

# Food Establishment Inspection Report



Wichita Falls - Wichita County  
Public Health District  
1700 Third Street  
Wichita Falls, TX 76301  
940-761-7800

**SITE NO.** 7014    **INV NO.** 1    **IR NO.**    **DATE** 03/03/2010    **INSPECTION TIME**    **INSPECTOR** McKenzie, Suzanne

<b>SITE INFORMATION</b>	<b>INVENTORY/MANAGER</b>	<b>SERVICE TYPE/FREQUENCY</b>
AMERICAN GRILL 3111 MIDWESTERN PKWY # 218 WICHITA FALLS TX 76308 940-692-1361	Process 3	Permit Inspection Permit Granted Inspected 3 Times per Year

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**Violations:    Critical - 7    Non-Critical - 1    Score: 76**

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### CRITICAL VIOLATIONS SUMMARY

<u>CODE</u>	<u>DESCRIPTION</u>	<u>POINTS</u>	<u>CORRECTED</u>
7	Proper/Adequate Handwashing	4	03/03/2010
8	Good Hygienic Practices (Eating/Drinking/Smoking/Other)	4	03/03/2010
13	Approved Systems (Time as Public Hlth Control/HACCP Plan)	4	03/03/2010
15	Equipment Adequate to Maintain Product Temperature	3	03/03/2010
17	Handwash Facilities with Soap & Towels	3	03/03/2010
21	Manual/Mechanical Warewashing & Sanitizing @ ____ ppm/Temp.	3	03/03/2010
25	Food Contact Surfaces-Cleaned/Sanitized/Good Repair/Storage	3	03/03/2010

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### NON-CRITICAL VIOLATIONS SUMMARY

<u>CODE</u>	<u>DESCRIPTION</u>	<u>POINTS</u>	<u>CORRECTED</u>
28	OTHER VIOLATIONS	0	03/03/2010

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**CRITICAL VIOLATIONS DETAIL**

<b><u>CODE</u></b>	<b><u>DESCRIPTION</u></b>
7	<p>Texas food Establishment Rules</p> <p>Page 28</p> <p>229.163(e) (f) (g)</p> <p>Food employees shall keep their hands and exposed portions of their arms clean.</p> <p>(f) Hands and arms cleaning procedure.</p> <p>(1) Except as specified in paragraph (2) of this subsection, food employees shall clean their hands and exposed portions of their arms (or surrogate prosthetic devices for hands or arms) for at least 20 seconds, using a cleaning compound in a lavatory that is equipped as specified under §229.166(f)(2) of this title (relating to Water, Plumbing, and Waste).</p> <p>(2) Food employees shall use the following cleaning procedure:</p> <p>(A) vigorous friction on the surfaces of the lathered fingers, finger tips, areas between the fingers, hands and arms (or by vigorously rubbing the surrogate prosthetic devices for hands or arms) for at least 10 to 15 seconds, followed by;</p> <p>(B) thorough rinsing under clean, running warm water; and</p> <p>(C) immediately follow the cleaning procedure with thorough drying of cleaned hands and arms (or surrogate prosthetic devices) using a method as specified under §229.167(e)(3) of this title (relating to Physical Facilities).</p> <p>(3) Food employees shall pay particular attention to the areas underneath the fingernails during the cleaning procedure.</p> <p>To Wit: The food service worker did not wash hands for at least 20 seconds at a handwash sink. (Corrected 03/03/10)</p> <p>To Correct: The food service worker will wash his/her hands and exposed portions of his/her arms with soap and 110 degree F or warmer running water and by rubbing his/her lathered hands and surfaces of arms together for at least 20 seconds. Hands and arms will be thoroughly rinsed with clean water and dried with non-reusable towels or heated air. Corrections must be made immediately.</p>
8	<p>Page 31</p> <p>229.163 (n)</p> <p>Eating, drinking, or using tobacco.</p> <p>(1) Except as specified in paragraph (2) of this subsection, an employee shall eat, drink, or use any form of tobacco only in designated areas where the contamination of exposed food; clean equipment, utensils, and linens; unwrapped single-service and single-use articles; or other items needing protection cannot result.</p> <p>(2) A food employee may drink from a closed beverage container if the container is handled to prevent contamination of:</p> <p>(A) the employee's hands;</p> <p>(B) the container; and</p> <p>(C) exposed food; clean equipment, utensils, and linens; and unwrapped single-service and single-use articles.</p> <p>(o) Discharges from the eyes, nose, and mouth. Food employees experiencing persistent</p>

**CODE****DESCRIPTION**

sneezing, coughing, or a runny nose that causes discharges from the eyes, nose, or mouth may not work with exposed food; clean equipment, utensils, and linens; or unwrapped single-service or single-use articles.

(p) Hair restraints, effectiveness.

(1) Except as provided in paragraph (2) of this subsection, food employees shall wear hair restraints such as hats, hair coverings or nets, beard restraints, and clothing that covers body hair, that are designed and worn to effectively keep their hair from contacting exposed food; clean equipment, utensils, and linens; and unwrapped single-service and single-use articles.

