

Food Establishment Inspection Report



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

SITE NO. 223 **INV NO.** 1 **IR NO.** **DATE** 03/16/2011 **INSPECTION TIME** **INSPECTOR** McKenzie, Suzanne

SITE INFORMATION
BURRITO SHOP
907 9TH ST
WICHITA FALLS TX 76301
940-766-4086

INVENTORY/MANAGER
Process 2

SERVICE TYPE/FREQUENCY
Inspection- Regular
Inspected 3 Times per Year

Scheduled calender inspections.

Violations: Critical - 8 Non-Critical - 1 Score: 71

CRITICAL VIOLATIONS SUMMARY

<u>CODE</u>	<u>DESCRIPTION</u>	<u>POINTS</u>	<u>CORRECTED</u>
2	Cold Hold (41/45 degrees F)	5	03/16/2011
8	Good Hygienic Practices (Eating/Drinking/Smoking/Other)	4	03/16/2011
10	Sound Condition	4	03/16/2011
13	Approved Systems (Time as Public Hlth Control/HACCP Plan)	4	03/16/2011
15	Equipment Adequate to Maintain Product Temperature	3	03/16/2011
17	Handwash Facilities with Soap & Towels	3	03/16/2011
20	Toxic Items Properly Labeled/Stored/Used	3	03/16/2011
25	Food Contact Surfaces-Cleaned/Sanitized/Good Repair/Storage	3	03/16/2011

NON-CRITICAL VIOLATIONS SUMMARY

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

CRITICAL VIOLATIONS DETAIL

<u>CODE</u>	<u>DESCRIPTION</u>
2	<p>Texas food Establishment Rules</p> <p>Page 60</p> <p>§229.164(o)(6) Potentially hazardous food, hot and cold holding. Except during preparation, cooking, or cooling, or when time is used as the public health control as specified under paragraph (9) of this subsection, and except as specified in subparagraph (B) of this paragraph, potentially hazardous food shall be maintained:</p> <p>(A) at 57 degrees Celsius (135 degrees Fahrenheit) or above, except that roasts cooked to a temperature and for a time specified in subsection (k)(1)(B) of this section or reheated as specified in subsection (m)(2)(E) of this section may be held at a temperature of 54 degrees Celsius (130 degrees Fahrenheit) or above; or</p> <p>(B) at a temperature specified in the following:</p> <p>(i) 5 degrees Celsius (41 degrees Fahrenheit) or less; or</p> <p>(ii) 7 degrees Celsius (45 degrees Fahrenheit) or less in countertop, under-counter and open-top refrigeration units located in the food preparation area that were in use prior to October 6, 2003, provided the food is date marked as specified in paragraphs (7)-(9) of this subsection.</p> <p>(C) Shell eggs that have not been treated to destroy all viable Salmonellae shall be stored in refrigerated equipment that maintains an ambient air temperature of 7 degrees Celsius (45 degrees Fahrenheit) or less.</p> <p>To Wit: The beef product is in/on the reachin refrigerator at an internal temperature of 50 to 54 degrees F and is not being maintained at 41/45 degrees F or below after cooling for unknown amount of time. (Corrected 03/16/11)</p> <p>To Correct: Discard the beef product that is/are not being maintained at 41/45 degrees F or below. 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 sneezing, coughing, or a runny nose that causes discharges from the eyes, nose, or mouth may</p>

CODE**DESCRIPTION**

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: Other

Storing personal medicine in unmarked container in RIR with restaurant food. (Corrected 03/16/11)

To Correct: Other

10 Texas Food Establishment Rules

§229.164.

(a) Food.

Condition safe, unadulterated, and honestly presented. Food shall be safe, unadulterated, and, as specified under subsection (q)(2) of this section, honestly presented.

To Wit: The food stored on the dirty floor is unsound and should not be sold, served or consumed. (Corrected 03/16/11)

To Correct: The food stored on the dirty floor must be sound to be sold, served or consumed. Corrections must be made immediately.

CODE	DESCRIPTION
13	<p>Page 63 §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 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.</p>
	<p>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.</p>
To Wit:	<p>The food in the RIR and RIF / that is located in the food preparation area 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 03/16/11)</p>
To Correct:	<p>The food in the RIR and RIF 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.</p>
15	<p>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.</p>

