

**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:** 5/30/2013      **Business ID:** 116157FE  
**Business:** BALDWIN DINER (THE)  
  
 516 AMES  
 BALDWIN CITY, KS 66006

**Inspection:** 66002958  
**Store ID:**  
**Phone:**  
**Inspector:** KDA66  
**Reason:** 02 Follow-up  
**Results:** Follow-up

**Time In / Time Out**

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
05/30/13	09:00 AM	10:30 AM	1:30	0:15	1:45	0	
<b>Total:</b>			1:30	0:15	1:45	0	

<b>FOOD ESTABLISHMENT PROFILE</b>	
Updated Risk Category <u>RAC# 06 High Risk</u>	Updated Sq. Footage _____
Insp. Notification <u>Print</u>	Lic. Insp. <u>No</u>
Priority(P) Violations <u>3</u>	Priority foundation(Pf) Violations <u>2</u>
Certified Manager on Staff <u>  </u>	Certified Manager Present <u>  </u> Address Verified <u>p</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).

PLEASE CALL (785) 296-5600 OR VISIT [www.ksda.gov/food\\_safety/](http://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**

<b>Demonstration of Knowledge</b>	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.***

<b>Employee Health</b>	Y   N   O   A   C   R
2. Management awareness; policy present.	p   ..   ..   ..   ..   ..
3. Proper use of reporting, restriction and exclusion.	p   ..   ..   ..   ..   ..

# KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

	Y	N	O	A	C	R
<b>Good Hygienic Practices</b>						
4. Proper eating, tasting, drinking, or tobacco use	p	..	..	..	..	..
5. No discharge from eyes, nose and mouth.	p	..	..	..	..	..
<b>Preventing Contamination by Hands</b>						
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	..	..	..	..	..
<b>Approved Source</b>						
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	..	..
<b>Protection from Contamination</b>						
13. Food separated and protected.	p	..	..	..	..	..
14. Food-contact surfaces: cleaned and sanitized.	p	..	..	..	..	..
<b><i>This item has Notes. See Footnote 2 at end of questionnaire.</i></b>						
15. Proper disposition of returned, previously served, reconditioned and unsafe food.	..	..	p	..	..	..
<b>Potentially Hazardous Food Time/Temperature</b>						
16. Proper cooking time and temperatures.	p	..	..	..	..	..
<b><i>This item has Notes. See Footnote 3 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	..	..	..	..	..
<b><i>This item has Notes. See Footnote 4 at end of questionnaire.</i></b>						
20. Proper cold holding temperatures.	..	p	..	..	p	..
<b><i>This item has Notes. See Footnote 5 at end of questionnaire.</i></b>						
<i>Fail Notes</i>	3-501.16(A)(2)(a) P - PHF Cold Holding-<41°F [Liquid egg 50/on ice (ice has melted and contacts only the bottom of the egg container. cos: discarded.  Raw sausage 45, ambient 43/pull door cooler beneath the grill. Cottage cheese 45/mt. Hash browns 45, raw ground beef 45, egg dip 47, cooked rice 45, ambient temp is 46/True ric. Cooked turkey 48, pulled pork 46, ambient temp is 46/Red 2 door cooler. cos: cooled all to 41 or colder. ]					
21. Proper date marking and disposition.	..	p	..	..	p	..
<i>Fail Notes</i>	3-501.18(A)(2) P - RTE PHF, Disposition-discard if in a container w/out a date [mos egg salad has no date mark. PIC said that he has no idea when it was made. cos: discarded. Pulled pork is prepared commercially and is in ziplock bag with no date mark. PIC said the packaging was opened a couple of days ago. cos: dated. Cottage cheese in opened commercial packaging has no date mark. PIC said it was opened a couple of days ago. cos: dated. ]					
22. Time as a public health control: procedures and record.	..	..	..	p	..	..

# KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

<b>Consumer Advisory</b>	Y N O A C R
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23. Consumer advisory provided for raw or undercooked foods. p . . . . .

<b>Highly Susceptible Populations</b>	Y N O A C R
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24. Pasteurized foods used; prohibited foods not offered. . . p . . . .

<b>Chemical</b>	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 .

*Fail Notes* | 7-201.11(B) *P - Separation, Storage-chemicals above food, etc.*  
*[Bottle of nail polish remover and tube of silicon caulk is stored over bucket of pickles in the kitchen. cos: moved the chemicals. DAP caulk is stored over food utensils and tortillas in the food storage room. cos: moved the caulk. ]*

7-202.11(A) *Pf - Restriction-necessary chemicals*  
*[Container of Roundup herbicide is stored on the floor in the kitchen next to the refrigerator. cos: moved the Roundup.]*

<b>Conformance with Approved Procedures</b>	Y N O A C R
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27. Compliance with variance, specialized process and HACCP plan. . . . . p . . . .

<b>GOOD RETAIL PRACTICES</b>
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<b>Safe Food and Water</b>	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 . . . .

<b>Food Temperature Control</b>	Y N O A C R
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31. Proper cooling methods used; adequate equipment for temperature control. . . p . . . p .

*Fail Notes* | 4-301.11 *Pf - Cooling, heating, & holding equipment sufficient in number & capacity (in good repair)*  
*[True 2 door ric is not holding phf at 41 or colder. The ambient temp is 46. cos: cooled phf to 41 in a working cooler. ]*

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>	Y N O A C R
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35. Food properly labeled; original container. p . . . . .

<b>Prevention of Food Contamination</b>	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 . . . . .