(2) This section does not apply to food employees such as counter staff who only serve beverages and wrapped or packaged foods, hostesses, and wait staff if they present a minimal risk of contaminating exposed food; clean equipment, utensils, and linens; and unwrapped single-service and single-use articles.

(q) Handling prohibition.

(1) Except as specified in paragraph (2) of this subsection, food employees may not care for or handle animals that may be present such as patrol dogs, service animals, or pets that are allowed as specified in §229.167(p)(15)(B)(ii)-(v) of this title (relating to Physical Facilities).

(2) Food employees with assistance animals may handle or care for their assistance animals and food employees may handle or care for fish in aquariums or molluscan shellfish or crustacea in display tanks if they wash their hands as specified under subsections (f) and (h)(3) of this section.

To Wit: The food service worker is drinking in a food service area from an uncovered container while preparing/handling food or contacting clean food contact surfaces. (Corrected 03/03/10)

To Correct: If in a food service area and preparing/handling food or contacting clean food contact surface, the food service worker must drink from covered containers. Corrections must be made immediately.

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§229.164(o)

(9) Time as a public health control.

(A) Except as specified under subparagraph (B) of this paragraph, if time only, rather than time in conjunction with temperature, is used as the public health control for a working supply of potentially hazardous food before cooking, or for ready-to-eat potentially hazardous food that is displayed or held for service for immediate consumption:

- (i) the food shall be marked or otherwise identified to indicate the time that is four hours past the point in time when the food is removed from temperature control;
- (ii) the food shall be cooked and served, served if ready-to-eat, or discarded, within 4 hours

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from the point in time when the food is removed from temperature control;  
 (iii) the food in unmarked containers or packages or marked  
 exceed a four hour limit shall be discarded; and  
 (iv) written procedures shall be maintained in the food establishment and made available to  
 the regulatory authority upon request, that ensure compliance with:  
 (I) clauses (i)-(iv) of this subparagraph, and (II) paragraph (4) of this subsection for food that  
 is  
 prepared, cooked, and refrigerated before time is used as a public health control.  
 (B) In a food establishment that serves a highly susceptible population, time only, rather  
 than time in conjunction with temperature, may not be used as the public health control for  
 raw eggs.

Page 139 thru 141

§229.171

(d) HACCP plan requirements.

(1) When a HACCP plan is required.

(A) Before engaging in an activity that requires a HACCP plan, a food establishment shall  
 submit to the regulatory authority for approval a properly prepared HACCP plan as specified  
 under paragraph (2) of this subsection and the relevant provisions of these rules if:

(i) submission of a HACCP plan is required according to law;

(ii) a variance is required as specified under §§229.164(k)(1)(D)(iii) and (p)(1)(A)–(H), or  
 229.165(f)(10)(B) of this title; or

(iii) the regulatory authority determines that a food preparation or processing method  
 requires a variance based on an inspectional finding or a variance request.

(B) A food establishment shall have a properly prepared HACCP plan as specified under  
 §229.164(o)(2) of this title.

To Wit: The food product/ that is located in the has been refrigerated for more than 24 hours and is  
 not marked with the day of preparation or the date which the food shall be consumed by.  
 (Corrected 03/03/10)

To Correct: The food product that is located in the food preparation area that has been refrigerated for  
 more than 24 hours must be marked with the day of preparation and the date which the food  
 shall be consumed by.

15 229.165(g)(1) - Page 84

(g) Equipment, numbers and capacities.

(1) Cooling, heating, and holding capacities. 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 §229.164 of this title.

To Wit: The walkin freezer is not holding cold at 80°F. (Corrected 03/03/10)

To Correct: The walkin freezer must hold cold at 80 degrees F. Corrections must be made  
 immediately.

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§229.167

(e) Handwashing facilities.

(1) Minimum number. Handwashing facilities shall be provided as specified  
 under §229.166(g)(1) of this title.

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(2) Handwashing cleanser, availability. Each handwashing lavatory or group of 2 adjacent lavatories shall be provided with a supply of hand cleaning liquid, powder, or bar soap.

(3) Hand drying provision. Each handwashing lavatory or group of adjacent lavatories shall be provided with:

(A) individual, disposable towels;

(B) a continuous towel system that supplies the user with a clean towel; or

(C) a heated-air hand drying device.

To Wit: No hand cleaning material, i.e., liquid, powder or bar soap, is available at the handwash facilities in the food preparation area. (Corrected 03/03/10)

To Correct: Hand cleaning material, i.e., liquid, powder or bar soap, must be available at the handwash facilities in the food preparation area. Corrections must be made immediately.

To Wit: No hand drying provisions were available at the handwash facilities in the food service/dispensing area. (Corrected 03/03/10)

To Correct: Hand drying provisions must be available at the handwash facilities in the food service/dispensing area. Corrections must be made immediately.

