

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: 8/3/2015
Business: LA FIESTA

Business ID: 100889FE

Inspection: 79000776
Store ID:
Phone: 6207410031
Inspector: KDA79
Reason: 02 Follow-up
Results: Administrative Review

2123 N SUMMIT
 ARKANSAS CITY, KS 67005

Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
08/03/15	12:20 PM	01:45 PM	1:25	0:05	1:30	0	Inspection
Total:			1:25	0:05	1:30	0	

FOOD ESTABLISHMENT PROFILE

Insp. Notification Email Sent Notification To _____ Lic. Insp. No

Priority(P) Violations 6 Priority foundation(Pf) Violations 4

Certified Manager on Staff Address Verified Actual Sq. Ft. 5280

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.	..	..	..	..	..	..
Employee Health	Y	N	O	A	C	R
2. Management awareness; policy present.	..	..	..	..	..	..
3. Proper use of reporting, restriction and exclusion.	..	..	..	..	..	..
Good Hygienic Practices	Y	N	O	A	C	R

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Good Hygienic Practices	Y N O A C R
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|---|----------------|
| 4. Proper eating, tasting, drinking, or tobacco use | |
| 5. No discharge from eyes, nose and mouth. | |

Preventing Contamination by Hands	Y N O A C R
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|-------------------------------------|--------------------------|
| 6. Hands clean and properly washed. | .. p p p |
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<i>Fail Notes</i>	<p>2-301.14(E) <i>P - Wash Hands (Soiled Utensils) FOOD EMPLOYEES shall clean their hands and exposed portions of their arms as specified under § 2-301.12 immediately before engaging in FOOD preparation including working with exposed FOOD, clean EQUIPMENT and UTENSILS, and unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES and after handling soiled EQUIPMENT or UTENSILS</i></p> <p><i>[An employee doing dishes was loading dirty dishes into a dish rack and then took two clean cutting boards out of the dishwasher without washing his hands first. Corrected on Site (COS) - explained the hand washing violation, required cutting boards be re-washed.]</i></p>
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| 7. No bare hand contact with RTE foods or approved alternate method properly followed. | |
| 8. Adequate handwashing facilities supplied and accessible. | p |

Approved Source	Y N O A C R
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|--|----------------------------|
| 9. Food obtained from approved source. | |
| 10. Food received at proper temperature. | |
| 11. Food in good condition, safe and unadulterated. | p |
| 12. Required records available: shellstock tags, parasite destruction. | |

Protection from Contamination	Y N O A C R
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|---|----------------------------|
| 13. Food separated and protected. | p |
| 14. Food-contact surfaces: cleaned and sanitized. | .. p 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.</i></p> <p><i>[Near the dishwasher there are stacks of stainless steel pans on a shelf. The assistant manager said these were clean dishes. There are two stainless steel pans that are with sticker residue on the outside of the pans in these stacks of clean dishes. COS - the pans were pulled down and taken to the dishwasher to be cleaned.]</i></p>
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| 15. Proper disposition of returned, previously served, reconditioned and unsafe food. | |
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Potentially Hazardous Food Time/Temperature	Y N O A C R
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|--|----------------------------|
| 16. Proper cooking time and temperatures. | |
| 17. Proper reheating procedures for hot holding. | |
| 18. Proper cooling time and temperatures. | p |
| 19. Proper hot holding temperatures. | .. p p p |

<i>Fail Notes</i>	<p>3-501.16(A)(1) <i>P - PHF/TCS Hot Holding - POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) shall be maintained at 57°C (135°F) or above.</i></p> <p><i>[On top of the steam table there is a plate of cooked poblanos that is measuring 124.9 F. The assistant manager said these were reheated this morning in the microwave and were sitting on top of the steam table to be kept hot. He said they had been here for approximately one and a half hours (since 11am, it was approximately 12:40pm). COS - the poblanos were reheated in the microwave.]</i></p>
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KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Potentially Hazardous Food Time/Temperature	Y	N	O	A	C	R
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| 20. Proper cold holding temperatures. | p | .. | .. | .. | .. | .. |
| 21. Proper date marking and disposition. | .. | p | .. | .. | p | p |

