

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: 9/20/2012 **Business ID:** 96254FR
Business: JOY GARDEN

Inspection: 66002569
Store ID:
Phone: 7855943308
Inspector: KDA66
Reason: 01 Routine
Results: Follow-up

717 8TH ST
 BALDWIN, KS 66006

Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
09/20/12	03:00 PM	04:30 PM	1:30	1:00	2:30	0	
Total:			1:30	1:00	2:30	0	

FOOD ESTABLISHMENT PROFILE

Updated Risk Category _____ Updated Sq. Footage Under 5,000 sq feet
 Insp. Notification Print Critical Violations 11 Lic. Insp. No
 Address Verified p

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.

HACCP=Hazard Analysis-Critical Control Point, BHC=Bare Hand Contact, RTE=Ready to Eat, CRITICAL=Critical Violation, SWING=Swing Violation (May be critical or non-critical), HSP=Highly Susceptible Population, K.S.A.=Kansas Statutes Annotated, All temperatures are measured in degrees Fahrenheit (°F).

PLEASE CALL (785) 296-5600 OR VISIT www.ksda.gov/food_safety/ IF YOU HAVE ANY QUESTIONS.

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

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	..	..	..
8. Adequate handwashing facilities supplied and accessible.	p	p	..	..	..	..
<i>Fail Notes</i> | 6-501.18 Handsink, toilets, and/or urinals maintained clean [Toilet in the mens toilet room smells strongly of urine.]						
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)* CRITICAL - Separation-Raw & cooked RTE [Raw pork is stored over cooked rte noodles in the mt. cos: moved raw pork.]						
14. Food-contact surfaces: cleaned and sanitized.	..	p	..	..	p	..
<i>This item has Notes. See Footnote 2 at end of questionnaire.</i>						
<i>Fail Notes</i> | 4-601.11A* CRITICAL - Food Contact Clean to Sight and Touch [Food pots have dried food and grease residue of the food contact surface. cos: cleaned.]						
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	..	..	..
17. Proper reheating procedures for hot holding.	..	..	p	..	..	..
18. Proper cooling time and temperatures.	p	..	..	..	..	..
<i>This item has Notes. See Footnote 3 at end of questionnaire.</i>						
19. Proper hot holding temperatures.	..	p	..	..	p	..
<i>Fail Notes</i> | 3-501.16(A)(1)* CRITICAL - PHF Hot Holding->135°F [countertop (no temp control): fried chicken 115. cos: cool quickly to 41.]						
20. Proper cold holding temperatures.	..	p	..	..	p	..
<i>This item has Notes. See Footnote 4 at end of questionnaire.</i>						
<i>Fail Notes</i> | 3-501.16(A)(2)(a)* CRITICAL - PHF Cold Holding-<41°F [countertop (no temp control): raw chicken 72, fried chicken 75. cos: discarded. refrig: crab rangoon 49, egg rolls 45, ambient 36. cos: cooled to 41. buffet cooler: cut lettuce 52. cos: cooled to 41.]						
3-501.16(B) CRITICAL - Raw shell eggs stored in refrigerated equipment with ambient air temperature of 45 °F or less [countertop (no temp control): raw eggs 62. cos: discarded.]						
21. Proper date marking and disposition.	..	..	p	..	..	..

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Potentially Hazardous Food Time/Temperature	Y	N	O	A	C	R
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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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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>	<p>7-102.11* <i>CRITICAL - Common Name, Working Containers</i> <i>[2 unlabeled spray bottles of degreaser in the kitchen are identified by the food handler as degreaser. labeled.]</i></p> <p>7-201.11(B)* <i>CRITICAL - Separation, Storage-chemicals above food, etc.</i> <i>[Tube of caulk is stored on a shelf over an open container of rice. cos: moved caulk.]</i></p> <p>7-209.11 <i>Storage-Personal Care Items</i> <i>[A bottle of liquid menthol is stored for personal use over eggroll wraps.]</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

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

<i>Fail Notes</i>	<p>4-204.112(B) <i>Integrated or affixed thermometer in equipment</i> <i>[No thermometer in the mt to test for air temp.]</i></p>
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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; no unauthorized persons. .. p

