

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: 11/17/2014 **Business ID:** 59428FE
Business: MARVIN'S FOODS #215

Inspection: 81000341
Store ID:
Phone: 4794424323
Inspector: KDA81
Reason: 01 Routine
Results: Follow-up

1400 MILITARY
 BAXTER SPRINGS, KS 66713

Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
11/17/14	11:25 AM	02:55 PM	3:30	0:15	3:45	0	
Total:			3:30	0:15	3:45	0	

FOOD ESTABLISHMENT PROFILE	
Updated Risk Category _____	Updated Size Range _____
Insp. Notification <u> Email </u> Sent Notification To _____	Lic. Insp. <u> No </u>
Priority(P) Violations <u> 5 </u> Priority foundation(Pf) Violations <u> 5 </u>	
Certified Manager on Staff <u> " </u> Address Verified <u> p </u> Actual Sq. Ft. <u> 15000 </u>	
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	..	..	p	..
<i>Fail Notes</i>	2-301.14(B) <i>P - Wash Hands (Toilet room) 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 using the toilet room [An employee that just came on shift was observed prepping raw chicken without first washing their hands. COS-Washed hands.]</i>						
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>	3-101.11 <i>P - FOOD shall be safe, UNADULTERATED, and honestly presented. [A package of ham lacked date marking. PIC did not know when it was originally opened. COS-VD.]</i>						
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>	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. [The blade of the meat room slicer had dried food debris. PIC stated the last time it was used was on 11/14/14. COS-Cleaned.]</i>						
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	..	..	..	..	..
<i>This item has Notes. See Footnote 1 at end of questionnaire.</i>							
17. Proper reheating procedures for hot holding.		..	..	p	..	..	..
18. Proper cooling time and temperatures.		p	..	..	..	..	..
<i>This item has Notes. See Footnote 2 at end of questionnaire.</i>							
19. Proper hot holding temperatures.		p	..	..	..	..	..
<i>This item has Notes. See Footnote 3 at end of questionnaire.</i>							
20. Proper cold holding temperatures.		p	..	..	..	..	..
<i>This item has Notes. See Footnote 4 at end of questionnaire.</i>							
21. Proper date marking and disposition.		..	p	..	..	p	..
<i>This item has Notes. See Footnote 5 at end of questionnaire.</i>							

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Safe Food and Water	Y	N	O	A	C	R
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|---|----|----|----|----|----|----|
| 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 | .. | .. | .. | .. | .. |
| <i>This item has Notes. See Footnote 6 at end of questionnaire.</i> | | | | | | |
| 32. Plant food properly cooked for hot holding. | p | .. | .. | .. | .. | .. |
| <i>This item has Notes. See Footnote 7 at end of questionnaire.</i> | | | | | | |
| 33. Approved thawing methods used. | p | .. | .. | .. | .. | .. |
| 34. Thermometers provided and accurate. | .. | p | .. | .. | .. | .. |

Fail Notes	4-203.11	<i>Pf - Food thermometers (Accuracy) FOOD TEMPERATURE MEASURING DEVICES that are scaled only in Celsius or dually scaled in Celsius and Fahrenheit shall be accurate to ±1°C in the intended range of use. FOOD TEMPERATURE MEASURING DEVICES that are scaled only in Fahrenheit shall be accurate to ±2°F in the intended range of use. [The thermometers in the dairy case read -10F to 0F. Advised getting new ones.]</i>
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Food Identification	Y	N	O	A	C	R
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|--|----|---|----|----|----|----|
| 35. Food properly labeled; original container. | .. | p | .. | .. | .. | .. |
|--|----|---|----|----|----|----|

Fail Notes	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. [Cucumbers, peanut brittle, orange slices, and pecan clusters were in the produce departmet and labeled as "produce departmet" instead of their common names.]</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. [Peanut brittle, orange slices, and pecan clusters were in the produce departmet and labeled as "produce departmet" lacked 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. [Peanut brittle, orange slices, and pecan clusters were in the produce departmet and labeled as "produce departmet" lacked ingredients.]</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. [Peanut brittle, orange slices, and pecan clusters were in the produce departmet and labeled as "produce departmet" lacked ingredients.]</i>
	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. [Peanut brittle and pecan clusters were in the produce departmet and labeled as "produce departmet" lacked ingredients.]</i>

