

**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:** 8/10/2012      **Business ID:** 113363FR  
**Business:** RUSTLER GRILL (THE)

**Inspection:** 72002495  
**Store ID:**  
**Phone:** 6203478866  
**Inspector:** KDA72  
**Reason:** 10 Licensing  
**Results:** No Follow-up

102 E SOUTH ST  
 ARMA, KS 66712

**Time In / Time Out**

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
08/10/12	02:15 PM	04:00 PM	1:45	0:30	2:15	0	
<b>Total:</b>			1:45	0:30	2:15	0	

**FOOD ESTABLISHMENT PROFILE**

Insp. Notification      Email                        Critical Violations   7                        Lic. Insp.   No  

Sent Notification To \_\_\_\_\_

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/](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**

	Y	N	O	A	C	R
<b>Demonstration of Knowledge</b>						
1. Certification by accredited program, compliance with Code, or correct responses.	..	..	p	..	..	..
<b>Employee Health</b>						
2. Management awareness; policy present.	..	..	p	..	..	..
3. Proper use of reporting, restriction and exclusion.	..	..	p	..	..	..
<b>Good Hygienic Practices</b>						
4. Proper eating, tasting, drinking, or tobacco use	..	p	..	..	p	..

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	Y	N	O	A	C	R
<b>Good Hygienic Practices</b>						
<i>Fail Notes</i>   2-401.11* <i>CRITICAL - Eating, Drinking, or Using Tobacco [Open drink cup of soda sitting on wire rack above clean dishes (COS) removed]</i>						
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			p
<i>Fail Notes</i>   3-302.11(A)(1)(a)* <i>CRITICAL - Separation-Raw &amp; raw RTE [Raw shell eggs stored directly over RTE raw onions in MT (COS) moved raw shell eggs]</i>						
3-302.11(A)(1)(b)* <i>CRITICAL - Separation-Raw &amp; cooked RTE [Raw hamburger stored directly over container of cooked RTE gravy in 3rd Ric (COS) rearranged]</i>						
14. Food-contact surfaces: cleaned and sanitized.			p			p
<i>Fail Notes</i>   4-601.11A* <i>CRITICAL - Food Contact Clean to Sight and Touch [inside top portion of microwave has caked on dried food debris hanging from it (COS) cleaned]</i>						
15. Proper disposition of returned, previously served, reconditioned and unsafe food.						
<b>Potentially Hazardous Food Time/Temperature</b>						
16. Proper cooking time and temperatures.			p			
<b><i>This item has Notes. See Footnote 1 at end of questionnaire.</i></b>						
17. Proper reheating procedures for hot holding.			p			
<b><i>This item has Notes. See Footnote 2 at end of questionnaire.</i></b>						
18. Proper cooling time and temperatures.				p		
19. Proper hot holding temperatures.			p			
<b><i>This item has Notes. See Footnote 3 at end of questionnaire.</i></b>						
20. Proper cold holding temperatures.			p			p
<b><i>This item has Notes. See Footnote 4 at end of questionnaire.</i></b>						
<i>Fail Notes</i>   3-501.16(A)(2)(a)* <i>CRITICAL - PHF Cold Holding-&lt;41°F [Hamburger 51 and sausage 48 in MT (COS) shut door]</i>						
21. Proper date marking and disposition.			p			p
<i>Fail Notes</i>   3-501.18(A)(2)* <i>CRITICAL - RTE PHF, Disposition-discard if in a container w/out a date [Roast in RIC by stove lacking date of when made. Pulled pork and gravy in RIC in server area lacking date of when made. All items were made yesterday morning per employee (COS) dated]</i>						
22. Time as a public health control: procedures and record.					p	

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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 . . . . .
Conformance with Approved Procedures	Y N O A C R
27. Compliance with variance, specialized process and HACCP plan.	. . . . p . .
<b>GOOD RETAIL PRACTICES</b>	
Safe Food and Water	Y N O A C R
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
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
35. Food properly labeled; original container.	p . . . . .
Prevention of Food Contamination	Y N O A C R
36. Insects, rodents and animals not present; no unauthorized persons.	. . p . . . .
<i>Fail Notes</i>   6-501.111(C)* <b>CRITICAL - Effective pest control measures in place</b> [6 ants crawling on pop machine. 4 ants on soda fountain carbonator and 5 flies flying in the kitchen.]	
37. Contamination prevented during food preparation, storage and display.	p . . . . .
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
41. In-use utensils: properly stored.	. . p . . . .
<i>Fail Notes</i>   3-304.12(B) <b>In-use utensil storage(non-PHF)-handles above food</b> [Sugar scoop lacking handle. Glass laying in sugar]	
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

## KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

<b>Utensils, Equipment and Vending</b>	<b>Y</b>	<b>N</b>	<b>O</b>	<b>A</b>	<b>C</b>	<b>R</b>
----------------------------------------	----------	----------	----------	----------	----------	----------

- |                                                                                                                   |   |    |    |    |    |    |
|-------------------------------------------------------------------------------------------------------------------|---|----|----|----|----|----|
| 45a. Food and non-food contact surfaces cleanable, properly designed, constructed and used-<br>Critical items     | p | .. | .. | .. | .. | .. |
| 45b. Food and non-food contact surfaces cleanable, properly designed, constructed and used-<br>non-critical items | p | .. | .. | .. | .. | .. |
| 46. Warewashing facilities: installed, maintained, and used; test strips.                                         | p | .. | .. | .. | .. | .. |
| 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 #22</i>	<i>Focus On Food Safety Manual (on the Website) [available in office]</i>
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# KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

## **Footnote 1**

### **Notes:**

cooked chicken 181

## **Footnote 2**

### **Notes:**

hotdog reheated to 170 for immediate service

## **Footnote 3**

### **Notes:**

chili and sausage patty on stove top >135

gravy >135 in ST1

mashed potatoes >135 in ST2

## **Footnote 4**

### **Notes:**

sliced tomatoes <41 on top of MT

roast <41 in RIC by stove

pulled pork and gravy <41 in Server RIC

## 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 \_\_\_\_\_

Inspection Report Number 72002495                      Inspection Report Date 08/10/12

Establishment Name      RUSTLER GRILL (THE)

Physical Address              102 E SOUTH ST                      City ARMA

Zip 66712

Additional Notes  
and Instructions

Per Topeka Office