

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: 3/24/2014 **Business ID:** 96254FE
Business: JOY GARDEN

 717 8TH ST
 BALDWIN, KS 66006

Inspection: 66003402
Store ID:
Phone: 7855943308
Inspector: KDA66
Reason: 01 Routine
Results: Follow-up

Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
03/24/14	04:30 PM	06:00 PM	1:30	0:45	2:15	0	
Total:			1:30	0:45	2:15	0	

FOOD ESTABLISHMENT PROFILE	
Updated Risk Category <u>RAC# 06 High Risk</u>	Updated Size Range <u>1. Under 5,000 sq feet</u>
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 <input type="checkbox"/>	Address Verified <input checked="" type="checkbox"/>
Certified Manager Present <input type="checkbox"/>	Actual Sq. Ft. _____

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

	Y	N	O	A	C	R
Demonstration of Knowledge						
1. Certification by accredited program, compliance with Code, or correct responses.	..	..	p	..	..	..
<i>This item has Notes. See Footnote 1 at end of questionnaire.</i>						
Employee Health						
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					
Good Hygienic Practices											
4. Proper eating, tasting, drinking, or tobacco use	p					
5. No discharge from eyes, nose and mouth.	p					
Preventing Contamination by Hands											
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					
Approved Source											
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											
13. Food separated and protected.	..	p	p	..					
<table border="0" style="width: 100%;"> <tr> <td style="width: 15%; vertical-align: top;"><i>Fail Notes</i></td> <td style="width: 15%; vertical-align: top;">3-302.11(A)(1)(a)</td> <td style="vertical-align: top;"> <i>P - FOOD shall be protected from cross contamination by separating raw animal FOODS during storage, preparation, holding, and display from raw READY-TO-EAT FOOD including other raw animal FOOD such as FISH for sushi or MOLLUSCAN SHELLFISH, or other raw READY-TO-EAT FOOD such as fruits and vegetables [Raw eggs are stored over an open container of brocolli in the wic. cos: moved the raw eggs.]</i> </td> </tr> <tr> <td style="vertical-align: top;"></td> <td style="vertical-align: top;">3-302.11(A)(1)(b)</td> <td style="vertical-align: top;"> <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. [Raw fish is stored over cream cheese in the wic. cos: moved the fish. A container of cooked shrimp is stored in a container of raw shrimp/mt. cos: discarded the cooked shrimp. Raw shrimp is stored over cooked noodles in the cooler. cos: moved the raw shrimp.]</i> </td> </tr> </table>	<i>Fail Notes</i>	3-302.11(A)(1)(a)	<i>P - FOOD shall be protected from cross contamination by separating raw animal FOODS during storage, preparation, holding, and display from raw READY-TO-EAT FOOD including other raw animal FOOD such as FISH for sushi or MOLLUSCAN SHELLFISH, or other raw READY-TO-EAT FOOD such as fruits and vegetables [Raw eggs are stored over an open container of brocolli in the wic. cos: moved the raw eggs.]</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. [Raw fish is stored over cream cheese in the wic. cos: moved the fish. A container of cooked shrimp is stored in a container of raw shrimp/mt. cos: discarded the cooked shrimp. Raw shrimp is stored over cooked noodles in the cooler. cos: moved the raw shrimp.]</i>					
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14. Food-contact surfaces: cleaned and sanitized.	..	p	p	..					
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15. Proper disposition of returned, previously served, reconditioned and unsafe food.	p					
Potentially Hazardous Food Time/Temperature											
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 2 at end of questionnaire.</i>											
20. Proper cold holding temperatures.	p					
<i>This item has Notes. See Footnote 3 at end of questionnaire.</i>											
21. Proper date marking and disposition.	p					
<i>This item has Notes. See Footnote 4 at end of questionnaire.</i>											

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>	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. [2 bottles of aerosol Air Wick are stored over fortune cookies. cos: moved the chemicals.]</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 .. . p ..

