

Food Establishment Inspection Report



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

SITE NO. 5639 **INV NO.** 1 **IR NO.** **DATE** 02/13/2012 **INSPECTION TIME** **INSPECTOR** McKenzie, Suzanne

SITE INFORMATION	INVENTORY/MANAGER/OWNER	SERVICE TYPE/FREQUENCY
CRACKER BARREL OLD COUNTRY STORES, INC 2400 SIERRA DR. @1-44 WICHITA FALLS TX 76306 940-851-0664 Fax 615-443-9582	4 Process 3 Owner: CBOCS TEXAS LLC #631 615-444-5533	Inspection - Complaint Inspection- Regular Inspection - Follow-up Closed - Food Estab. Inspected 4 Times per Year

Conducted to verify complaint received. General Environmental violations.

Violations: Critical - 8 Score: 72

CRITICAL VIOLATIONS SUMMARY

<u>CODE</u>	<u>DESCRIPTION</u>	<u>POINTS</u>	<u>CORRECTED</u>
7	Proper/Adequate Handwashing	4	_____
10	Sound Condition	4	_____
12	Cross-Contamination of Raw/Cooked Foods/Other	4	_____
13	Approved Systems (Time as Public Hlth Control/HACCP Plan)	4	_____
20	Toxic Items Properly Labeled/Stored/Used	3	_____
22	Manager Demonstration of knowledge/Food Handlers Certificate	3	_____
23	Approved sewage	3	_____
25	Food Contact Surfaces-Cleaned/Sanitized/Good Repair/Storage	3	_____

CRITICAL VIOLATIONS DETAIL

<u>CODE</u>	<u>DESCRIPTION</u>
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.</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>
10	<p>Texas Food Establishment Rules</p> <p>§229.164.</p> <p>(a) Food.</p> <p>Condition safe, unadulterated, and honestly presented. Food shall be safe, unadulterated, and, as specified under subsection (q)(2) of this section, honestly presented.</p> <p>To Wit: The food that is contaminated by sewage is unsound and should not be sold, served or consumed.</p> <p>To Correct: The food that is contaminated by sewage must be sound to be sold, served or consumed. Corrections must be made immediately.</p>
12	<p>Pages 42 thru 50</p> <p>229.164(e), (f), (g) & (h)</p> <p>Ready-to-eat foods will be protected by preventing contamination by employees, preventing food and ingredient contamination, preventing contamination from ice used as a coolant and preventing contamination from equipment, utensils, wiping cloths and linens.</p> <p>To Wit: The fruit is stored in contact with or under the raw beef product.</p>

<u>CODE</u>	<u>DESCRIPTION</u>
To Correct:	The fruit must not be stored in contact with or under the raw beef product. Corrections must be made immediately.
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:</p> <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (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. <p>(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:</p> <ul style="list-style-type: none"> (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. <p>(B) A food establishment shall have a properly prepared HACCP plan as specified under §229.164(o)(2) of this title.</p>
To Wit:	The food in RIR, RIF. WIR. and WIF 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.
To Correct:	The food in RIR, RIF. WIR. and WIF 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.
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</p>

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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 sanitizing of equipment and utensils and the control of insects and rodents, shall be allowed in a food establishment.

(B) Subparagraph (A) of this paragraph does not apply to packaged poisonous or toxic materials that are for retail sale.

(2) Conditions of use. Poisonous or toxic materials shall be:

(A) used according to:

(i) law and these rules;

(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;

(iii) the conditions of certification, if certification is required, for use of the pest control materials; and

To Wit: Containers of chemical are not properly stored to prevent the contamination of food, equipment, utensils, linens or single service items.

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.

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229.163

(b) Knowledge, Demonstration.

Based on the risks of foodborne illness inherent to the food operation, during inspections and upon request the person in charge shall demonstrate to the regulatory authority knowledge of foodborne disease prevention, application of the Hazard Analysis Critical Control Point principles, and the requirements of these rules. The person in charge shall demonstrate this knowledge by compliance with these rules, by being a certified food protection manager who has shown proficiency of required information through passing a test that is part of an accredited program, or by responding correctly to the inspector's questions as they relate to the specific food operation. The person in charge may demonstrate such knowledge by:

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§229.166(k) Disposal facility.

(1) Approved sewage disposal system. Sewage shall be disposed through an approved facility that is:

(A) a public sewage treatment plant; or

(B) an individual sewage disposal system that is sized, constructed, maintained, and operated according to law.

(2) Other liquid wastes and rainwater. Condensate drainage and other nonsewage liquids and rainwater shall be drained from point of discharge to disposal according to law.

To Wit: Sewage backing up into kitchen through the floor drains

<u>CODE</u>	<u>DESCRIPTION</u>
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:	<p>The all contact surfaces, ovens, warmers, prep area shelving, scoop handle down in product, molded coke spickets, and equipment located in the food preparation area has adhering food or food particles and grease.</p>
To Correct:	<p>The all contact surfaces, ovens, warmers, prep area shelving, scoop handle down in product, molded coke spickets, and equipment located in the food preparation area must be properly washed, rinsed and sanitized and free of food or food particles and grease. Corrections must be made immediately.</p>