*Fail Notes* | 3-304.14(B)(1) *Wet wiping cloths stored in sanitizer*  
*[Wiping clothes on the food prep counters are wet, but not stored in sanitizer]*

40. Washing fruits and vegetables. . . . . p . . . .

<b>Proper Use of Utensils</b>	Y N O A C R
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## KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

<b>Proper Use of Utensils</b>	<b>Y</b>	<b>N</b>	<b>O</b>	<b>A</b>	<b>C</b>	<b>R</b>
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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>   4-901.11(A) <i>Equipment/utensils air dried after washing, rinsing &amp; sanitizing [The dishwasher hand dried the sanitized food utensils using a towels after the sanitizing rinse cycle.]</i> |    |    |    |    |    |    |
| 43. Single-use and single-service articles: properly used.   | .. | .. | p  | .. | .. | .. |
| 44. Gloves used properly.  | p  | .. | .. | .. | .. | .. |

<b>Utensils, Equipment and Vending</b>	<b>Y</b>	<b>N</b>	<b>O</b>	<b>A</b>	<b>C</b>	<b>R</b>
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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 | .. | .. | .. | .. | .. |
| 46. Warewashing facilities: installed, maintained, and used; test strips.  | p | .. | .. | .. | .. | .. |
| <i>Fail Notes</i>   4-501.16(A) <i>Warewashing sink-handwashing prohibition [Dish machine operator washed his hands at the dishwasher using the spray head to wet then rinse his hands.]</i> |   |    |    |    |    |    |
| 47. Non-food contact surfaces clean.   | p | .. | .. | .. | .. | .. |

<b>Physical Facilities</b>	<b>Y</b>	<b>N</b>	<b>O</b>	<b>A</b>	<b>C</b>	<b>R</b>
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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  | .. | .. | .. | .. | .. |

<b>Administrative/Other</b>	<b>Y</b>	<b>N</b>	<b>O</b>	<b>A</b>	<b>C</b>	<b>R</b>
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|----------------------|---|----|----|----|----|----|
| 55. Other violations | p | .. | .. | .. | .. | .. |
|----------------------|---|----|----|----|----|----|

<b>EDUCATIONAL MATERIALS</b>						
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The following educational materials were provided p

<i>Material Distributed</i>	<i>Education Title #08</i>	<i>Date Marking</i>	
	<i>Education Title #25</i>	<i>Handwashing</i>	
	<i>Education Title #26</i>	<i>Hot and Cold Holding Sign</i>	

# KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

## **Footnote 1**

### **Notes:**

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.

\* Critical (bold the documentation in violation description)

BHC Bare Hand Contact

CAP Corrective Action Plan

COS Corrected On-Site

Cl Chlorine

F Fahrenheit (all temps are in F)

HACCP Hazard Analysis Critical Control Point

HH Hot Holding

HVAC Heating Ventilation and Air Conditioning

KSA Kansas Statutes Annotated

MT Make Table (Refrigerated preparation table)

NC Non-Critical Violation

NONC Notice of Non-Compliance

PHF Potentially Hazardous Food

PIC Person In Charge

PPM Parts Per Million

QT Quaternary Ammonia Compounds

RCP Risk Control Plan

RIC Reach-in Cooler

RIF Reach-in Freezer

RTE Ready-To-Eat

ST Steam table

ST Steam Table

TPHC Time as a Public Health Control

VC Voluntary Closure

VD Voluntary Destruction

WIC Walk-In Cooler

WIF Walk in freezer

MOS Made on site

## **Footnote 2**

### **Notes:**

rinse water 100ppm bleach/dishwasher

## **Footnote 3**

### **Notes:**

eggs 155/grill

## **Footnote 4**

### **Notes:**

sausage gravy 144/crockpot

mash potatoes 149/st

taco meat 160, pulled chicken 167, black beans 155/st

# KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

## **Footnote 5**

### **Notes:**

chicken 42, pulled pork (plastic contaier) 42, raw chicken 41/Red 2 door cooler.  
black beans 41, bacon 39/True 2 door ric  
diced tomatoes 40, beef 43, sausage 42, turkey 37, tuna salad 41, egg salad 41/mt  
milk 39/refrig

## VOLUNTARY DESTRUCTION REPORT

**Insp Date:** 5/30/2013      **Business ID:** 116157FE  
**Business:** BALDWIN DINER (THE)

516 AMES  
 BALDWIN CITY, KS 66006

**Inspection:** 66002958  
**Store ID:**  
**Phone:**  
**Inspector:** KDA66  
**Reason:** 02 Follow-up

**Time In / Time Out**

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
05/30/13	09:00 AM	10:30 AM	1:30	0:15	1:45	0	
Total:			1:30	0:15	1:45	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 liquid egg Qty 1 Units gal Value \$ 5

Description

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A

2. Product \_\_\_\_\_ Qty \_\_\_\_\_ Units \_\_\_\_\_ Value \$ \_\_\_\_\_

Description

Reason Product Destroyed \_\_\_\_\_ Method Product Destroyed \_\_\_\_\_

Disposal Location \_\_\_\_\_ Embargo Hold Tag # N/A

## NOTICE OF NON COMPLIANCE WITH KANSAS LAW

**Insp Date:** 5/30/2013      **Business ID:** 116157FE  
**Business:** BALDWIN DINER (THE)

**Inspection:** 66002958  
**Store ID:**  
**Phone:**  
**Inspector:** KDA66  
**Reason:** 02 Follow-up

516 AMES  
 BALDWIN CITY, KS 66006

**Time In / Time Out**

Date	In	Out	Insp	Travel	Total	Mileage	Notes;
05/30/13	09:00 AM	10:30 AM	1:30	0:15	1:45	0	
Total:			1:30	0:15	1:45	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 06/13/13

Inspection Report Number 66002958

Inspection Report Date 05/30/13

Establishment Name The Baldwin Diner

Physical Address \_\_\_\_\_ City Baldwin City

516 Ames Zip 66006

Additional Notes and Instructions