

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: 12/12/2013 **Business ID:** 116529FE
Business: EL JACAL MEXICAN RESTAURANT & CANTINA
 711 High St.
 711 HIGH STREET
 BALDWIN CITY, KS 66006

Inspection: 66003262
Store ID:
Phone: 7850594063
Inspector: KDA66
Reason: 01 Routine
Results: Follow-up

Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
12/12/13	10:45 AM	11:51 AM	1:06	0:15	1:21	0	
Total:			1:06	0:15	1:21	0	

FOOD ESTABLISHMENT PROFILE

Insp. Notification _____ Sent Notification To _____ Lic. Insp. No
 Priority(P) Violations 2 Priority foundation(Pf) Violations 0
 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, EMAIL 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

1. Certification by accredited program, compliance with Code, or correct responses.

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

Y N O A C R
 p

Employee Health

2. Management awareness; policy present.

3. Proper use of reporting, restriction and exclusion.

Y N O A C R
 p
 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	..	..	..	..	..
<i>This item has Notes. See Footnote 2 at end of questionnaire.</i>						
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	..	..	p	..
<i>Fail Notes</i> | 3-101.11 | <i>P - FOOD shall be safe, UNADULTERATED, and honestly presented. [Cooked chicken has a heavy mold buildup in a large pan in the wic. cos: discarded.]</i>						
12. Required records available: shellstock tags, parasite destruction.	..	..	..	p	..	..
Protection from Contamination	Y	N	O	A	C	R
13. Food separated and protected.	p	..	..	..	..	..
14. Food-contact surfaces: cleaned and sanitized.	p	..	..	..	..	..
<i>This item has Notes. See Footnote 3 at end of questionnaire.</i>						
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	..	..	..
19. Proper hot holding temperatures.	p	..	..	..	..	..
<i>This item has Notes. See Footnote 4 at end of questionnaire.</i>						
20. Proper cold holding temperatures.	p	..	..	..	..	..
<i>This item has Notes. See Footnote 5 at end of questionnaire.</i>						
21. Proper date marking and disposition.	p	..	..	..	..	..
22. Time as a public health control: procedures and record.	..	..	..	p	..	..
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

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Chemical	Y N O A C R
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<i>Fail Notes</i>	7-201.11(B)	<p><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.</i></p> <p><i>[A bottle of Lysol aerosol is stored over clean glasses at the bar. A spray pump bottle of cleaner is stored over drink ice on the ice maker. A bottle of soap is stored over tabasco sauce and tortillas in the storage room. cos: moved the chemicals.]</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 . .
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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
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

Food Identification	Y N O A C R
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35. Food properly labeled; original container.	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
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<i>Fail Notes</i>	6-202.15(A)(2)	<p><i>Outer openings (Windows) Outer openings of a FOOD ESTABLISHMENT shall be protected against the entry of insects and rodents by closed, tight-fitting windows.</i></p> <p><i>[There are 1/4 inch gaps in the east window seam of the basement. There is a 1/4 inch gap in the door frame to the outside at the back of the restaurant.]</i></p>
	6-501.112	<p><i>Dead or trapped birds, insects, rodents, and other pests shall be removed from control devices and the PREMISES at a frequency that prevents their accumulation, decomposition, or the attraction of pests.</i></p> <p><i>[Dead roaches on the floor of the basement.]</i></p>