21 Texas Food Establishment Rules

TFER 229.165(k) thru 229.165(y)

The wash compartment of the sink shall, when used for washing, contain a wash solution mixed according to manufacturer's label instructions. The temperature of the wash solution shall be maintained at not less than 43 degrees C (110 degrees F) unless specified differently by the manufacturer of the washing agent. If a detergent-sanitizer is used without a hot water rinse, the same agent must be used in both the cleaning and sanitizing steps. A chemical sanitizer used in a sanitizing solution shall be used in accordance with EPA approved manufacturer's label use instructions. If hot water is used for sanitizing, the temperature of the water shall be maintained at 77 degrees C (171 degrees F) or above. Warewashing machines, manufacturers' operating instructions.

A warewashing machine and its auxiliary components shall be operated in accordance with the machine's data plate and other manufacturer's instructions.

A warewashing machine's conveyor speed or automatic cycle times shall be maintained accurately timed in accordance with manufacturer's specifications. Mechanical warewashing equipment, hot water sanitization temperatures.

Except as specified in subparagraph (B) of this paragraph, in a mechanical operation, the temperature of the fresh hot water sanitizing rinse as it enters the manifold may not be more than 90 degrees Celsius (194 degrees Fahrenheit), or less than:

for a stationary rack, single temperature machine, 74 degrees Celsius (165 degrees Fahrenheit); or

for all other machines, 82 degrees Celsius (180 degrees Fahrenheit).

The maximum temperature specified under subparagraph (A) of this paragraph does not apply to the high pressure and temperature systems with wand-type, hand-held spraying devices used for the in-place cleaning and sanitizing of equipment such as meat saws.

Mechanical warewashing equipment, sanitization pressure.

The flow pressure of the fresh hot water sanitizing rinse in a warewashing machine may not be less than 100 kilopascals (15 pounds per square inch) or more than 170 kilopascals (25 pounds per square inch) as measured in the water line immediately downstream or upstream from the fresh hot water sanitizing rinse control valve.

<b><u>CODE</u></b>	<b><u>DESCRIPTION</u></b>
To Wit:	A sink with at least three compartments is not provided for manually washing, rinsing and sanitizing equipment and utensils or a warewashing machine or alternative equipment has not been approved by the Health Authority. (Corrected 03/03/10)
To Correct:	A sink with at least three compartments shall be provided for manually washing, rinsing and sanitizing equipment and utensils unless a warewashing machine or alternative equipment has been approved by the Health Authority. Corrections must be made immediately.
25	<p>Page 76            §229.165(d)            (d) Cleanability.            (1) Food-contact surfaces. Multiuse food-contact surfaces shall be:            (A) smooth;            (B) free of breaks, open seams, cracks, chips, inclusions, pits, and similar imperfections;            (C) free of sharp internal angles, corners, and crevices;            (D) finished to have smooth welds and joints; and            (E) except as specified in subparagraph (B) of this paragraph, accessible for cleaning and inspection by one of the following methods:            (i) without being disassembled;            (ii) by disassembling without the use of tools; or            (iii) by easy disassembling with the use of handheld tools commonly available to maintenance and cleaning personnel such as screwdrivers, pliers, and wrenches.            (2) Paragraph (5) of this subsection does not apply to cooking oil storage tanks, distribution lines for cooking oils, or beverage syrup lines or tubes.            (3) Cleaned in place (CIP) equipment.            (A) CIP equipment shall meet the characteristics specified under paragraph (1) of this subsection and shall be designed and constructed so that:            (i) cleaning and sanitizing solutions circulate throughout a fixed system and contact all interior food-contact surfaces; and            (ii) the system is self-draining or capable of being completely drained of cleaning and sanitizing solutions; and</p>
To Wit:	The unapproved food storage containers, can opener and microwave, located in the food preparation area has adhering food or food particles. (Corrected 03/03/10)
To Correct:	The unapproved food storage containers, can opener and microwave, located in the food preparation area must be properly washed, rinsed and sanitized and free of food or food particles. Corrections must be made immediately.

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### **NON-CRITICAL VIOLATIONS DETAIL**

<b><u>CODE</u></b>	<b><u>DESCRIPTION</u></b>
28	OTHER VIOLATIONS- REQUIRE CORRECTIVE ACTION , NOT TO EXCEED 90 DAYS OR NEXT INSPECTION, WHICHEVER COMES FIRST.
To Wit:	Light in the storeroom is out. (Corrected 03/03/10)
To Wit:	Using metal scrubbies to clean dishes. (Corrected 03/03/10)

**CODE**                    **DESCRIPTION**

To Wit:                    Non commercial  
                                 Microwave  
                                 Blender (Corrected 03/03/10)

To Wit:                    Rags must be kept in a sanitizing solution at all times (Corrected 03/03/10)

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**I HEREBY, ACKNOWLEDGE THE ISSUANCE AND RECEIPT OF THIS OFFICIAL Food Establishment Inspection Report.**

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**Suzanne McKenzie, PUBLIC HEALTH OFFICER**

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**OWNER / MANAGER SIGNATURE**

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**OWNER / MANAGER PRINT NAME**