

**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:** 12/18/2013      **Business ID:** 104322FE  
**Business:** LA FIESTA

**Inspection:** 69003005  
**Store ID:**  
**Phone:** 7852631470  
**Inspector:** KDA69  
**Reason:** 03 Complaint  
**Results:** No Follow-up

2210 N BUCKEYE  
 ABILENE, KS 67410

**Time In / Time Out**

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
12/18/13	01:35 PM	03:40 PM	2:05	0:30	2:35	0	
<b>Total:</b>			2:05	0:30	2:35	0	

FOOD ESTABLISHMENT PROFILE	
Updated Risk Category _____	Updated Size Range <u>2. 5,000 - 10,000 sq feet</u>
Insp. Notification <u>Print</u> _____	Lic. Insp. _____
Priority(P) Violations <u>2</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. <u>5600</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](http://www.agriculture.ks.gov), EMAIL [fsl@kda.ks.gov](mailto: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**

<b>Demonstration of Knowledge</b>	Y	N	O	A	C	R
1. Certification by accredited program, compliance with Code, or correct responses.	p	..	..	..	..	..
<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

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>   6-301.11   <i>Pf - Each HANDWASHING SINK or group of two adjacent HANDWASHING SINKS shall be provided with a supply of hand cleaning liquid, powder, or bar soap. [No paper towels at the handsink in the bar or in the back kitchen, corrected on site, papertowels were provided.]</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	..	..	..	..	..
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	..	..	..	..	..
<b><i>This item has Notes. See Footnote 1 at end of questionnaire.</i></b>						
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	..	..	..	..	..
<b><i>This item has Notes. See Footnote 2 at end of questionnaire.</i></b>						
20. Proper cold holding temperatures.	..	p	..	..	p	..
<b><i>This item has Notes. See Footnote 3 at end of questionnaire.</i></b>						
<i>Fail Notes</i>   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. [White cheese 63, cut lettuce 47, raw sliced tomato 65, yellow cheese 66, red sauce made on site 50, green sauce made on site 61, cut watermelon 56, cut cantaloupe 56, pico 59, flan 49 on buffet bar, corrected on site, all items wer discarded. Chicken flauta 53 on counter in back room, corrected on site, flauta was moved to walk in cooler.]</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

# KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

<b>Highly Susceptible Populations</b>	Y	N	O	A	C	R
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24. Pasteurized foods used; prohibited foods not offered.	..	..	..	p	..	..
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<b>Chemical</b>	Y	N	O	A	C	R
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25. Food additives: approved and properly used.	..	..	..	p	..	..
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26. Toxic substances properly identified, stored and used.	..	p	..	..	p	..
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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>[Hot Shot Bedbug and Flea spray is found on shelf above 3 vat sink used for food prep, corrected on site, spray was moved to chemical rack.]</i></p>
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<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	..	..
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<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	..	..
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29. Water and ice from approved source.	p	..	..	..	..	..
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30. Variance obtained for specialized processing methods.	..	..	..	p	..	..
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<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	..	..	..	..	..
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32. Plant food properly cooked for hot holding.	..	..	p	..	..	..
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33. Approved thawing methods used.	p	..	..	..	..	..
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34. Thermometers provided and accurate.	..	p	..	..	p	..
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<i>Fail Notes</i>	4-302.12(A)	<p><i>Pf - Food Temperature Measuring Devices (Provided &amp; Accessible) FOOD TEMPERATURE MEASURING DEVICES shall be provided and readily accessible for use in ensuring attainment and maintenance of required FOOD temperatures.</i></p> <p><i>[No food thermometer to measure temperature of cold or hot foods. corrected on site, manager left facility and returned with a food thermometer.]</i></p>
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<b>Food Identification</b>	Y	N	O	A	C	R
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35. Food properly labeled; original container.	..	p	..	..	..	..
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<i>Fail Notes</i>	3-302.12	<p><i>Food storage containers (Common Name) Except for containers holding FOOD that can be readily and unmistakably recognized such as dry pasta, working containers holding FOOD or FOOD ingredients that are removed from their original packages for use in the FOOD ESTABLISHMENT, such as cooking oils, flour, herbs, potato flakes, salt, spices, and sugar shall be identified with the common name of the FOOD.</i></p> <p><i>[Container of sugar in back storage room is not labeled with common name.]</i></p>
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<b>Prevention of Food Contamination</b>	Y	N	O	A	C	R
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36. Insects, rodents and animals not present.	p	..	..	..	..	..
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37. Contamination prevented during food preparation, storage and display.	..	p	..	..	..	..
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# KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Prevention of Food Contamination	Y	N	O	A	C	R
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<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. [Containers of sugar and seasoned salt do not have a lid on them on the storage rack.]</i>
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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 | .. | .. | .. | .. | .. |
| 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
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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 | .. | .. | .. | .. | .. |
| 47. Non-food contact surfaces clean.  | p | .. | .. | .. | .. | .. |

