

**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:** 8/26/2014      **Business ID:** 104191FE  
**Business:** ARBY'S #6903

1321 N SUMMIT  
 ARKANSAS CITY, KS 67005

**Inspection:** 79000263  
**Store ID:**  
**Phone:** 6204426947  
**Inspector:** KDA79  
**Reason:** 01 Routine  
**Results:** Follow-up

**Time In / Time Out**

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
08/26/14	02:10 PM	05:05 PM	2:55	0:05	3:00	0	
<b>Total:</b>			2:55	0:05	3:00	0	

**FOOD ESTABLISHMENT PROFILE**

Insp. Notification Print      Lic. Insp. No

Priority(P) Violations 3      Priority foundation(Pf) Violations 2

Certified Manager on Staff       Address Verified       Actual Sq. Ft. 3000

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](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**

	Y	N	O	A	C	R
<b>Demonstration of Knowledge</b>						
1. Certification by accredited program, compliance with Code, or correct responses.	..	..	p	..	..	..
<b><i>This item has Notes. See Footnote 1 at end of questionnaire.</i></b>						
<b>Employee Health</b>						
2. Management awareness; policy present.	..	..	p	..	..	..
3. Proper use of reporting, restriction and exclusion.	..	..	p	..	..	..
<b>Good Hygienic Practices</b>						
	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	..	..	..	..	..
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>	<p>3-101.11 <i>P - FOOD shall be safe, UNADULTERATED, and honestly presented. [In the East Make Table in the kitchen there was an open bag of cut lettuce with no date on the bag. Upon asking staff about the bag of lettuce I was informed the bag was not from today as fresh bags of lettuce had been opened today. I was unable to determine the actual opening date for the lettuce. Corrected on Site (COS) - The Assistant Manager with me during the inspection today discarded the undated lettuce.]</i></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	..	..	p	..
<i>Fail Notes</i>	<p>4-601.11(A) <i>Pf - Food Contact Clean to Sight and Touch - EQUIPMENT FOOD-CONTACT SURFACES and UTENSILS shall be clean to sight and touch. [At the 3 vat sink there was a stainless steel pan with sticker residue on the outside of the pan on the drying ledge at the sanitizing side of the sink and a stainless steel pan with sticker residue on the outside of the pan in a stack of dishes being stored on a shelf above the 3 vat sink. Both pans were identified as clean by staff today. COS - pans were returned to dirty dishes side of the 3 vat sink to be cleaned and have the sticker residue removed.</i></p> <p><i>Above the 3 vat sink there was a plastic food container with food grease remaining on the inside edge of the container. Staff identified this tub as a clean container being stored for use. COS - container was returned to the dirty dishes side of the 3 vat sink to be cleaned.]</i></p>						
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	..	..	..
<b><i>This item has Notes. See Footnote 2 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 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>							

# KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Potentially Hazardous Food Time/Temperature	Y	N	O	A	C	R
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Fail Notes	<p>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.</i>  <i>[The East Make Table in the Kitchen had several food items that were not at proper cold holding temperature. They were as follows:</i></p> <p style="margin-left: 20px;"><i>Shredded Cheddar Cheese - 44.2 F</i>  <i>Roast Beef - 44.2 F</i>  <i>Brisket - 47.0 F</i>  <i>Ham - 45.5 F</i>  <i>Brisket and Cheese - 51.4 F</i>  <i>Ham &amp; Cheese - 50.0 F</i>  <i>White Cheese Slices - 44.6 F</i>  <i>Shredded Lettuce - 44.5 F</i>  <i>Large Lettuce Leaves (cut/torn in places) - 48.8 F</i></p> <p style="margin-left: 20px;"><i>I was informed by staff that the lunch rush had started today around 11:30am to 12:00pm. Staff stated today's lunch rush had ended at approximately 1:20pm. It was approximately 2:20pm when temperatures were being taken, there were no lids on the containers, and there was no lid on the make table to close to hold the cold air inside. Staff stated that the lids are only removed for when they are busy. COS - items were covered and the lid to the make table reattached to hold temperature inside. Items removed from make table, flash frozen in freezer, and stored in walk-in-cooler to verify they got back down to proper cold holding temperature after the lunch rush.]</i></p>
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- |   |    |    |    |    |    |    |
|---|----|----|----|----|----|----|
| 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
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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  | .. | .. | .. | .. | .. |

***This item has Notes. See Footnote 5 at end of questionnaire.***

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						
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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  | .. | .. | .. |

# KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Food Temperature Control		Y	N	O	A	C	R
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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 . . . . .

<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>[Next to the fryers there was an unlabeled shaker containing a white powder. Staff identified this as being salt for their waffle fries.</i></p> <p><i>At the north wall there is an unlabeled stainless steel dispenser with a brown liquid inside. Staff identified this as being Au Jus.]</i></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 . . . . .