Prevention of Food Contamination	Y	N	O	A	C	R
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KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

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			
<table border="0" style="width: 100%;"> <tr> <td style="width: 15%; vertical-align: top;"><i>Fail Notes</i></td> <td style="width: 15%; vertical-align: top;">3-305.11(A)(1)</td> <td style="vertical-align: top;"> <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. [Chicken liver and gizzards were being stored on the floor in the WIC. COS-placed containers on a shelf. To go cups and plates were being stored on the floor in the deli. Advised getting crates to elevate.]</i> </td> </tr> </table>	<i>Fail Notes</i>	3-305.11(A)(1)	<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. [Chicken liver and gizzards were being stored on the floor in the WIC. COS-placed containers on a shelf. To go cups and plates were being stored on the floor in the deli. Advised getting crates to elevate.]</i>						
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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			
<table border="0" style="width: 100%;"> <tr> <td style="width: 15%; vertical-align: top;"><i>Fail Notes</i></td> <td style="width: 15%; vertical-align: top;">3-304.12(D)</td> <td style="vertical-align: top;"> <i>In-use utensil storage (Running water) During pauses in FOOD preparation or dispensing, FOOD preparation and dispensing UTENSILS used with moist FOOD such as ice cream or mashed potatoes shall be stored in running water of sufficient velocity to flush particulates to the drain. [Tongs in the deli were being stored in ambient temperature during pauses in use to prevent food buildup. COS-recleaned tongs and discussed the options of utensil storage.]</i> </td> </tr> </table>	<i>Fail Notes</i>	3-304.12(D)	<i>In-use utensil storage (Running water) During pauses in FOOD preparation or dispensing, FOOD preparation and dispensing UTENSILS used with moist FOOD such as ice cream or mashed potatoes shall be stored in running water of sufficient velocity to flush particulates to the drain. [Tongs in the deli were being stored in ambient temperature during pauses in use to prevent food buildup. COS-recleaned tongs and discussed the options of utensil storage.]</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			
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			
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47. Non-food contact surfaces clean.	p			
Physical Facilities	Y	N	O	A	C	R			
48. Hot and cold water available; adequate pressure.	p			
49. Plumbing installed; proper backflow devices.	p			
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			
54. Adequate ventilation and lighting; designated areas used.	..	p			

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Physical Facilities	Y N O A C R
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<i>Fail Notes</i>	6-202.11(A)	<i>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. [The display cases along the perimeter of the building lack shields on the light bulbs.]</i>
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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

The following educational materials were provided p

<i>Material Distributed</i>	<i>Education Title #08</i>	<i>Date Marking</i>
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Footnote 1

Notes:

Green beans in the deli-205F

Footnote 2

Notes:

Chicken breasts in the deli WIC-40F

Footnote 3

Notes:

Deli hot case-
Mashed potatoes-140F
Brisket-180F

Footnote 4

Notes:

Produce WIC-
Bagged salads-34F

Meat WIC-
Raw beef-38F

Deli WIC-
Baked beans-38F

Deli WIF-
OK

WIF-
OK

Bacon RIC-
Bacon41F

Dairy WIC-
Eggnog-40F

Deli RIC-
Turkey-40F

Dairy RIC-
Eggs-40F

Deli Display Case-
Pasta salad-37F

Footnote 5

Notes:

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Deli is not transferring the original make dates/open dates on their fully cooked items.

Footnote 6

Notes:

Advised having the maintenance come and inspect the dairy display case. Half of the case has warmer temperatures than the other half. (No food items requiring cold holding were out of temperature).

Footnote 7

Notes:

Green beans-205F

VOLUNTARY DESTRUCTION REPORT

Insp Date: 11/17/2014 **Business ID:** 59428FE
Business: MARVIN'S FOODS #215

1400 MILITARY
 BAXTER SPRINGS, KS 66713

Inspection: 81000341
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Total:			3:30	0:15	3:45	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 deli meats Qty 15 Units lbs Value \$ 75.00

Description

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A

