

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: 5/26/2015 **Business ID:** 119868FE
Business: SAN JOSE
 1524 MILITARY AVE
 1524 MILITARY AVE
 BAXTER SPRINGS, KS 66713

Inspection: 81000589
Store ID:
Phone: 4173177768
Inspector: KDA81
Reason: 03 Complaint
Results: No Follow-up

Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
05/26/15	11:40 AM	01:00 PM	1:20	0:10	1:30	0	
Total:			1:20	0:10	1:30	0	

FOOD ESTABLISHMENT PROFILE	
Updated Risk Category _____	Updated Size Range _____
Insp. Notification <u>Print</u> _____	Lic. Insp. <u>No</u> _____
Priority(P) Violations <u>3</u> _____	Priority foundation(Pf) Violations <u>1</u> _____
Certified Manager on Staff <u>..</u>	Address Verified <u>p</u>
Certified Manager Present <u>..</u>	Actual Sq. Ft. <u>3200</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) 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

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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	..	..	..	..	..
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	..	..	..	..	..
12. Required records available: shellstock tags, parasite destruction.	..	..	..	p	..	..
Protection from Contamination	Y	N	O	A	C	R
13. Food separated and protected.	..	p	..	..	p	..
<i>Fail Notes</i> | 3-302.11(A)(2) | <i>P - Cross Contamination by type (separate equipment) - FOOD shall be protected from cross contamination by separating types of raw animal FOODS from each other such as beef, FISH, lamb, pork, and POULTRY during storage, preparation, holding, and display by: using separate EQUIPMENT for each type; arranging each type of FOOD in EQUIPMENT so that cross contamination of one type with another is prevented; or, preparing each type of FOOD at different times or in separate areas [A container of raw chicken was sitting directly on top of raw ground beef. COS-moved chicken to lower shelf]</i>						
14. Food-contact surfaces: cleaned and sanitized.	p	..	..	..	..	..
<i>This item has Notes. See Footnote 1 at end of questionnaire.</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 2 at end of questionnaire.</i>						
17. Proper reheating procedures for hot holding.	p	..	..	..	..	..
18. Proper cooling time and temperatures.	..	..	p	..	..	..
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	..

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Potentially Hazardous Food Time/Temperature	Y	N	O	A	C	R
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Fail Notes	<p>3-501.18(A)(1) <i>P - RTE PHF/TCS, Disposition (discard if held 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 held at a temperature of 5°C (41°F) or less for more than 7 days, with the day of preparation counted as Day 1. [In the WIC alfredo sauce made on 5/3/15, salsa made on 5/3/15, and carnitas made on 5/16/15 were all held greater than 7 days. COS-voluntary destruction (VD)]</i></p> <p>3-501.18(A)(2) <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. [Cooked beef tongue in the WIC lacked date marking. The PIC stated it was cooked on 5/24/15. COS-dated]</i></p>
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22. Time as a public health control: procedures and record.	p
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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.	p
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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.	p
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Chemical	Y	N	O	A	C	R
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25. Food additives: approved and properly used.	p
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26. Toxic substances properly identified, stored and used.	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
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29. Water and ice from approved source.	p
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30. Variance obtained for specialized processing methods.	p
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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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32. Plant food properly cooked for hot holding.	p
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33. Approved thawing methods used.	p
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34. Thermometers provided and accurate.	p
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Food Identification	Y	N	O	A	C	R
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35. Food properly labeled; original container.	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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Prevention of Food Contamination	Y N O A C R
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|---|-----------------|
| 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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|---------------------------------------|-----------------|
| 41. In-use utensils: properly stored. | .. p p .. |
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<i>Fail Notes</i>	<p>3-304.12(A) <i>In-use utensil storage (Handles above top of container) Except as specified under 3-304.12(B), during pauses in FOOD preparation or dispensing, FOOD preparation and dispensing UTENSILS shall be stored in the FOOD with their handles above the top of the FOOD and the container.</i> <i>[A pitcher was in the tub of salsa with the handle in contact with the food. COS-moved pitcher out of salsa.]</i></p>
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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 p .. |

<i>Fail Notes</i>	<p>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.</i> <i>[The facility does not have chlorine test strips to measure the automatic dish washer sanitizer. COS-inspector provided]</i></p>
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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 |
| 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 |

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 ..

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Footnote 1

Notes:

Bar area sanitizer measured 100ppm quat while dishes were not being washed. Inspector demonstrated proper mixing methods.

Footnote 2

Notes:

Cooked beef on stove-210F

Footnote 3

Notes:

Steam table-
shredded chicken-178F

Footnote 4

Notes:

WIC-
carnitas-41F

Make table-
raw shrimp-38F

Coke RIC-
salsa-40F

VOLUNTARY DESTRUCTION REPORT

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ACTIONS

Number of products Voluntarily Destroyed 3

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 alfredo sauce Qty 10 Units lbs Value \$

Description held greater than 7 days

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A

2. Product carnitas Qty 3 Units lbs Value \$

Description held greater than 7 days

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A

3. Product salsa Qty 3 Units lbs Value \$

Description held greater than 7 days

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A

FOOD ESTABLISHMENT FIELD WARNING LETTER

The Kansas Food, Drug and Cosmetic Act, effective July 1, 2012, K.S.A. 65-619 et seq. and regulations promulgated pursuant thereto, grants the Kansas Department of Agriculture authority to regulate food establishments and food processing plants. The Kansas Food Code is adopted and amended by K.A.R. 4-28-8 through 15.

During the inspection today of the Food Establishment listed below, violations of the Kansas Food Code were observed. The violations are documented in the attached Kansas Food Establishment Inspection Report.

Although we will not take further action at this time based on this inspection report, repeated violations observed during future inspections 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 Kansas Food, Drug and Cosmetic Act;
- and/or any other penalty authorized by law.

Future inspections will be initiated during the next routine inspection cycle, unless we receive a complaint about the food establishment.

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