

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: 2/13/2015 **Business ID:** 44581FE
Business: APCO EAST

Inspection: 79000490
Store ID:
Phone: 6204422430
Inspector: KDA79
Reason: 01 Routine
Results: Follow-up

804 E MADISON
 ARKANSAS CITY, KS 67005

Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
02/13/15	08:30 AM	11:35 AM	3:05	0:25	3:30	0	
Total:			3:05	0:25	3:30	0	

FOOD ESTABLISHMENT PROFILE

Insp. Notification Print Lic. Insp. No

Priority(P) Violations 9 Priority foundation(Pf) Violations 3

Certified Manager on Staff Address Verified p Actual Sq. Ft. 2428

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) 564-6767.

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	Y	N	O	A	C	R
1. Certification by accredited program, compliance with Code, or correct responses.	..	..	p	..	..	..
Employee Health	Y	N	O	A	C	R
2. Management awareness; policy present.	..	..	p	..	..	..
3. Proper use of reporting, restriction and exclusion.	..	..	p	..	..	..
Good Hygienic Practices	Y	N	O	A	C	R

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	p	..			
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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	..			
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14. Food-contact surfaces: cleaned and sanitized.	..	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			
<i>This item has Notes. See Footnote 1 at end of questionnaire.</i>									
19. Proper hot holding temperatures.	p			
<i>This item has Notes. See Footnote 2 at end of questionnaire.</i>									

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Potentially Hazardous Food Time/Temperature

Y N O A C R

20. Proper cold holding temperatures.

.. p p ..

This item has Notes. See Footnote 3 at end of questionnaire.

Fail Notes | 3-501.16(B) | P - PHF/TCS Cold Holding (Shell EGGS) EGGS that have not been treated to destroy all viable Salmonellae shall be stored in refrigerated EQUIPMENT that maintains an ambient air temperature of 7°C (45°F) or less.
[There was a flat of raw shell eggs sitting out on the counter in the kitchen. They were measuring 55.9 F. The cook said these eggs had only been out for 5 to 10 minutes. COS - the eggs were put into the cooler.]

21. Proper date marking and disposition.

.. p p ..

Fail Notes | 3-501.18(A)(2) | P - RTE PHF/TCS, Disposition (discard if in a container w/out a date) Refrigerated, READY-TO-EAT, POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) prepared or opened and held in a FOOD ESTABLISHMENT for more than 24 hours shall be discarded if it is not clearly marked to indicate the date or day by which the FOOD shall be consumed on the PREMISES, sold, or discarded when held at a temperature of 5°C (41°F) or less for a maximum of 7 days, with the day of preparation counted as Day 1.
[In the GE Cooler in the kitchen there was an open bag of precooked sausage patties that had no date on it. The cook said the bag had been opened yesterday (2/12/15) at 6am. COS - the cook dated it]

3-501.18(A)(3) | P - RTE PHF/TCS, Disposition (discard if dated for more than 7 days) Refrigerated, READY-TO-EAT, POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) prepared or opened and held in a FOOD ESTABLISHMENT for more than 24 hours shall be discarded if it is marked to indicate a date or day by which the FOOD shall be consumed on the PREMISES, sold, or discarded when held at a temperature of 5°C (41°F) or less that is more than 7 days from the date of preparation or opening, with the day of preparation counted as Day 1.
[There is a container of corn in the beverage air cooler dated 9/29. The cook said this date was incorrect as it had been prepared this morning (2/13/15) in the early hours by the night shift. COS - the cook corrected the date.]

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 p ..

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Chemical

Y N O A C R

Fail Notes

7-102.11

Pf - Common Name (Working Containers) Working containers used for storing POISONOUS OR TOXIC MATERIALS such as cleaners and SANITIZERS taken from bulk supplies shall be clearly and individually identified with the common name of the material. [At the hand sink in the kitchen there is a bottle with pink liquid inside that is not labeled. The cook said this was hand soap. COS - the cook labeled.

Near the dishwasher there was an unlabeled bottle with pink liquid inside. The cook identified this as dish soap. COS - the cook labeled.

There is an unlabeled white bucket in the dirty dishes area with a frothy liquid inside. A waitress identified this as soapy water to soak the silverware in. COS - the waitress labeled.

Both restrooms have unlabeled squirt bottles with pink liquids inside at the hand sinks. These were both identified as hand soap by the owner. COS - the owner labeled.]

7-201.11(A)

P - Chemical Storage (spacing/partitioning) POISONOUS OR TOXIC MATERIALS shall be stored so they cannot contaminate FOOD, EQUIPMENT, UTENSILS, LINENS, and SINGLE-SERVICE and SINGLE-USE ARTICLES by separating the POISONOUS OR TOXIC MATERIALS by spacing or partitioning.