<i>Fail Notes</i>	<p>3-501.18(A)(3) <i>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.</i></p> <p><i>[There are several ready-to-eat (RTE) items that have been opened and dated throughout the make tables and the walk-in-cooler. These items are dated for too many days. They are as follows:</i></p> <p><i>Make Table 1:</i></p> <p><i>RTE Chicken Wings - dated 8/31 (Should be 7/31 per the assistant manager)</i></p> <p><i>RTE Chicken Nuggets - dated 8/31 (Should be 7/31 per the assistant manager)</i></p> <p><i>RTE Shrimp Cocktail - dated 8/31 (Should be 7/31 per the assistant manager)</i></p> <p><i>RTE Green Sauce - dated 8/31 (Should be 7/31 per the assistant manager)</i></p> <p><i>Make Table 2:</i></p> <p><i>RTE Hot dogs - dated 8/31 (Should be 7/31 per the assistant manager)</i></p> <p><i>Walk-in-Cooler:</i></p> <p><i>Cooked Rice - dated 8/31 (Should be 7/31 per the assistant manager)</i></p> <p><i>Cooked Chicken - dated 8/31 (Should be 7/31 per the assistant manager)</i></p> <p><i>Cooked Stew Meat - dated 8/31 (Should be 7/31 per the assistant manager)</i></p> <p><i>RTE Enchilada Sauce - dated 8/31 (Should be 7/31 per the assistant manager)</i></p> <p><i>Salsa - dated 8/31 (Should be dated for today 8/3 per the assistant manager)</i></p> <p><i>Cooked Beans - dated 8/31 (Should be 7/31 per the assistant manager)</i></p> <p><i>RTE Flan - dated 8/31 (Should be 7/31 per the assistant manager)</i></p> <p><i>COS - the assistant manager corrected all of the dates.]</i></p>
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| 22. Time as a public health control: procedures and record. | .. | .. | .. | .. | .. | .. |
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Consumer Advisory	Y	N	O	A	C	R
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| 23. Consumer advisory provided for raw or undercooked foods. | .. | .. | .. | .. | .. | .. |
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Highly Susceptible Populations	Y	N	O	A	C	R
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| 24. Pasteurized foods used; prohibited foods not offered. | .. | .. | .. | .. | .. | .. |
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Chemical	Y	N	O	A	C	R
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| 25. Food additives: approved and properly used. | .. | .. | .. | .. | .. | .. |
| 26. Toxic substances properly identified, stored and used. | .. | p | .. | .. | p | p |

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Chemical	Y N O A C R
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Fail Notes	7-102.11	<p><i>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. [In the kitchen there is a spray bottle on the floor with a liquid inside that is not labeled. The assistant manager said this was degreaser. COS - he labeled the bottle.</i></p> <p><i>In the waitressing area there is an unlabeled bucket with silverware in a liquid inside. The manager said this was degreaser and water to soak the utensils prior to cleaning. COS - he labeled the bucket.</i></p> <p><i>In the waitressing area there is an unlabeled red bucket with rags in a liquid inside. The assistant manager said this was bleach water. COS - he labeled the bucket.]</i></p>
7-201.11(A)	<p><i>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 waitressing area there is cleaner being stored on a shelf directly next to chip baskets. COS - the assistant manager had the chip baskets moved.]</i></p>	

Conformance with Approved Procedures	Y N O A C R
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27. Compliance with variance, specialized process and HACCP plan.

GOOD RETAIL PRACTICES

Safe Food and Water	Y N O A C R
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28. Pasteurized eggs used where required.

29. Water and ice from approved source.

30. Variance obtained for specialized processing methods.

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 p

Fail Notes	3-501.15(A)	<p><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. [There is a tub of cooked rice covered tightly with foil sitting out on the counter next to the grill. The assistant manager spoke with the cook and confirmed that this was cooked today around 11am (it was approximately 12:40am when the item was found) and it was sitting out to cool. COS - the rice was uncovered and moved into the walk-in-cooler to cool.]</i></p>
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32. Plant food properly cooked for hot holding.

