

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: 7/18/2014 **Business ID:** 8141991F
Business: ASIAN FOOD MARKET
 1222 MILITARY AVE

 BAXTER SPRINGS, KS 66713

Inspection: 81000160
Store ID:
Phone: 620-202-0330
Inspector: KDA81
Reason: 10 Licensing
Results: Follow-up

Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
07/18/14	12:00 PM	01:45 PM	1:45	0:00	1:45	0	
Total:			1:45	0:00	1:45	0	

FOOD ESTABLISHMENT PROFILE	
Updated Risk Category _____	Updated Size Range _____
Insp. Notification <u>Print</u> _____	Lic. Insp. <u>Yes</u> _____
Priority(P) Violations <u>2</u> _____ Priority foundation(Pf) Violations <u>4</u> _____ Left App. <u>Yes</u> _____ Lic. Approved <u>No</u> _____	
Certified Manager on Staff <u>..</u> _____ Address Verified <u>p</u> _____ Actual Sq. Ft. _____	
Certified Manager Present <u>..</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, EMAIL 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

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	..	..	..	..	..

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	..	..	..	..
<i>This item has Notes. See Footnote 1 at end of questionnaire.</i>						
<i>Fail Notes</i>	5-203.11(A) <i>Pf - HANDWASHING SINK - At least 1 HANDWASHING SINK, a number of HANDWASHING SINKS necessary for their convenient use by EMPLOYEES, and not fewer than the number of HANDWASHING SINKS required by LAW shall be provided. [The establishment repackages raw fish and turkey and sells by the pound. They do not have a handsink to wash hands while handling food.]</i>					
Approved Source	Y	N	O	A	C	R
9. Food obtained from approved source.	..	p	..	..	..	..
<i>Fail Notes</i>	3-201.14(A)(2) <i>P - FISH that are received for sale or service shall be APPROVED for sale or service. [PIC stated they obtained their raw frozen fish from an Asian market in Tulsa. A receipt for an approved specific location could not be verified during inspection.]</i>					
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	..	..	..	..	..
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	..	..
20. Proper cold holding temperatures.	p	..	..	..	..	..
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
24. Pasteurized foods used; prohibited foods not offered.	..	..	..	p	..	..
Chemical	Y	N	O	A	C	R

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

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 .. |

<i>Fail Notes</i>	7-202.12(A)(2)	<i>P - POISONOUS OR TOXIC MATERIALS shall be used according to manufacturer's use directions included in labeling, and, for a pesticide, manufacturer's label instructions that state that use is allowed in a FOOD ESTABLISHMENT. [D-Con pellets were observed in the back storage room. COS-removed.]</i>
-------------------	----------------	---

Conformance with Approved Procedures	Y N O A C R
---	--------------------

- | | |
|---|-----------------|
| 27. Compliance with variance, specialized process and HACCP plan. | p |
|---|-----------------|

GOOD RETAIL PRACTICES

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 |

<i>Fail Notes</i>	4-204.112(B)	<i>Temperature Measuring Devices (Integrated or Affixed) Cold or hot holding EQUIPMENT used for POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) shall be designed to include and shall be equipped with at least one integral or permanently affixed TEMPERATURE MEASURING DEVICE that is located to allow easy viewing of the device's temperature display. [The two chest freezers do not have affixed thermometers in them.]</i>
-------------------	--------------	---

Food Identification	Y N O A C R
----------------------------	--------------------

- | | |
|--|------------------|
| 35. Food properly labeled; original container. | .. p |
|--|------------------|

<i>Fail Notes</i>	3-602.11(B)(1)	<i>Label information (packaged in establishment - Common Name) Label information shall include the common name of the FOOD, or absent a common name, an adequately descriptive identity statement. [The frozen fish, turkey tail, coconut oil repackaged in the establishment do not have the common name.]</i>
	3-602.11(B)(2)	<i>Label information (packaged in establishment - Ingredients) Label information shall include, if made from two or more ingredients, a list of ingredients in descending order of predominance by weight, including a declaration of artificial color or flavor and chemical preservatives, if contained in the FOOD. [The frozen fish, turkey tail, coconut oil repackaged in the establishment do not have the ingredients.]</i>
	3-602.11(B)(3)	<i>Label information (packaged in establishment - Net Contents) Label information shall include an accurate declaration of the quantity of contents. [The frozen fish, turkey tail, coconut oil repackaged in the establishment do not have the net contents.]</i>

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Food Identification	Y	N	O	A	C	R
<p><i>Fail Notes</i> | 3-602.11(B)(4) <i>Label information (packaged in establishment - Business Information) Label information shall include the name and place of business of the manufacturer, packer, or distributor. [The frozen fish, turkey tail, coconut oil repackaged in the establishment do not have the business information.]</i></p> <p>3-602.11(B)(5) <i>Pf - Label information (packaged in establishment - Food Allergens) Label information shall include the name of the FOOD source for each MAJOR FOOD ALLERGEN contained in the FOOD unless the FOOD source is already part of the common or usual name of the respective ingredient. [The frozen fish repackaged in the establishment do not have the allergens.]</i></p>						
Prevention of Food Contamination	Y	N	O	A	C	R
36. Insects, rodents and animals not present.	p	..	..	..	..	..
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	..	..	..
42. Utensils, equipment and linens: properly stored, dried and handled.	..	..	p	..	..	..
43. Single-use and single-service articles: properly used.	..	p	..	..	p	..
<p><i>Fail Notes</i> | 4-502.13(A) <i>SINGLE-SERVICE and SINGLE-USE ARTICLES may not be reused. [Single service pop/water bottles are being used to store coconut oil for retail sale. COS-PIC stated they are going to stop using the bottles.]</i></p>						
44. Gloves used properly.	..	..	p	..	..	..
Utensils, Equipment and Vending	Y	N	O	A	C	R
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	..	..	..	..
<i>This item has Notes. See Footnote 2 at end of questionnaire.</i>						
<p><i>Fail Notes</i> | 4-302.14 <i>Pf - A test kit or other device that accurately measures the concentration in mg/L of SANITIZING solutions shall be provided. [The establishment does not have any test strips to measure the concentration of the sanitizer.]</i></p>						
47. Non-food contact surfaces clean.	p	..	..	..	..	..
Physical Facilities	Y	N	O	A	C	R
48. Hot and cold water available; adequate pressure.	..	p	..	..	..	..
<p><i>Fail Notes</i> | 5-103.11(B) <i>Pf - Hot water shall be available at all distribution points in the FOOD ESTABLISHMENT, at all times. [The hot water is not turned on in the establishment.]</i></p>						
49. Plumbing installed; proper backflow devices.	..	p	..	..	..	..

