

**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:** 10/9/2014      **Business ID:** 118631FE  
**Business:** EL CABRITOS

**Inspection:** 81000290  
**Store ID:**  
**Phone:** 6208563733  
**Inspector:** KDA81  
**Reason:** 01 Routine  
**Results:** Follow-up

2135 MILITARY AVE  
 BAXTER SPRINGS, KS 66713

**Time In / Time Out**

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
10/09/14	12:00 PM	02:00 PM	2:00	0:30	2:30	0	
<b>Total:</b>			2:00	0:30	2:30	0	

<b>FOOD ESTABLISHMENT PROFILE</b>	
Updated Risk Category _____	Updated Size Range _____
Insp. Notification <u>Print</u> _____	Lic. Insp. <u>No</u> _____
Priority(P) Violations <u>0</u> _____	Priority foundation(Pf) Violations <u>0</u> _____
Certified Manager on Staff <u>..</u>	Address Verified <u>p</u>
Certified Manager Present <u>..</u>	Actual Sq. Ft. _____

**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**

<b>Demonstration of Knowledge</b>	Y	N	O	A	C	R
1. Certification by accredited program, compliance with Code, or correct responses.	..	..	p	..	..	..
<b>Employee Health</b>	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

		Y	N	O	A	C	R
<b>Good Hygienic Practices</b>							
4. Proper eating, tasting, drinking, or tobacco use		p	..	..	..	..	..
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	..	..	p	..
<i>Fail Notes</i>	3-301.11(B)	<i>P - FOOD EMPLOYEES may not contact exposed, READY-TO-EAT FOOD with their bare hands and shall use suitable UTENSILS such as deli tissue, spatulas, tongs, single-use gloves, or dispensing EQUIPMENT. [Employees are using their bare hands to place lemons on beverages. COS-discarded and showed employees alternate methods.]</i>					
8. Adequate handwashing facilities supplied and accessible.		..	p	..	..	p	..
<i>Fail Notes</i>	6-301.12	<i>Pf - Each HANDWASHING SINK or group of adjacent HANDWASHING SINKS shall be provided with: Individual, disposable towels; a continuous towel system that supplies the user with a clean towel; a heated-air hand drying device; or a hand drying device that employs an air-knife system that delivers high velocity, pressurized air at ambient temperatures. [Paper towels were not at the bar handsink. COS-supplier happen to come at the same time as inspector and install paper towel dispenser and towels.]</i>					
<b>Approved Source</b>							
9. Food obtained from approved source.		..	p	..	..	..	..
<i>Fail Notes</i>	3-201.11(B)	<i>P - FOOD prepared in a private home may not be used or offered for human consumption in a FOOD ESTABLISHMENT [Tamales are being prepared/cooked in an employees home and brought to the licensed facility. COS-took home.]</i>					
10. Food received at proper temperature.		..	..	p	..	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	..	..	..	..	..
14. Food-contact surfaces: cleaned and sanitized.		p	..	..	..	..	..
15. Proper disposition of returned, previously served, reconditioned and unsafe food.		..	..	p	..	..	..
<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	..	..	..
18. Proper cooling time and temperatures.		..	..	p	..	..	..
19. Proper hot holding temperatures.		p	..	..	..	..	..
<b><i>This item has Notes. See Footnote 2 at end of questionnaire.</i></b>							
20. Proper cold holding temperatures.		..	p	..	..	p	..
<b><i>This item has Notes. See Footnote 3 at end of questionnaire.</i></b>							

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Potentially Hazardous Food Time/Temperature	Y	N	O	A	C	R
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Fail Notes	3-501.16(A)(2)	<p><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></p> <p><i>[Shredded white american cheese is being held in an ice bath by the make tables at 50.3F. PIC stated it had been placed on the counter at 11am. COS-placed in make table to cool. Advised using TPHC.]</i></p>
	3-501.16(B)	<p><i>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.</i></p> <p><i>[Raw shell eggs were being held at 53.9F. PIC stated they had been in the cooler since 10/7/14. The ambient temperature measured 50.1F. COS-VD.]</i></p>

21. Proper date marking and disposition. .. p .. .. p ..

Fail Notes	3-501.18(A)(2)	<p><i>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.</i></p> <p><i>[No date marking for cooked PHFs was observed in the facility. In the make table Queso (make date of 10/7) and cooked carnitas (make date of 10/7) were observed with no date marking. In the TRUE RIC, refried beans (make date of 10/8 9am), cooked rice (made 10/8 9am), cooked shredded chicken (make date of 10/7), salsa (10/8 9am) were being held with no date marking. COS-dated accordingly.]</i></p>
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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 .. .. .. ..