<i>Fail Notes</i>	6-202.15(A)(3)	<p><i>Outer openings (Doors) Outer openings of a FOOD ESTABLISHMENT shall be protected against the entry of insects and rodents by solid, self-closing, tight-fitting doors.</i></p> <p><i>[The back door to the establishment has a narrow gap (approximately 1/4 inch) at the bottom threshold of the door where sunlight can be seen shining through.</i></p> <p><i>The North entrance to the establishment has a narrow gap between the doors near the bottom (1/8 to 1/4 inch) where sunlight can be seen shining through.]</i></p>
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37. Contamination prevented during food preparation, storage and display. . . p . . . . .

<i>Fail Notes</i>	3-305.11(A)(1)	<p><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.</i></p> <p><i>[In the outside Walk-in-Freezer there are boxes of Apple Crisps that are being stored underneath the fan/cooling unit for the freezer. These boxes have frozen water on top of the boxes from being leaked on, and a slight drip was coming from the plumbing of the cooling unit. There was no evidence that the slow leak had reached the food inside of the box. Spoke to staff about moving the boxes so that the condenser for the freezer will not drip onto food boxes and possibly expose them to contamination.]</i></p>
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38. Personal cleanliness. p . . . . .

39. Wiping cloths: properly used and stored. p . . . . .

***This item has Notes. See Footnote 6 at end of questionnaire.***

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 . . . . .

<i>Fail Notes</i>	4-903.11(A)	<p><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.</i></p> <p><i>[In the outdoor dry storage building there was an un-open box of plastic shake cups being stored directly on the floor of the unit.]</i></p>
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# KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Proper Use of Utensils	Y	N	O	A	C	R
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43. Single-use and single-service articles: properly used.      ..    p    ..    ..    ..    ..

*Fail Notes*    4-903.11(C)    *SINGLE-SERVICE and SINGLE-USE ARTICLES shall be stored as specified under ¶ 4-903.11(A) and shall be kept in the original protective PACKAGE or stored by using other means that afford protection from contamination until used.  
[On a shelf above the west make table there was a single stack of paper trays that were outside of their original protective packaging and were neither covered nor inverted.]*

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    ..    ..    ..    ..

*Fail Notes*    4-202.11(A)(2)    *Pf - FCS (Imperfections) Multiuse FOOD-CONTACT SURFACES shall be free of breaks, open seams, cracks, chips, inclusions, pits, and similar imperfections.  
[On a shelf above the 3 vat sink there was a plastic food container, identified by staff as being stored as clean, with a three to four inch crack along the bottom edge of the container. COS - the container was discarded.]*

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    ..    ..    ..    ..    ..

***This item has Notes. See Footnote 7 at end of questionnaire.***

47. Non-food contact surfaces clean.      ..    p    ..    ..    ..    ..

*Fail Notes*    4-601.11(C)    *NonFOOD-CONTACT SURFACES of EQUIPMENT shall be kept free of an accumulation of dust, dirt, FOOD residue, and other debris.  
[There is debris/dried spill evidence in the cabinet in the dining area underneath the sandwich toppings (onions, pickles, etc).]*

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    ..    ..    ..    ..

***This item has Notes. See Footnote 8 at end of questionnaire.***

*Fail Notes*    5-203.14    *P - A PLUMBING SYSTEM shall be installed to preclude backflow of a solid, liquid, or gas contaminant into the water supply system at each point of use at the FOOD ESTABLISHMENT, including on a hose bibb if a hose is attached or on a hose bibb if a hose is not attached and backflow prevention is required by LAW, by: Providing an air gap as specified under § 5-202.13; or, Installing an APPROVED backflow prevention device as specified under § 5-202.14.  
[At the mop sink there is an Atmospheric Vacuum Breaker installed for Backflow Prevention. Downstream of the backflow prevention device there is a Y Splitter attached to the faucet. One side of the Y Splitter has a shut off valve which was in the off position. There was a black hose attached to the side of the Y Splitter with the shut off valve that was hanging down inside of the mop sink below the flood rim. COS - the hose was cut to make it shorter so that it would be above the flood rim of the mop sink. ]*

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    ..    ..    ..    ..

# KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Physical Facilities
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Y N O A C R

*Fail Notes* | 6-501.11 *PHYSICAL FACILITIES shall be maintained in good repair.  
[There are two stained ceiling tiles in the dining area.]*

54. Adequate ventilation and lighting; designated areas used.

.. p .. .. ..