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Physical Facilities	Y	N	O	A	C	R
---------------------	---	---	---	---	---	---

<i>Fail Notes</i>	5-202.12(A)	<i>Pf - A HANDWASHING SINK shall be equipped to provide water at a temperature of at least 38°C (100°F) through a mixing valve or combination faucet. [The handsink in the restroom does not have any hot water. It measures 63F.]</i>
	5-203.13(A)	<i>At least 1 service sink or 1 curbed cleaning facility equipped with a floor drain shall be provided and conveniently located for the cleaning of mops or similar wet floor cleaning tools and for the disposal of mop water and similar liquid waste. [The facility does not have a mop sink.]</i>

50. Sewage and waste water properly disposed. p

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

<i>Fail Notes</i>	5-501.17	<i>A toilet room used by females shall be provided with a covered receptacle for sanitary napkins. [The unisex restroom does not have a covered trash can.]</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 unisex restroom does not have a self closing door.]</i>

52. Garbage and refuse properly disposed; facilities maintained. .. p

<i>Fail Notes</i>	5-501.12	<i>REFUSE, recyclables, and returnables shall be removed from the PREMISES by way of: Portable receptacles that are constructed and maintained according to LAW; or, A transport vehicle that is constructed, maintained, and operated according to LAW. [There is an abundance of boxes, old plastic bags that the fish was stored in collecting at the back of the store and out the back door. PIC could not provide a receipt to show they have an approved transport vehicle picking up the trash.]</i>
-------------------	----------	--

53. Physical facilities installed, maintained and clean. p

54. Adequate ventilation and lighting; designated areas used. p

Administrative/Other	Y	N	O	A	C	R
----------------------	---	---	---	---	---	---

55. Other violations .. p

<i>Fail Notes</i>	8-304.11(A)	<i>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 establishment does not have a license viewable for the consumers.]</i>
	K.S.A. 65-689(a)	<i>It shall be unlawful for any person to engage in the business of conducting a food establishment or food processing plant unless such person shall have in effect a valid license therefor issued by the secretary. [The establishment has been operating without a food establishment license since April 2014.]</i>

EDUCATIONAL MATERIALS

The following educational materials were provided ..

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Footnote 1

Notes:

Advised they need a handsink installed before they can reopen.

Footnote 2

Notes:

The establishment does not have a three vat sink to wash utensils used for repackaging PHF's.

VOLUNTARY CLOSURE STATEMENT

Insp Date: 7/18/2014 **Business ID:** 8141991F
Business: ASIAN FOOD MARKET
 1222 MILITARY AVE

 BAXTER SPRINGS, KS 66713

Inspection: 81000160
Store ID:
Phone: 620-202-0330
Inspector: KDA81
Reason: 10 Licensing

Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
07/18/14	12:00 PM	01:45 PM	1:45	0:00	1:45	0	
Total:			1:45	0:00	1:45	0	

VOLUNTARY CLOSURE STATEMENT

BECAUSE OF DEFICIENCIES NOTED ON THE ATTACHED KANSAS DEPARTMENT OF AGRICULTURE INSPECTION REPORT, I VOLUNTARILY AGREE TO CLOSE THIS ESTABLISHMENT AND CEASE OPERATION UNTIL NEEDED CORRECTIONS HAVE BEEN COMPLETED. I AGREE NOT TO REOPEN THIS ESTABLISHMENT PRIOR TO RE-INSPECTION BY THE FOOD, DRUG, AND LODGING SURVEYOR.

Reinspection is currently scheduled for _____

Inspection Report Number 81000160 Inspection Report Date 07/18/14

Establishment Name ASIAN FOOD MARKET

Physical Address _____ City BAXTER SPRINGS
1222 MILITARY AVE Zip 66713

Additional Notes PIC will notify the inspector when the three vat sink and handsink are installed. PIC has been notified to remain closed until payment and an approved inspection has been completed.

NOTICE OF NON COMPLIANCE WITH KANSAS LAW

Insp Date: 7/18/2014 **Business ID:** 8141991F
Business: ASIAN FOOD MARKET
 1222 MILITARY AVE
 BAXTER SPRINGS, KS 66713

Inspection: 81000160
Store ID:
Phone: 620-202-0330
Inspector: KDA81
Reason: 10 Licensing

Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
07/18/14	12:00 PM	01:45 PM	1:45	0:00	1:45	0	
Total:			1:45	0:00	1:45	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 81000160

Inspection Report Date 07/18/14

Establishment Name ASIAN FOOD MARKET

Physical Address _____ City BAXTER SPRINGS

1222 MILITARY AVE Zip 66713

Additional Notes and Instructions

PIC will call inspector when all of the plumbing is in place for the licensing inspection.