37. Contamination prevented during food preparation, storage and display.	.. p
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<i>Fail Notes</i>	3-305.12	<p><i>Food storage (Prohibited locations) FOOD may not be stored: In locker rooms; In toilet rooms; In dressing rooms; In garbage rooms; In mechanical rooms; Under sewer lines that are not shielded to intercept potential drips; Under leaking water lines, including leaking automatic fire sprinkler heads, or under lines on which water has condensed; Under open stairwells; or, Under other sources of contamination.</i></p> <p><i>[Cans of tomatoes are stored under the sewer pipe in the basement.]</i></p>
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38. Personal cleanliness.	p
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39. Wiping cloths: properly used and stored.	p
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KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Prevention of Food Contamination		Y	N	O	A	C	R
40. Washing fruits and vegetables.		..	..	p	..	..	..
Proper Use of Utensils		Y	N	O	A	C	R
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) <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. [Single service food utensils are stored directly on the floor in the basement.]</i>						
	4-903.12(A) <i>Cleaned and SANITIZED EQUIPMENT, UTENSILS, laundered LINENS, and SINGLE-SERVICE and SINGLE-USE ARTICLES may not be stored: In locker rooms (except for laundered LINENS and SINGLE-SERVICE and SINGLE-USE ARTICLES that are PACKAGED or in a facility such as a cabinet); In toilet rooms; In garbage rooms; In mechanical rooms; Under sewer lines that are not shielded to intercept potential drips; Under leaking water lines including leaking automatic fire sprinkler heads or under lines on which water has condensed; Under open stairwells; or, Under other sources of contamination. [Single service food utensils are stored under the sewer pipes in the basement.]</i>						
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
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	..	..	..	..	..
47. Non-food contact surfaces clean.		p	..	..	..	..	..
Physical Facilities		Y	N	O	A	C	R
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	..	..	..	..
<i>Fail Notes</i>	6-501.19 <i>Except during cleaning and maintenance operations, toilet room doors as specified under § 6-202.14 shall be kept closed. [Doors to toilet room are open while people are dining.]</i>						
52. Garbage and refuse properly disposed; facilities maintained.		p	..	..	..	..	..
53. Physical facilities installed, maintained and clean.		..	p	..	..	..	..
<i>Fail Notes</i>	6-501.12(A) <i>PHYSICAL FACILITIES shall be cleaned as often as necessary to keep them clean. [The basement, where food and food utensils are stored, has dead insects, debris, and standing water on the floor.]</i>						
54. Adequate ventilation and lighting; designated areas used.		..	p	..	..	..	..

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Physical Facilities	Y N O A C R
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<i>Fail Notes</i>	6-303.11(A)	<i>Light intensity (108 lux) The light intensity shall be at least 108 lux (10 foot candles) at a distance of 75 cm (30 inches) above the floor, in walk-in refrigeration units and dry FOOD storage areas and in other areas and rooms during periods of cleaning. [The lighting in the wic is dim.]</i>
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Administrative/Other	Y N O A C R
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55. Other violations	p
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EDUCATIONAL MATERIALS

The following educational materials were provided p

Material Distributed | Education Title #25 Handwashing

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

FB Fluorescent bulbs

Footnote 2

Notes:

NOTE: The bar is not used nor is the hand sink.

Footnote 3

Notes:

rinse water is 100ppm bleach

Footnote 4

Notes:

taco meat 192, refried beans 169, rice 172/hh
chicken 170, pork 172/hh

Footnote 5

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Notes:

pico 34, cut tomatoes 33/sm mt

cut leafy greens 42, enchilada 37, shrimp 37/lg mt

chicken 35, refried bean s 36, carnitas 36, salsa 36/wic

VOLUNTARY DESTRUCTION REPORT

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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 cooked chicken Qty 10 Units lbs Value \$ 30

Description

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A

FIELD WARNING LETTER

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711 High St.
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BALDWIN CITY, KS 66006

Inspection: 66003262
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FIELD WARNING LETTER

The Kansas Food, Drug and Cosmetic Act, effective July 1, 2012, K.S.A. 65-619 *et seq.* and regulations promulgated pursuant thereto, grants the Kansas Department of Agriculture authority to regulate food establishments and food processing plants. The Kansas Food Code is adopted and amended by K.A.R. 4-28-8 through 15.

During the inspection today of the Food Establishment listed above, violations of the Kansas Food Code were observed. The violations are documented in the attached Kansas Food Establishment Inspection Report.

Although we will not take further action at this time based on this inspection report, repeated violations observed during future inspections 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 Kansas Food, Drug and Cosmetic Act;
- and/or any other penalty authorized by law.

Future inspections will be initiated during the next routine inspection cycle, unless we receive a complaint about the food establishment.