

# Food Establishment Inspection Report



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

**SITE NO.** 200    **INV NO.** 1    **IR NO.**    **DATE** 12/27/2011    **INSPECTION TIME**    **INSPECTOR** Baxter, Mike

**SITE INFORMATION**

EL RANCHITO VILLEGAS  
RESTAURANT  
502 1/2 N SCOTT  
WICHITA FALLS TX 76306  
940-716-0907

**INVENTORY/MANAGER**

Process 3

**SERVICE TYPE/FREQUENCY**

Permit Inspection  
Permit Granted  
Inspected 4 Times per Year

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**Violations:    Critical - 4    Non-Critical - 2    Score: 87**

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**CRITICAL VIOLATIONS SUMMARY**

<u>CODE</u>	<u>DESCRIPTION</u>	<u>POINTS</u>	<u>CORRECTED</u>
9	Approved Source/Labeling	4	_____
15	Equipment Adequate to Maintain Product Temperature	3	_____
20	Toxic Items Properly Labeled/Stored/Used	3	_____
21	Manual/Mechanical Warewashing & Sanitizing @ ____ ppm/Temp.	3	_____

**NON-CRITICAL VIOLATIONS SUMMARY**

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

**CRITICAL VIOLATIONS DETAIL**

<u>CODE</u>	<u>DESCRIPTION</u>
9	Texas food Establishment Rules  Pages 33 to 37 229.164(b) Pages 33 to 37

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(b) Approved sources.

(1) Compliance with food law.

(A) Food shall be obtained from sources that comply with applicable laws and are licensed by the state regulatory authority having jurisdiction over the processing and distribution of the food.

(B) Food prepared in a private home, except as allowed in these rules, or from an unlicensed food manufacturer or wholesaler, is considered to be from an unapproved

source and may not be used or offered for human consumption in a food establishment.

(C) Packaged food shall be labeled as specified in law, including 21 CFR

101, Food Labeling, 9 CFR 317, Labeling, Marking Devices, and Containers, and 9 CFR 381 Subpart N, Labeling and Containers, and as specified under subsection (c)(7) and (8) of this section.

(D) Fish, other than molluscan shellfish, that are intended for consumption in their raw form and allowed as specified under subsection (k)(1)(D) of this section may be offered for sale or service if they are obtained from a supplier that freezes the fish as specified

under subsection (l)(1) of this section; or frozen on the premises as specified under subsection

(l)(1) of this section and records are retained as specified under subsection (l)(3) of this section.

(E) Whole-muscle, intact beef steaks that are intended for consumption in an undercooked form without a consumer advisory as specified in subsection (k)(1)(C) of this section shall be:

(i) obtained from a food processing plant that, upon request by the purchaser, packages the steaks and labels them, to indicate that the steaks meet the definition of

whole-muscle, intact beef; or

(ii) deemed acceptable by the regulatory authority based on other evidence, such as written buyer specifications or invoices, that indicates that the steaks meet the

definition of whole-muscle, intact beef; and

(iii) if individually cut in a food establishment:

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(I) cut from whole-muscle intact beef that is labeled by a food processing plant as specified in clause (i) or identified as specified in clause (ii) of this subparagraph;

(II) prepared so they remain intact; and

(III) if packaged for undercooking in a food establishment, labeled as specified in clause (i) or identified as specified in clause (ii) of this subparagraph.

(F) Meat and poultry that is not a ready-to-eat food and is in a packaged form when it is offered for sale or otherwise offered for consumption, shall be labeled to include

safe handling instructions as specified in law, including 9 CFR §317.2(l) and 9 CFR §381.125(b).

(G) Shell eggs that have not been specifically treated to destroy all viable Salmonellae shall be labeled to include safe handling instructions as specified in law, including

21 CFR §101.17(h).

(2) Food in a hermetically sealed container. Food in a hermetically sealed container shall be obtained from a food processing plant that is regulated by the food regulatory

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agency that has jurisdiction over the plant.

(3) Fluid milk and milk products. Fluid milk and milk products shall be obtained from sources that comply with Grade A standards as specified in law.

(4) Fish.

(A) Fish that are received for sale or service shall be:

(i) commercially and legally caught or harvested; or

(ii) approved for sale or service.

(B) Molluscan shellfish that are recreationally caught may not be received for sale or service.

(5) Molluscan shellfish.

(A) Molluscan shellfish shall be obtained from sources according to law and the requirements specified in the U.S. Department of Health and Human Services, Public

Health Service, Food and Drug Administration, National Shellfish Sanitation Program Guide for

the Control of Molluscan Shellfish.

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(B) Molluscan shellfish received in interstate commerce shall be from sources that are listed in the Interstate Certified Shellfish Shippers List.

(6) Wild mushrooms.

(A) Except as specified in subparagraph (B) of this paragraph, mushroom species picked in the wild shall be obtained from sources where each mushroom is individually

inspected and found to be safe by an approved mushroom identification expert.