*Fail Notes* | 6-202.11(A) *Except as specified in ¶ 6-202.11(B), light bulbs shall be shielded, coated, or otherwise shatter-resistant in areas where there is exposed FOOD; clean EQUIPMENT, UTENSILS, and LINENS; or unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES.  
[In the back dry storage room next to the walk-in-cooler there is a shield over the fluorescent lights that is chipped and broken, exposing the lights to the food/containers being stored in dry storage.]*

Administrative/Other
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Y N O A C R

55. Other violations

.. p .. .. ..

*Fail Notes* | 8-304.11(A) *Upon issuance of the LICENSE by the REGULATORY AUTHORITY, the LICENSEE shall post the LICENSE in a location in the FOOD ESTABLISHMENT that is conspicuous to CONSUMERS.  
[The license for the establishment is posted on a billboard in the kitchen where consumers cannot view it.]*

EDUCATIONAL MATERIALS
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The following educational materials were provided      p

<i>Material Distributed</i>	<i>Education Title #07</i>	<i>Corrective Actions</i>
	<i>Education Title #08</i>	<i>Date Marking</i>
	<i>Education Title #27</i>	<i>Hot and Cold Holding</i>

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## **Footnote 1**

### **Notes:**

There are two people on staff today who are certified through Serv Safe.

## **Footnote 2**

### **Notes:**

The establishment cooks raw roast beefs for their roast beef sandwiches. None were cooking during the inspection today.

## **Footnote 3**

### **Notes:**

Roast Beef on the Meat Slicer:  
Roast Beef - 177.7 F

Wittco Hot Holding Unit:  
Roast Beef - 155.4 F

Hot Hold by Fryers:  
Chicken Strips - 136.4 F

## **Footnote 4**

### **Notes:**

Make Table (East):  
Sliced Tomatoes - 42.3 F

Reach-in Under Make Table (East):  
Roast Beef - 42.1 F

Make Table (West):  
Cut Lettuce - 42.7 F

Reach-in Under Make Table (West):  
Corned Beef - 41.3 F

Ice Cream Soft Serve Machine:  
Ice Cream Mix - 35.3 F

Windowed Reach-in-Cooler at registers:  
Salad - 42.3 F

Walk-in-Cooler:  
Raw Roast Beef - 35.4 F

## **Footnote 5**

### **Notes:**

Near the window there are paper to-go bags with toys in them for kid meals being stored on bottom shelves of the stainless steel table. There was a tub of Quaternary Ammonia sanitizer sitting on top of this stainless steel table - not directly above the to-go bags but close to it. I did not cite this as a chemical violation due to the chemical not being directly over the to-go bags and the food for these to go bags being stored inside of to-go containers before being put inside of the bag and contamination being unlikely, but recommended to staff that

## KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

it be rearranged so that the sanitizer is on the bottom without anything beside it to minimize risk.

### **Footnote 6**

**Notes:**

Wiping cloth being stored in 200ppm bucket of Quaternary Ammonia Sanitizer.

### **Footnote 7**

**Notes:**

3 vat sink sanitizing vat - 300-400ppm. Sanitizer bottle calls for 150-400ppm. Quaternary Ammonia test strips provided.

### **Footnote 8**

**Notes:**

There is very slight corrosion around the dual check valve with an intermediate vent at the soda pop machine in the dining area. The signs are very slight so it was not cited, but staff was made aware to keep an eye on it, and potentially have it replaced if it were to worsen.

## NOTICE OF NON COMPLIANCE WITH KANSAS LAW

**Insp Date:** 8/26/2014      **Business ID:** 104191FE  
**Business:** ARBY'S #6903

1321 N SUMMIT  
 ARKANSAS CITY, KS 67005

**Inspection:** 79000263  
**Store ID:**  
**Phone:** 6204426947  
**Inspector:** KDA79  
**Reason:** 01 Routine

**Time In / Time Out**

Date	In	Out	Insp	Travel	Total	Mileage	Notes;
08/26/14	02:10 PM	05:05 PM	2:55	0:05	3:00	0	
Total:			2:55	0:05	3:00	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 09/05/14

Inspection Report Number 79000263                      Inspection Report Date 08/26/14

Establishment Name      ARBY'S #6903

Physical Address      1321 N SUMMIT                      City ARKANSAS CITY

Zip 67005

Additional Notes and Instructions

Please have all P and Pf violations corrected for the follow up inspection.

## VOLUNTARY DESTRUCTION REPORT

**Insp Date:** 8/26/2014      **Business ID:** 104191FE  
**Business:** ARBY'S #6903

1321 N SUMMIT  
 ARKANSAS CITY, KS 67005

**Inspection:** 79000263  
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**Reason:** 01 Routine

**Time In / Time Out**

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
08/26/14	02:10 PM	05:05 PM	2:55	0:05	3:00	0	
Total:			2:55	0:05	3:00	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 Shredded Lettuce Qty        Units        Value \$ 1.50

Description 1 partial bag of open cut lettuce - undated

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A