<i>Fail Notes</i>	<p>6-202.15(A)(3)* <i>SWING - Outer openings protected-solid, self-closing doors</i> <i>[Critical: Door from the kitchen to the storage area has a 1/4" gap at the bottom. Door from the storage area to the outside has a 1/4" around the sides and at the bottom.]</i></p>
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KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Physical Facilities	Y	N	O	A	C	R
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<i>Fail Notes</i>	6-501.12	<i>Toilet rooms & fixtures cleaned as often as necessary [Toilet room in mens bath has urine residue. The floor around the mens toilet has broken tiles, rotting wood beneath the tiles, and urine stains.]</i>
	6-501.19	<i>Toilet room doors kept closed except during cleaning/maintenance [Womens toilet room door is open during business hours.]</i>

52. Garbage and refuse properly disposed; facilities maintained. p " " " " "

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

<i>Fail Notes</i>	6-501.11	<i>Physical facilities maintained in good repair [Floor tiles are broken. Walls have holes in them. Ceiling tiles are broken. Ceiling insulation hangs in the storage room.]</i>
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54. Adequate ventilation and lighting; designated areas used. " p " " " "

<i>Fail Notes</i>	4-204.11	<i>Ventilation hood designed to prevent condensate from dripping onto food/equipment [Grease is dripping from the ventilation hood pipes to the stove below.]</i>
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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

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

<i>Material Distributed</i>	<i>Education Title #06</i>	<i>Cooling</i>
	<i>Education Title #07</i>	<i>Corrective Actions</i>
	<i>Education Title #25</i>	<i>Handwashing</i>

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Footnote 1

Notes:

Buffet is not fully set up at time of inspection.

No customer orders taken at time of inspection.

Get the "FOCUS ON FOOD SAFETY" book by going to the Kansas Department of Agriculture website, Food Safety, Publications, and then Focus on Food Safety.

Approved Abbreviations:

cos - corrected on site

PHF - Potentially Hazardous Food

ST - Steam Table

MT - Make Table

RCP - Risk Control Plan

VD - Voluntary Destruction

NC - Non Critical Violation

PPM - Parts Per Million

mos - made on site

RTE - Ready To Eat

WIC - Walk-In Cooler

RIC - Reach-in Cooler

HH - Hot Holding

NONC - Notice of Non Compliance

VC - Voluntary Closure

PIC - Person In Charge

wm - warming cabinet

QT - Quaternary Compounds

F - Fahrenheit

WIF - Walk-In Freezer

RIF - Reach-in Freezer

BHC - Bare Hand Contact

CI - Chlorine

Footnote 2

Notes:

dishmachine rinse is 50ppm bleach

Footnote 3

Notes:

cooked pasta 66 in the mt.

Footnote 4

Notes:

wic: eggs 45, cooked chicken 40

ice cream dispenser: ice cream 43

mt: raw eggs 35, raw: pork 35, beef 35, shrimp 35

refrig: raw chicken 38

Footnote 5

Notes:

Focus on Food Safety was provided. Translations were made by a family member.

VOLUNTARY DESTRUCTION REPORT

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Phone: 7855943308
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Reason: 01 Routine

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ACTIONS

Number of products Voluntarily Destroyed 3

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 raw eggs Qty 1 Units lbs Value \$ 2

Description

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A

2. Product raw chicken Qty 2 Units lbs Value \$ 6

Description

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A

VOLUNTARY DESTRUCTION REPORT

VOLUNTARY DESTRUCTION REPORT

3. Product fried chicken Qty 3 Units lbs Value \$ 9

Description

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A

NOTICE OF NON COMPLIANCE WITH KANSAS LAW

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NOTICE OF NON COMPLIANCE WITH KANSAS LAW

Food Establishments. The Kansas Food Code, Section 8-405.11(B) as adopted and amended by K.A.R. 4-28-8 through 15, requires that all critical violations shall be corrected no later than 10 days after this inspection and all noncritical violations shall be corrected no later than 90 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. 65-655 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.

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 mobile retail ice cream vendors; food establishments; food vending machines; and food processing plants.

PLEASE CALL (785) 296-5600 IF YOU HAVE ANY QUESTIONS.

Follow up Scheduled 10/22/12

Inspection Report Number 66002569

Inspection Report Date 09/20/12

Establishment Name JOY GARDEN

Physical Address 717 8TH ST City BALDWIN

Zip 66006

Additional Notes and Instructions