

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: 2/5/2015 **Business ID:** 117394FE
Business: MILLER'S 5 INC

Inspection: 84000393
Store ID:
Phone: 3167759989
Inspector: KDA84
Reason: 01 Routine
Results: No Follow-up

330 N STATE ST
 AUGUSTA, KS 67010

Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
02/05/15	12:00 PM	02:15 PM	2:15	0:15	2:30	0	
Total:			2:15	0:15	2:30	0	

FOOD ESTABLISHMENT PROFILE	
Updated Risk Category <u>RAC# 06 High Risk</u>	Updated Size Range _____
Insp. Notification <u>Print</u>	Lic. Insp. <u>No</u>
Priority(P) Violations <u>2</u>	Priority foundation(Pf) Violations <u>2</u>
Certified Manager on Staff <input type="checkbox"/>	Address Verified <input checked="" type="checkbox"/>
Certified Manager Present <input type="checkbox"/>	Actual Sq. Ft. <u>528</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	..	..	..	..	..

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

	Y	N	O	A	C	R
Good Hygienic Practices						
4. Proper eating, tasting, drinking, or tobacco use	..	..	p	..	..	..
5. No discharge from eyes, nose and mouth.	p	..	..	..	..	..
Preventing Contamination by Hands						
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						
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						
13. Food separated and protected.	..	p	..	..	p	..
<i>Fail Notes</i> | 3-302.11(A)(1)(b)	<i>P - FOOD shall be protected from cross contamination by separating raw animal FOODS during storage, preparation, holding, and display from Cooked READY-TO-EAT FOOD. [In the Frigidaire Refrigerator, raw shell eggs were stored on top of ready to eat butter. Corrected on site (COS): Eggs were moved to the bottom of the door.]</i>					
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						
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	..	..	..	..	..
<i>This item has Notes. See Footnote 2 at end of questionnaire.</i>						
18. Proper cooling time and temperatures.	..	..	p	..	..	..
19. Proper hot holding temperatures.	..	..	p	..	..	..
20. Proper cold holding temperatures.	p	..	..	..	..	..
<i>This item has Notes. See Footnote 3 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
---	-------------

Fail Notes	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. [In the Frigidaire Refrigerator, 1 open bag of hot dogs and 2 open bags of corn dogs were not dated. COS: Owner stated they were opened on 2/3 and labeled the bags.</i> <i>In the Frigidaire Refrigerator, an open bag of lettuce had no date marking. COS: Owner stated it was opened on 1/31 and labeled the package.]</i>
------------	--

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
----------	-------------

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
--------------------------------------	-------------

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

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

32. Plant food properly cooked for hot holding. p

33. Approved thawing methods used. p

34. Thermometers provided and accurate. .. p p ..

This item has Notes. See Footnote 5 at end of questionnaire.

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. [One of the establishments probe thermometers was reading 20 degrees higher. COS: Educated and calibrated the thermometer.]</i>
------------	---

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

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Food Identification	Y	N	O	A	C	R
35. Food properly labeled; original container.	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	..	..	..	..
<i>This item has Notes. See Footnote 6 at end of questionnaire.</i>						
<i>Fail Notes</i>	<p>3-304.14(B)(1) <i>Wiping cloths (Storage) Cloths in-use for wiping counters and other EQUIPMENT surfaces shall be held between uses in a chemical sanitizer solution at an appropriate concentration. [2 wet wiping clothes were on the front counters not in sanitizer. COS: Owner placed them in the sanitizer bucket.]</i></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	..	..	..	..	..
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	..	..	p	..
<i>Fail Notes</i>	<p>4-202.11(A)(2) <i>Pf - FCS (Imperfections) Multiuse FOOD-CONTACT SURFACES shall be free of breaks, open seams, cracks, chips, inclusions, pits, and similar imperfections. [A spatula hanging above the 3 compartment sink was cracked/chipped. COS: Owner set aside to trim the edges.]</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.	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	..	..	..	..	..
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	..	..	..	..
<i>Fail Notes</i>	<p>6-501.11 <i>PHYSICAL FACILITIES shall be maintained in good repair. [Several tiles throughout the establishment are broken/missing. Owner states they have plans to remove the remaining tile and paint/seal the floor.]</i></p>					
54. Adequate ventilation and lighting; designated areas used.	..	p	..	..	..	..

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

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

<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 light above the make table area was not shielded.]</i>
-------------------	-------------	--

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

55. Other violations	p
----------------------	-----------------------

EDUCATIONAL MATERIALS

The following educational materials were provided p

<i>Material Distributed</i>	Education Title #22	<i>Focus On Food Safety Manual (on the Website) [book]</i>
-----------------------------	---------------------	--

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Footnote 1

Notes:

Burger: 202.8F

Pork Tenderloin: 189.3F

Footnote 2

Notes:

Chili reheating in the microwave: 170.3F

Footnote 3

Notes:

Frigidaire Refrigerator

Hot Dog: 38.9F

Sliced Cheese: 42.9F

Walk in Cooler

Milk: 36.5F

Gravy: 34.4F

Ice Cream Machine: 34.1F

Footnote 4

Notes:

Make table is not working at this time. They just purchased it and it does not work. There were no PHFs in it at time of inspection. Owner states she puts PHFs on ice when she does use it and they maintain 41F or below. Inspector tested chopped onions and they were maintained at 40.1F.

Footnote 5

Notes:

Educated and demonstrated how to calibrate their thermometers.

Footnote 6

Notes:

Wiping Cloth Bucket: 200 parts per million chlorine.

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.

Insp Date: 2/5/2015 **Business ID:** 117394FE
Business: MILLER'S 5 INC

330 N STATE ST
 AUGUSTA, KS 67010

Inspection: 84000393
Store ID:
Phone: 3167759989
Inspector: KDA84
Reason: 01 Routine

Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes;
02/05/15	12:00 PM	02:15 PM	2:15	0:15	2:30	0	
Total:			2:15	0:15	2:30	0	