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	Y	N	O	A	C	R
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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 .. .. ..

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Food Temperature Control	Y   N   O   A   C   R
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<i>Fail Notes</i>	4-301.11	<i>Pf - Temperature Capacity - EQUIPMENT for cooling and heating FOOD, and holding cold and hot FOOD, shall be sufficient in number and capacity to provide FOOD temperatures as specified under Chapter 3.                  [The WIC is not working. The WIF, which is directly connected is being propped open to cool the cooler. The ambient temperature measured 50.1F. PIC is going to discontinue use of PHF's until is can be fixed.]</i>
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- |   |    |    |    |    |    |    |
|---|----|----|----|----|----|----|
| 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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<i>Fail Notes</i>	3-302.12	<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.                  [Salt is being stored on top of the make table without a common name.]</i>
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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  | .. | .. | .. | .. | .. |
| 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
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<i>Fail Notes</i>	3-304.12(B)	<i>In-use utensil storage (Non-PHF/TCS-handles above food) During pauses in FOOD preparation or dispensing, FOOD preparation and dispensing UTENSILS shall be stored in FOOD that is not POTENTIALLY HAZARDOUS (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) with their handles above the top of the FOOD within containers or EQUIPMENT that can be closed, such as bins of sugar, flour, or cinnamon.                  [The salt container in the kitchen has a bowl with no handle in contact with the salt. COS-replaced bowl with a scoop with a handle.]</i>
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|---|---|----|----|----|----|----|
| 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
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|---|---|----|----|----|----|----|
| 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 | .. | .. | .. | .. | .. |

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

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Utensils, Equipment and Vending	Y	N	O	A	C	R
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47. Non-food contact surfaces clean.	p	..	..	..	..	..
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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	..	..	..	..	..
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49. Plumbing installed; proper backflow devices.	..	p	..	..	..	..
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<i>Fail Notes</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>
	5-205.15(B)	<i>Plumbing system (Maintained) A PLUMBING SYSTEM shall be maintained in good repair. [The handsink in the kitchen is leaking when in use.]</i>

50. Sewage and waste water properly disposed.	p	..	..	..	..	..
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51. Toilet facilities: properly constructed, supplied and cleaned.	p	..	..	..	..	..
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52. Garbage and refuse properly disposed; facilities maintained.	p	..	..	..	..	..
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53. Physical facilities installed, maintained and clean.	p	..	..	..	..	..
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54. Adequate ventilation and lighting; designated areas used.	p	..	..	..	..	..
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Administrative/Other	Y	N	O	A	C	R
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55. Other violations	p	..	..	..	..	..
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EDUCATIONAL MATERIALS
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The following educational materials were provided      p

<i>Material Distributed</i>	<i>Education Title #04</i>	<i>No Bare-Hand Contact</i>
	<i>Education Title #08</i>	<i>Date Marking</i>

# KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

## **Footnote 1**

**Notes:**

Ground Beef-207F

## **Footnote 2**

**Notes:**

Steam Table-  
Refried beans-163F

Queso crock pot-135F

## **Footnote 3**

**Notes:**

TRUE RIC-  
raw chicken-38F

Make table-  
raw chicken-33F

## **Footnote 4**

**Notes:**

Automatic dish machine-  
100ppm Cl

## VOLUNTARY DESTRUCTION REPORT

**Insp Date:** 10/9/2014      **Business ID:** 118631FE  
**Business:** EL CABRITOS

**Inspection:** 81000290  
**Store ID:**  
**Phone:** 6208563733  
**Inspector:** KDA81  
**Reason:** 01 Routine

2135 MILITARY AVE  
 BAXTER SPRINGS, KS 66713

**Time In / Time Out**

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
10/09/14	12:00 PM	02:00 PM	2:00	0:30	2:30	0	
Total:			2:00	0:30	2:30	0	

**ACTIONS**

Number of products Voluntarily Destroyed   2  

**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 raw shell eggs Qty 8 Units doz Value \$ 16.00

Description

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A

2. Product lemon Qty 1 Units slice Value \$ 0.5

Description

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A