[In the dry storage room there is a container of Fryer Cleaner being stored on a shelf directly next to/in contact with a box of straws. COS - a waitress moved this chemical.

Behind the register there is a bottle of detergent on a shelf directly next to napkins that the manager identified as for the paper towel dispensers in the restrooms. COS - the manager rearranged.]

7-201.11(B)

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.

[There were two spray bottles of Mean Green Cleaner and Degreaser on top of the dishwasher. There was also a packet of powder Spic & Span Floor Cleaner on top of the dishwasher. COS - the cook moved all the chemicals from the top of the dishwasher.

There is a spray can of Glade Air Freshener on top of the GE Cooler in the waitressing area. COS - a waitress moved this.

In the dry storage room there is a container labeled Fryer Cleaner that is on a shelf directly above a box of wrapped plastic silverware. COS - a waitress moved this chemical.

In the dry storage room there is a bottle of Bacterial Digest and a bottle of Hydrogen Peroxide sitting on a shelf directly above a tub of forks. COS - a waitress moved the forks.

Behind the register there is WD-40, Lubricant, Rubbing Alcohol, Window Cleaner, and Mean Green Cleaner sitting on a shelf directly above packages of napkins that the manager identified as being for the paper towel dispensers in the restrooms. COS - the manager rearranged.]

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Chemical	Y N O A C R
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<i>Fail Notes</i>	7-301.11(B)	<p><i>P - Retail Chemical Storage (Not Above Food, etc.) POISONOUS OR TOXIC MATERIALS shall be stored and displayed for retail sale 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>[On the retail floor there are containers of Glade Air Freshener on a shelf directly above paper towels. COS - the manager rearranged.</i></p> <p><i>On the retail floor there is Antifreeze & Rust Guard being stored on a shelf directly above boxes of canned Sprite, Diet Coke, and Coca Cola. COS - the manager rearranged.]</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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<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>[There are unlabeled items in the kitchen that the cook identified as fry breading and liquid margarine.</i></p> <p><i>There are unlabeled items in the waitressing area that a waitress identified as ketchup, mustard, mayo, ranch, and salsa.]</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
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<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 small 1/4 to 1/2 inch gap along the top seal of the door, about a foot wide, where sunlight can be seen shining through when the door is closed.]</i></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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Fail Notes | 3-305.11(A)(1) *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.*
[There is a dust pan with dirt and grime accumulation on it sitting directly on top of the bagged soda pop boxes in the dry storage room.

In the waitressing area there is a bucket of prepared tea that is not covered.]

- | | | | | | | |
|--|----|----|----|----|----|----|
| 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 | .. | .. | .. | .. |

Fail Notes | 4-903.11(A) *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.*
[There is a box of drinking cup lids on the floor in the dry storage room.]

4-903.11(B) *Clean EQUIPMENT and UTENSILS shall be stored as specified under ¶ (A) of this section and shall be stored: In a self-draining position that allows air drying; and, Covered or inverted.*
[In the kitchen and dry storage room there are non-inverted and uncovered plates, bowls, and stainless steel pots and pans.]

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|--|---|----|----|----|----|----|
| 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 | .. | .. | .. | .. |
|---|----|---|----|----|----|----|

Fail Notes | 4-101.11(A) *P - FCS materials (Safe) Materials that are used in the construction of UTENSILS and FOOD-CONTACT SURFACES OF EQUIPMENT shall be safe.*
[There is a blue rubbermaid container in the kitchen being used to store biscuits. The container has no markings indicating it is safe for direct food contact. The biscuits are in direct contact with the plastic of the container. Recommended to the cook that this container be lined with plastic wrap or foil if they wish to continue using the container.]

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|---|----|---|----|----|----|----|
| 45b. Food and non-food contact surfaces cleanable, properly designed, constructed and used-Core items | .. | p | .. | .. | .. | .. |
|---|----|---|----|----|----|----|

Fail Notes | 4-501.11(A) *EQUIPMENT shall be maintained in a state of repair and condition that meets the requirements specified under Parts 4-1 and 4-2.*
[The beverage air cooler in the kitchen has peeling paint on the base of the cooler and the shelves.

There is peeling paint on the base of the meat slicer.

There is peeling paint and rust showing underneath on the walls of the walk-in-cooler.

The shelves in the dry storage room have peeling paint and rust where the paint has peeled off.]

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Utensils, Equipment and Vending	Y	N	O	A	C	R
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46. Warewashing facilities: installed, maintained, and used; test strips. .. p p ..

This item has Notes. See Footnote 4 at end of questionnaire.

