and shredded chicken, with the cheese the coolest at 148

hot hold buffet: chicken tenders, rice, refried beans, ground beef, taquitos, poblano and the enchiladas were the coolest at 147
at wait station is a crock pot of white cheese at 146

Footnote 4

Notes:

other cold hold temperatures: Walkin in cooler 37 range for raw chicken, ground beef 33, rice 38, salsa 38 sliced tomatoes at 40
pepsi reach in cooler with salsa 40
[Frigidaire] upright reach in freezer foods solid located in the kitchen service line
tomatoes on ice at 39-41
another walkin cooler with beverages only and no time or temperature sensitive foods.

Footnote 5

Notes:

hot water at 142 ok

VOLUNTARY DESTRUCTION REPORT

Insp Date: 5/28/2015 **Business ID:** 104322FE
Business: LA FIESTA

2210 N BUCKEYE
 ABILENE, KS 67410

Inspection: 58003265
Store ID:
Phone: 7852631470
Inspector: KDA58
Reason: 12 Expired License

Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
05/28/15	10:30 AM	03:00 PM	4:30	0:05	4:35	0	from within Abilene
Total:			4:30	0:05	4:35	0	

ACTIONS

Number of products Voluntarily Destroyed 2

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 bottle of peachtree snapps Qty 0.5 Units pt Value \$.75

Description one flying insect in an open bottle of snapps

Reason Product Destroyed Adulterated Method Product Destroyed Garbage Disposal

Disposal Location Firm Embargo Hold Tag # N/A

2. Product cooked rice Qty 2 Units gal Value \$ 3.00

Description molding cooked rice in water in the kitchen, Overlooked because it was on a high shelf

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A

