

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: 5/7/2015
Business: EL PATRON

Business ID: 115848fe

Inspection: 87000287

Store ID:
Phone: 7855942711
Inspector: KDA87
Reason: 01 Routine
Results: Follow-up

711 8TH ST, PO BOX 788
 BALDWIN CITY, KS 66006

Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
05/07/15	02:00 PM	06:00 PM	4:00	0:00	4:00	0	
Total:			4:00	0:00	4:00	0	

FOOD ESTABLISHMENT PROFILE

Insp. Notification Email Sent Notification To _____ Lic. Insp. No

Priority(P) Violations 6 Priority foundation(Pf) Violations 2

Certified Manager on Staff Address Verified p Actual Sq. Ft. 0

Certified Manager Present

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	..	..	..	..	..
Good Hygienic Practices	Y	N	O	A	C	R

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	..	..	..	..	..
Approved Source	Y	N	O	A	C	R
9. Food obtained from approved source.	p	..	..	..	..	..
<i>This item has Notes. See Footnote 1 at end of questionnaire.</i>						
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. [In the WIC there were 4 reduced oxygen packages of tilapia that were completely thawed. The packages were not opened. Educated PIC about opening the packages to prevent bacterial growth. 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	..	..	..	..
<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 [In the WIC there was a metal pan containing raw chicken that was stacked directly on a pan of raw beef. COS, moved.]</i>				
14. Food-contact surfaces: cleaned and sanitized.	..	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. [On the clean dish rack in the ware washing area there were dishes stored as clean with date marking stickers and residue on them. There were 3 metal pans with dried food debris on them. COS, moved to be cleaned and sanitized.]</i>				
<i>Fail Notes</i>	4-602.11(C)	<i>P - PHF/TCS Food Contact Surface Cleaning Frequency (every 4 hours) If used with POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD), EQUIPMENT FOOD-CONTACT SURFACES and UTENSILS shall be cleaned throughout the day at least every 4 hours. [At 4:00 PM the can opener blade had dried food debris on it. PIC said it was used to open tomatoes at 11AM. COS, moved to be cleaned and sanitized.]</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	..	..	..

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Potentially Hazardous Food Time/Temperature		Y	N	O	A	C	R
---	--	---	---	---	---	---	---

- | | | | | | | | |
|---|--|----|----|----|----|----|----|
| 18. Proper cooling time and temperatures. | | p | .. | .. | .. | .. | .. |
| 19. Proper hot holding temperatures. | | .. | p | .. | .. | .. | .. |

This item has Notes. See Footnote 3 at end of questionnaire.

Fail Notes	3-501.16(A)(1) P - PHF/TCS Hot Holding - POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) shall be maintained at 57°C (135°F) or above. [A pan of tamales was on the stove top temp 114 F. PIC said they are steamed throughout the day. There was no heat source on the pan. PIC said they were made at 9:00 AM. COS, VD]
------------	--

- | | | | | | | | |
|---|--|----|----|----|----|----|----|
| 20. Proper cold holding temperatures. | | p | .. | .. | .. | .. | .. |
| This item has Notes. See Footnote 4 at end of questionnaire. | | | | | | | |
| 21. Proper date marking and disposition. | | .. | p | .. | .. | p | .. |

Fail Notes	3-501.18(A)(2) 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 WIC an open package of fully cooked chicken was opened without a date mark. PIC said it was opened at 10:00AM on 5/06. COS, date marked. In the WIC an opened package of fully cooked ham did not have a date mark. PIC said it was opened at 10:30 AM on 5/06. COS, date marked. In the WIC a pan of cooked ground beef did not have a date mark. PIC said it was cooked at 2:00 PM on 5/06. COS, date marked.]
------------	--

- | | | | | | | | |
|---|--|----|----|----|---|----|----|
| 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 | .. | .. | p | .. |

Fail Notes	7-201.11(A) P - Chemical Storage (spacing/partitioning) POISONOUS OR TOXIC MATERIALS shall be stored so they cannot contaminate FOOD, EQUIPMENT, UTENSILS, LINENS, and SINGLE-SERVICE and SINGLE-USE ARTICLES by separating the POISONOUS OR TOXIC MATERIALS by spacing or partitioning. [On a table next to the cash register a spray bottle of sanitizer was stored next to sugar packets and containers of salt and pepper. COS, moved.]
------------	--