(B) This section does not apply to:

(i) cultivated wild mushroom species that are grown, harvested,

and processed in an operation that is regulated by the food regulatory agency that has jurisdiction

over the operation; or

(ii) wild mushroom species if they are in packaged form and are

the product of a food processing plant that is regulated by the food regulatory agency that has

jurisdiction over the plant.

(7) Exotic animals and game animals.

(A) If exotic animals are received for sale or service, they shall:

(i) be commercially raised for food and:

(I) slaughtered, processed, and deemed to be .inspected and

approved. under an inspection program administered by USDA in accordance with 9 CFR 352,

Exotic Animals; Voluntary Inspection; or

(II) slaughtered, processed, and deemed to be .inspected

and passed. under a meat and poultry inspection program administered by the department or any

other state meat inspection program deemed equal to USDA inspection;

(ii) as allowed by law, for exotic animals that are live caught, be

slaughtered and processed as required in subparagraph (A)(i)(I) or (II) of this paragraph; and

(iii) as allowed by law, for exotic animals that are field dressed:

(I) receive an antemortem and postmortem examination by

the appropriate inspection personnel as described in subparagraph (A)(i)(I) or (II) of this paragraph; and

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(II) be field dressed, transported, and processed according to the requirements specified by the appropriate regulatory authority as described in paragraph (7)(A)(i)(I) or (II) of this subsection.

(B) If game animals are received for sale or service they shall be:

(i) commercially raised for food and:

(I) raised, slaughtered, and processed under a voluntary inspection program that is conducted by the agency that has animal health jurisdiction; or

(II) under a routine inspection program conducted by a regulatory agency other than the agency that has animal health jurisdiction; and

(III) raised, slaughtered, and processed according to:

(-a-) laws governing meat and poultry as determined by the agency that has animal health jurisdiction and the agency that conducts the inspection program; and

(-b-) requirements which are developed by the agency that has animal health jurisdiction and the agency that conducts the inspection program with consideration of factors such as the need for antemortem and postmortem examination by an approved veterinarian or veterinarian.s designee;

(ii) under a voluntary inspection program administered by the USDA for game animals such as exotic animals (reindeer, elk, deer, antelope, water buffalo, or bison) that are .inspected and approved. in accordance with 9 CFR 352, Exotic Animals; Voluntary Inspection or rabbits that are .inspected and certified. in accordance with 9 CFR 354, Voluntary Inspection of Rabbits and Edible Products Thereof;

(iii) as allowed by law, for wild game animals that are live-caught:

(I) under a routine inspection program conducted by a regulatory agency such as the agency that has animal health jurisdiction; and

(II) slaughtered and processed according to:

(-a-) laws governing meat and poultry as determined by the agency that has animal health jurisdiction and the agency that conducts the inspection program; and

(-b-) requirements which are developed by the agency that has animal health jurisdiction and the agency that conducts the inspection program

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with consideration of factors such as the need for antemortem and postmortem examination by an approved veterinarian or veterinarian's designee; or

(iv) as allowed by law, for field-dressed wild game animals under a routine inspection program that ensures the animals:

(I) receive a postmortem examination by an approved veterinarian or veterinarian.s designee; or

(II) are field-dressed and transported according to requirements specified by the agency that has animal health jurisdiction and the agency that conducts the inspection program; and

(III) are processed according to laws governing meat and poultry as determined by the agency that has animal health jurisdiction and the agency that

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	<p>conducts the inspection program.</p> <p>(C) A game animal may not be received for sale or service if it is a species of wildlife that is listed in 50 CFR 17, Endangered and Threatened Wildlife and Plants.</p>
To Wit:	food in walk in not labeled
To Correct:	food in walk in to be dated and labeled
15	<p>Texas Food Establishment Rules</p> <p>229.165(g)(1) - Page 84</p> <p>(g) Equipment, numbers and capacities.</p> <p>(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>
To Wit:	2 non working refrigerators
To Correct:	The non working equipment is to be removed
20	<p>Texas Food Establishment Rules</p> <p>Pages 129 thru 132</p> <p>§229.168(a) thru (h)</p> <p>Poisonous or Toxic Materials.</p> <p>(a) Original containers, identifying information, prominence. Containers of poisonous or toxic materials and personal care items shall bear a legible manufacturer's label.</p> <p>(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.</p> <p>(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:</p> <p>(1) separating the poisonous or toxic materials by spacing or partitioning; and</p> <p>(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.</p> <p>(d) Presence and use.</p> <p>(1) Restriction.</p> <p>(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.</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>

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(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: medicine stored on shelf above food

To Correct: Medicines not to be stored on shelf above food corrected

21 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.

To Wit: no test strips

To Correct: Need test strips to check sanitizer water for dish washing

**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:	household microwave
To Correct:	The household microwave to be replaced with commercial
To Wit:	lights above grill to be shielded or shatterproof
To Correct:	The lights above grill should be shatterproof or shielded

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

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Mike Baxter, Public Health Officer

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OWNER / MANAGER SIGNATURE

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OWNER / MANAGER PRINT NAME