<u>CODE</u>	<u>DESCRIPTION</u>
To Wit:	The RIR/RIF is not holding cold food at 52°F. (Corrected 03/16/11)
To Correct:	The must hold cold RIR/RIF at 50 to 54 degrees F. Corrections must be made immediately.
17	<p>Page 122 §229.167 (e) Handwashing facilities. (1) Minimum number. Handwashing facilities shall be provided as specified under §229.166(g)(1) of this title.</p> <p>(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.</p> <p>(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.</p>
To Wit:	No hand drying provisions were available at the handwash facilities in the men's restroom. (Corrected 03/16/11)
To Correct:	Hand drying provisions must be available at the handwash facilities in the men's restroom. Corrections must be made immediately.
20	<p>Texas Food Establishment Rules</p> <p>Pages 129 thru 132 §229.168(a) thru (h) Poisonous or Toxic Materials. (a) Original containers, identifying information, prominence. Containers of poisonous or toxic materials and personal care items shall bear a legible manufacturer's label. (b) Working containers, common name. Working containers used for storing poisonous or toxic materials such as cleaners and sanitizers taken from bulk supplies shall be clearly and individually identified with the common name of the material. (c) Storage, separation. Poisonous or toxic materials shall be stored so they cannot contaminate food, equipment, utensils, linens, and single-service and single-use articles by: (1) separating the poisonous or toxic materials by spacing or partitioning; and (2) Locating the poisonous or toxic materials in an area that is not above food, equipment, utensils, linens, and single-service or single-use articles. This paragraph does not apply to equipment and utensil cleaners and sanitizers that are stored in warewashing areas for availability and convenience if the materials are stored to prevent contamination of food, equipment, utensils, linens, and single-service and single-use articles. (d) Presence and use. (1) Restriction. (A) Only those poisonous or toxic materials that are required for the operation and maintenance of a food establishment, such as for the cleaning and</p>

<u>CODE</u>	<u>DESCRIPTION</u>
	<p>sanitizing of equipment and utensils and the control of insects and rodents, shall be allowed in a food establishment.</p> <p>(B) Subparagraph (A) of this paragraph does not apply to packaged poisonous or toxic materials that are for retail sale.</p> <p>(2) Conditions of use. Poisonous or toxic materials shall be:</p> <p>(A) used according to:</p> <p>(i) law and these rules;</p> <p>(ii) manufacturer's use directions included in labeling, and, for a pesticide, manufacturer's label instructions that state that use is allowed in a food establishment;</p> <p>(iii) the conditions of certification, if certification is required, for use of the pest control materials; and</p>
To Wit:	Containers of chemical are not properly stored to prevent the contamination of food, equipment, utensils, linens or single service items. (Corrected 03/16/11)
To Correct:	All containers of chemical must be properly stored to prevent the contamination of food, equipment, utensils, linens or single service items. Corrections must be made immediately.
25	<p>Page 76</p> <p>§229.165(d)</p> <p>(d) Cleanability.</p> <p>(1) Food-contact surfaces. Multiuse food-contact surfaces shall be:</p> <p>(A) smooth;</p> <p>(B) free of breaks, open seams, cracks, chips, inclusions, pits, and similar imperfections;</p> <p>(C) free of sharp internal angles, corners, and crevices;</p> <p>(D) finished to have smooth welds and joints; and</p> <p>(E) except as specified in subparagraph (B) of this paragraph, accessible for cleaning and inspection by one of the following methods:</p> <p>(i) without being disassembled;</p> <p>(ii) by disassembling without the use of tools; or</p> <p>(iii) by easy disassembling with the use of handheld tools commonly available to maintenance and cleaning personnel such as screwdrivers, pliers, and wrenches.</p> <p>(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.</p> <p>(3) Cleaned in place (CIP) equipment.</p> <p>(A) CIP equipment shall meet the characteristics specified under paragraph (1) of this subsection and shall be designed and constructed so that:</p> <p>(i) cleaning and sanitizing solutions circulate throughout a fixed system and contact all interior food-contact surfaces; and</p> <p>(ii) the system is self-draining or capable of being completely drained of cleaning and sanitizing solutions; and</p>
To Wit:	The microwave and RIF located in the food prep area has adhering food and ice crystals. (Corrected 03/16/11)
To Correct:	The located in the microwave and need to defrost RIF's must be properly washed, rinsed and sanitized and free of food or food particles. Corrections must be made immediately.

NON-CRITICAL VIOLATIONS DETAIL

<u>CODE</u>	<u>DESCRIPTION</u>
28	OTHER VIOLATIONS- REQUIRE CORRECTIVE ACTION , NOT TO EXCEED 90 DAYS OR NEXT INSPECTION, WHICHEVER COMES FIRST.
To Wit:	Need to remove non commercial RIR/RIF that is not holding at proper temperature. Non commercial electric skillet, blender and chopper. Wall behind stove is dirty.

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

Suzanne McKenzie, PUBLIC HEALTH OFFICER

OWNER / MANAGER SIGNATURE

OWNER / MANAGER PRINT NAME