<i>Fail Notes</i>	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. [Recently cooked noodles 92/wic are tightly covered with plastic film. A large quantity of noodles are in a plastic container. cos: educated.]</i>
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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>	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 thermometer in the ric and mt to test for air temperature.]</i>
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Food Identification	Y	N	O	A	C	R
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KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Food Identification		Y	N	O	A	C	R
35. Food properly labeled; original container.		p	..	..	..	..	..
Prevention of Food Contamination		Y	N	O	A	C	R
36. Insects, rodents and animals not present.		p	..	..	..	..	..
37. Contamination prevented during food preparation, storage and display.		..	p	..	..	p	..
<i>Fail Notes</i>	3-305.11(A)(1) <i>Food storage - Except as specified in ¶¶ (B) and (C) of 3-305.11, FOOD shall be protected from contamination by storing the FOOD: in a clean, dry location; where it is not exposed to splash, dust, or other contamination; and at least 15 cm (6 inches) above the floor. [a mesh bag of onions is stored directly on the floor.]</i>						
38. Personal cleanliness.		p	..	..	..	..	..
39. Wiping cloths: properly used and stored.		..	p	..	..	..	..
<i>Fail Notes</i>	3-304.14(B)(1) <i>Wiping cloths (Storage) Cloths in-use for wiping counters and other EQUIPMENT surfaces shall be held between uses in a chemical sanitizer solution at an appropriate concentration. [A bucket of water with a wipe cloth in it has no detectable sanitizer.]</i>						
40. Washing fruits and vegetables.		..	..	p	..	..	..
Proper Use of Utensils		Y	N	O	A	C	R
41. In-use utensils: properly stored.		..	p	..	..	..	..
<i>Fail Notes</i>	3-304.12(F) <i>In-use utensil storage (135°F water) During pauses in FOOD preparation or dispensing, FOOD preparation and dispensing UTENSILS shall be stored in a container of water if the water is maintained at a temperature of at least 57°C (135°F) and the container is cleaned at least every 24 hours or at a frequency necessary to preclude accumulation of soil residues. [A rice scoop is held in water at 75.]</i>						
42. Utensils, equipment and linens: properly stored, dried and handled.		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
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	..	..	..	..
<i>Fail Notes</i>	4-602.13 <i>NonFOOD-CONTACT SURFACES of EQUIPMENT shall be cleaned at a frequency necessary to preclude accumulation of soil residues. [The stove, fryer, make table, exhaust hood, and legs of equipment have a grease buildup.]</i>						
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	..	..	..	..	..

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Footnote 1

Notes:

No food is being prepared or served at inspection time.
Translated.

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 equation
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:

egg drop soup 160, hot sour soup 149/hh

Footnote 3

Notes:

rangoon 39, chicken 39, cabbage roll 40/ric
liquid eggs 39, chicken 39, beef 39/mt
ice cream 39/dispenser

Footnote 4

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Notes:

PIC said all phf made yesterday

VOLUNTARY DESTRUCTION REPORT

Insp Date: 3/24/2014 **Business ID:** 96254FE
Business: JOY GARDEN

717 8TH ST
 BALDWIN, KS 66006

Inspection: 66003402
Store ID:
Phone: 7855943308
Inspector: KDA66
Reason: 01 Routine

Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
03/24/14	04:30 PM	06:00 PM	1:30	0:45	2:15	0	
Total:			1:30	0:45	2:15	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 cooked shrimp Qty 1 Units lbs Value \$ 5

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

Insp Date: 3/24/2014
Business: JOY GARDEN

Business ID: 96254FE

Inspection: 66003402

Store ID:

Phone: 7855943308

Inspector: KDA66

Reason: 01 Routine

717 8TH ST
 BALDWIN, KS 66006

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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 04/03/14

Inspection Report Number 66003402

Inspection Report Date 03/24/14

Establishment Name JOY GARDEN

Physical Address 717 8TH ST City BALDWIN

Zip 66006

Additional Notes and Instructions

a follow up inspection will be on or after 4-3-2014