

Food Establishment Inspection Report



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

SITE NO.	INV NO.	IR NO.	DATE	INSPECTION TIME	INSPECTOR
5925	1		05/11/2011		McKenzie, Suzanne

SITE INFORMATION	INVENTORY/MANAGER	SERVICE TYPE/FREQUENCY
EL PAISA MEXICAN RESTAURANT 1107 BROAD WICHITA FALLS TX 76301 940-766-2344	Process 3; (ownership change on 12-6-10)	Inspection- Regular Inspected 4 Times per Year

Scheduled calendar inspections.

Violations: Critical - 5 Score: 82

CRITICAL VIOLATIONS SUMMARY

<u>CODE</u>	<u>DESCRIPTION</u>	<u>POINTS</u>	<u>CORRECTED</u>
3	Hot Hold (135 °F)	5	05/11/2011
8	Good Hygienic Practices (Eating/Drinking/Smoking/Other)	4	05/11/2011
16	Handwash Facilities Adequate & Access	3	05/11/2011
20	Toxic Items Properly Labeled/Stored/Used	3	05/11/2011
25	Food Contact Surfaces-Cleaned/Sanitized/Good Repair/Storage	3	05/11/2011

CRITICAL VIOLATIONS DETAIL

<u>CODE</u>	<u>DESCRIPTION</u>
3	<p>Texas food Establishment Rules</p> <p>Page 60 §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: (i) 5 degrees Celsius (41 degrees Fahrenheit) or less; or</p>

CODE **DESCRIPTION**

(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.

(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.

To Wit: The beef product is in/on the food warmer at a temperature of 130 degrees F and is not being maintained at 140 degrees F or above. (Corrected 05/11/11)

To Correct: Rapidly reheat beef product to 165 degrees F and maintain at 140 degrees F or higher throughout the hot holding period. Corrections must be made immediately.

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229.163 (n)

Eating, drinking, or using tobacco.

(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.

(2) A food employee may drink from a closed beverage container if the container is handled to prevent contamination of:

(A) the employee's hands;

(B) the container; and

(C) exposed food; clean equipment, utensils, and linens; and unwrapped single-service and single-use articles.

(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 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

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	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's hair is not restrained while preparing/handling food or contacting clean food contact surfaces. (Corrected 05/11/11)
To Correct:	The food service worker's hair must be restrained while preparing/handling food or contacting clean food contact surfaces. Corrections must be made immediately.
16	Texas Food Establishment Rules Page 107 §229.166 (h) Plumbing, location and placement. (1) Handwashing facilities. A handwashing facility shall be located: (A) to allow convenient use by employees in food preparation, food dispensing, and warewashing areas; and (B) in, or immediately adjacent to, toilet rooms.
To Wit:	The handwashing sink in the food preparation area is inaccessible to food service employees. (Corrected 05/11/11)
To Correct:	The handwashing sink in the food preparation area must be accessible to food service employees. Corrections must be made immediately.
20	Texas Food Establishment Rules 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 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

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	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. (Corrected 05/11/11)
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 §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 reachin freezer located in the food preparation area has adhering ice crystals. (Corrected 05/11/11)
To Correct:	The reachin freezer located in the food preparation area must be properly washed, rinsed and sanitized and free of ice crystals. Corrections must be made immediately.
To Wit:	The containers used for food storage is not constructed with food grade material located in the food preparation area is cracked, chipped, bent or broken and cannot be properly cleaned and sanitized. (Corrected 05/11/11)
To Correct:	The containers used for food storage is not constructed with food grade material located in the food preparation area must be free of cracks, chips, bends or breaks to permit it to be properly cleaned and sanitized. Corrections must be made immediately.

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