33. Approved thawing methods used. p

34. Thermometers provided and accurate.

Food Identification	Y N O A C R
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35. Food properly labeled; original container. p

Prevention of Food Contamination	Y N O A C R
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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 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. [There is a 1/4 to 3/4 inch gap around the back door to the establishment/between the back doors to the establishment where sunlight can be seen shining through while they are closed.]</i></p>
	6-501.111(A)	<p><i>P - Pests (Prohibited) The PREMISES shall be maintained free of insects, rodents, and other pests. [In the bar area two living roaches. One was crawling on the wall above the paper towel dispenser and disappeared behind the paper towel dispenser. The other was on its back on the floor (still alive and kicking its legs).</i></p> <p><i>The assistant manager provided their pest control records. The detailed records/receipts are from December of 2014 (roaches were noted on the receipt). There is a routine service noted on a sheet in the booklet with the most recent routine visit being 7/18.]</i></p>

37. Contamination prevented during food preparation, storage and display. p

38. Personal cleanliness.

39. Wiping cloths: properly used and stored. p

40. Washing fruits and vegetables.

Proper Use of Utensils	Y	N	O	A	C	R
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41. In-use utensils: properly stored.

42. Utensils, equipment and linens: properly stored, dried and handled. .. p p

<i>Fail Notes</i>	4-903.11(B)	<p><i>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. [Throughout the kitchen and waitressing area there are plates, bowls, and dishes that are neither covered nor inverted.]</i></p>
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43. Single-use and single-service articles: properly used. p

44. Gloves used properly.

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 p p

<i>Fail Notes</i>	4-101.11(A)	<p><i>P - FCS materials (Safe) Materials that are used in the construction of UTENSILS and FOOD-CONTACT SURFACES OF EQUIPMENT shall be safe. [In the waitressing area there is a sterilite container with no markings indicating it is safe for direct food contact being used to store sugar. The sugar is in direct contact with the plastic of the container. COS - the sugar was put into a new container.]</i></p>
	4-202.11(A)(2)	<p><i>Pf - FCS (Imperfections) Multiuse FOOD-CONTACT SURFACES shall be free of breaks, open seams, cracks, chips, inclusions, pits, and similar imperfections. [There is sugar being stored inside of a container that is chipped along one edge and chipped/cracked on the lid. COS - the sugar was put into a new container.]</i></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.

47. Non-food contact surfaces clean. p

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Physical Facilities	Y	N	O	A	C	R
48. Hot and cold water available; adequate pressure.	..	..	..	..	..	..
49. Plumbing installed; proper backflow devices.	p	..	..	..	..	..
50. Sewage and waste water properly disposed.	p	..	..	..	..	..
51. Toilet facilities: properly constructed, supplied and cleaned.	..	..	..	..	..	..
52. Garbage and refuse properly disposed; facilities maintained.	..	..	..	..	..	..
53. Physical facilities installed, maintained and clean.	..	..	..	..	..	..
54. Adequate ventilation and lighting; designated areas used.	p	..	..	..	..	..
Administrative/Other	Y	N	O	A	C	R
55. Other violations	..	..	..	..	..	..

EDUCATIONAL MATERIALS

The following educational materials were provided p

<i>Material Distributed</i>	<i>Education Title #06 Cooling</i>
	<i>Education Title #08 Date Marking</i>
	<i>Education Title #25 Handwashing</i>
	<i>Education Title #27 Hot and Cold Holding</i>

NOTICE OF NON COMPLIANCE WITH KANSAS LAW

Insp Date: 8/3/2015
Business: LA FIESTA

Business ID: 100889FE

Inspection: 79000776

Store ID:

Phone: 6207410031

Inspector: KDA79

Reason: 02 Follow-up

2123 N SUMMIT
 ARKANSAS CITY, KS 67005

Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes;
08/03/15	12:20 PM	01:45 PM	1:25	0:05	1:30	0	Inspection
Total:			1:25	0:05	1:30	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 _____

Inspection Report Number 79000776

Inspection Report Date 08/03/15

Establishment Name LA FIESTA

Physical Address 2123 N SUMMIT City ARKANSAS CITY

Zip 67005

Additional Notes and Instructions

The Manhattan Office will determine the date of the next inspection.