Physical Facilities	Y	N	O	A	C	R
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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  | .. | .. | .. | .. |

<i>Fail Notes</i>	6-501.11	<i>PHYSICAL FACILITIES shall be maintained in good repair. [There is a hole in the wall by the kitchen prep table, corners of wall are missing tile, tile is missing on the floor by the stove, cove base is missing along walls in kitchen.]</i>
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|---|---|----|----|----|----|----|
| 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 | .. | .. | .. | .. | .. |
|----------------------|---|----|----|----|----|----|

EDUCATIONAL MATERIALS
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The following educational materials were provided      p

*Material Distributed | Education Title #26    Hot and Cold Holding Sign*

# KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

## **Footnote 1**

### **Notes:**

Mechanical dishwasher sanitizing at 50ppm chlorine.

## **Footnote 2**

### **Notes:**

Hot holding: buffet: beef enchilada 148, beef burrito 141, carnita 150, rice 152;; hot pot:: queso 137; steam table: refried bean 139, rice 136, burrito sauce 139; shredded chicken 150, shredded beef 143; taco meat 154

## **Footnote 3**

### **Notes:**

Cold holding:wait staff reach in cooler: flan 40; wait staff make table; milk 39; kitchen make table: pico 39, chili relleno 38; kitchen reach in cooler: raw shrimp 41; ice bath in kitchen raw cut tomato 38; walk in cooler: poblano pepper 41, taco meat 39;

## VOLUNTARY DESTRUCTION REPORT

**Insp Date:** 12/18/2013      **Business ID:** 104322FE  
**Business:** LA FIESTA

**Inspection:** 69003005  
**Store ID:**  
**Phone:** 7852631470  
**Inspector:** KDA69  
**Reason:** 03 Complaint

2210 N BUCKEYE  
ABILENE, KS 67410

**Time In / Time Out**

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
12/18/13	01:35 PM	03:40 PM	2:05	0:30	2:35	0	
Total:			2:05	0:30	2:35	0	

**ACTIONS**

Number of products Voluntarily Destroyed   9  

**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 Flan Qty 1 Units ea Value \$ \_\_\_\_\_

Description too warm

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A

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

Description too warm

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A

3. Product raw cut tomato Qty 8 Units slices Value \$ \_\_\_\_\_

Description too warm

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A

# VOLUNTARY DESTRUCTION REPORT

## VOLUNTARY DESTRUCTION REPORT

4. Product yellow and white cheeses Qty 4 Units cup Value \$ \_\_\_\_\_

Description too warm

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A

5. Product red sauce Qty 1 Units quart Value \$ \_\_\_\_\_

Description too warm

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A

6. Product green sauce Qty 2 Units cup Value \$ \_\_\_\_\_

Description too warm

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A

7. Product pico Qty 1 Units quart Value \$ \_\_\_\_\_

Description too warm

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A

8. Product cut cantaloupe Qty 3 Units cup Value \$ \_\_\_\_\_

Description too warm

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A

9. Product cut watermelon Qty 3 Units cup Value \$ \_\_\_\_\_

Description too warm

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A

## FIELD WARNING LETTER

**Insp Date:** 12/18/2013      **Business ID:** 104322FE  
**Business:** LA FIESTA

2210 N BUCKEYE  
ABILENE, KS 67410

**Inspection:** 69003005  
**Store ID:**  
**Phone:** 7852631470  
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Time In / Time Out

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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.