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

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

GOOD RETAIL PRACTICES		Y	N	O	A	C	R
-----------------------	--	---	---	---	---	---	---

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 | .. | .. | .. | .. | .. |

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Safe Food and Water		Y	N	O	A	C	R
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	..	..	..	..	..
Food Identification		Y	N	O	A	C	R
35. Food properly labeled; original container.		..	p	..	..	p	..
<i>Fail Notes</i>	<p>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.</i></p> <p><i>[In the dry storage room a plastic container of a white substance was not labeled. PIC said it was salt. COS, labeled.]</i></p>						
Prevention of Food Contamination		Y	N	O	A	C	R
36. Insects, rodents and animals not present.		..	..	..	..	..	..
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	..	..	..	..
<i>Fail Notes</i>	<p>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.</i></p> <p><i>[In the dry goods storage room ramekins with no handles are used to dispense salt and sugar.]</i></p>						
42. Utensils, equipment and linens: properly stored, dried and handled.		..	p	..	..	..	..
<i>Fail Notes</i>	<p>4-903.11(B) <i>Clean EQUIPMENT and UTENSILS shall be stored as specified under ¶(A) of this section and shall be stored: In a self-draining position that allows air drying; and, Covered or inverted.</i></p> <p><i>[On the clean dish rack next to the 3-vat sink food storage containers stored as clean are stacked wet.]</i></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	..	..	..	..	..

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Utensils, Equipment and Vending	Y	N	O	A	C	R
---------------------------------	---	---	---	---	---	---

46. Warewashing facilities: installed, maintained, and used; test strips. .. p

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

<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 3-vat sink uses quaternary ammonium sanitizer. No quaternary ammonium test strips provided.]</i>
-------------------	----------	--

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

<i>Fail Notes</i>	5-501.113	<i>Receptacles and waste handling units for REFUSE, recyclables, and returnables shall be kept covered: Inside the FOOD ESTABLISHMENT if the receptacles and units: Contain FOOD residue and are not in continuous use; or, After they are filled; and, With tight-fitting lids or doors if kept outside the FOOD ESTABLISHMENT. [The lids on the dumpster outside are not kept closed.]</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

EDUCATIONAL MATERIALS

The following educational materials were provided p

- | | | |
|-----------------------------|----------------------------|---|
| <i>Material Distributed</i> | <i>Education Title #07</i> | <i>Corrective Actions</i> |
| | <i>Education Title #22</i> | <i>Focus On Food Safety Manual (on the Website)</i> |
| | <i>Education Title #31</i> | <i>Product Cooling Temperature Log</i> |
| | <i>Education Title #42</i> | <i>Daily Self-Inspection Checklist</i> |

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Footnote 1

Notes:

Sysco
US Foods

Footnote 2

Notes:

chicken and beef quesadilla 165 F

Footnote 3

Notes:

Steam Table
beans 166 F
ground beef 144 F

Queso waremer:
queso 135 F

Footnote 4

Notes:

MT Top: lettuce 43 F, tomatoes 42 F
RIC below MT: 36 F
WIC: cheese: 41 F, ground beef 39 F, beans 39 F
Pepsi RIC: salsa 41 F
Chest freezers 1 & 2, foods frozen in both

Footnote 5

Notes:

Chlorine test strips for ware washing machine provided.

VOLUNTARY DESTRUCTION REPORT

Insp Date: 5/7/2015 **Business ID:** 115848fe
Business: EL PATRON

711 8TH ST, PO BOX 788
 BALDWIN CITY, KS 66006

Inspection: 87000287
Store ID:
Phone: 7855942711
Inspector: KDA87
Reason: 01 Routine

Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
05/07/15	02:00 PM	06:00 PM	4:00	0:00	4:00	0	
Total:			4:00	0:00	4:00	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 tilapia Qty 4 Units packa Value \$

Description reduced oxygen packaging was not opened during the thawing process

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A

2. Product Tamales Qty 1 Units pan Value \$

Description held below 135 for longer than 4 hours.

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A

NOTICE OF NON COMPLIANCE WITH KANSAS LAW

Insp Date: 5/7/2015
Business: EL PATRON

Business ID: 115848fe

Inspection: 87000287

Store ID:

Phone: 7855942711

Inspector: KDA87

Reason: 01 Routine

711 8TH ST, PO BOX 788
 BALDWIN CITY, KS 66006

Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes;
05/07/15	02:00 PM	06:00 PM	4:00	0:00	4:00	0	
Total:			4:00	0:00	4:00	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 05/17/15

Inspection Report Number 87000287

Inspection Report Date 05/07/15

Establishment Name EL PATRON

Physical Address 711 8TH ST, PO BOX 788 City BALDWIN CITY

Zip 66006

Additional Notes and Instructions