<i>Fail Notes</i>	4-301.12(B)	<i>Pf - Sink compartments shall be large enough to accommodate immersion of the largest EQUIPMENT and UTENSILS. If EQUIPMENT or UTENSILS are too large for the WAREWASHING sink, a WAREWASHING machine or alternative EQUIPMENT as specified in ¶ (C) of this section shall be used. [There is a large ice chest in the waitressing area being used to store ice to go into customer drinks. This chest is too large to fit into the dishwasher for cleaning. COS - spoke to the owner about their washing process for this. He is completing a variance request and submitting it to the state today.]</i>
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47. Non-food contact surfaces clean. .. p

<i>Fail Notes</i>	4-601.11(C)	<i>NonFOOD-CONTACT SURFACES of EQUIPMENT shall be kept free of an accumulation of dust, dirt, FOOD residue, and other debris. [The vent hood has an accumulation of grease and grime in the vents. There is dust on the ceiling of the walk-in-cooler in front of the fans.]</i>
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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

<i>Fail Notes</i>	5-203.15	<i>P - If not provided with an air gap as specified under § 5-202.13, a dual check valve with an intermediate vent preceded by a screen of not less than 100 mesh to 25.4 mm (100 mesh to 1 inch) shall be installed upstream from a carbonating device and downstream from any copper in the water supply line. [There is a vented dual check valve on the carbonator downstream of the screen and pump. The tube coming off the vent of the dual check valve appears to have signs of corrosion inside of the tube. The manager will contact the soda pop company to have this valve and tube replaced.]</i>
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50. Sewage and waste water properly disposed. p

51. Toilet facilities: properly constructed, supplied and cleaned. .. p

<i>Fail Notes</i>	6-202.14	<i>Except where a toilet room is located outside a FOOD ESTABLISHMENT and does not open directly into the FOOD ESTABLISHMENT, such as a toilet room that is provided by the management of a shopping mall, a toilet room located on the PREMISES shall be completely enclosed and provided with a tight-fitting and self-closing door. [The two restrooms do not have self-closing doors.]</i>
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52. Garbage and refuse properly disposed; facilities maintained. .. p

<i>Fail Notes</i>	5-501.113	<i>Receptacles and waste handling units for REFUSE, recyclables, and returnables shall be kept covered: Inside the FOOD ESTABLISHMENT if the receptacles and units: Contain FOOD residue and are not in continuous use; or, After they are filled; and, With tight-fitting lids or doors if kept outside the FOOD ESTABLISHMENT. [There are two dumpsters outside. One does not have a lid.]</i>
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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. [There is a buildup of grime underneath the cooking equipment, especially the fryer. There is grime buildup on the on the walls around the vent hood.]</i>
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54. Adequate ventilation and lighting; designated areas used. p

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Administrative/Other

Y N O A C R

55. Other violations

p

EDUCATIONAL MATERIALS

The following educational materials were provided p

<i>Material Distributed</i>	<i>Education Title #08</i>	<i>Date Marking</i>
	<i>Education Title #10</i>	<i>Did You Wash 'Em Sign / Sticker</i>
	<i>Education Title #27</i>	<i>Hot and Cold Holding</i>
	<i>Education Title #43</i>	<i>Storing Food in WIC</i>

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Footnote 1

Notes:

Mashed Potatoes cooling since 3am - 40.9 F

Footnote 2

Notes:

Steam Table:

Gravy - 137.1 F

Footnote 3

Notes:

Ice Bath on Counter:

Sausage - 41.6 F

Beverage Air Cooler:

Scrambled Egg Liquid - 39.8 F

GE Cooler:

Ham - 41.0 F

Walk-in-Cooler:

Beef - 37.9 F

GE Cooler (Waitress):

Cottage Cheese - 39.3 F

Retail Windowed Cooler:

Milk - 39.3 F

Footnote 4

Notes:

Chlorine test strips provided. The original strips provided expired 6-1-14, but the manager was able to provide new test strips that were not yet expired.

NOTICE OF NON COMPLIANCE WITH KANSAS LAW

Insp Date: 2/13/2015
Business: APCO EAST

Business ID: 44581FE

Inspection: 79000490

Store ID:

Phone: 6204422430

Inspector: KDA79

Reason: 01 Routine

804 E MADISON
 ARKANSAS CITY, KS 67005

Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes;
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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 02/23/15

Inspection Report Number 79000490

Inspection Report Date 02/13/15

Establishment Name APCO EAST

Physical Address 804 E MADISON City ARKANSAS CITY

Zip 67005

Additional Notes and Instructions

Please have all Priority (P) and Priority Foundation (Pf) violations corrected for the follow up.