

Food Establishment Inspection Report



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

SITE NO. 5905 **INV NO.** 1 **IR NO.** **DATE** 05/09/2011 **INSPECTION TIME** **INSPECTOR** McKenzie, Suzanne

SITE INFORMATION	INVENTORY/MANAGER	SERVICE TYPE/FREQUENCY
GIDGETS SANDWICH SNACK 701 OHIO WICHITA FALLS TX 76301 940-766-0112	Process 2	Inspection- Regular Inspected 3 Times per Year

Scheduled calender inspections.

Violations: Critical - 5 Non-Critical - 1 Score: 83

CRITICAL VIOLATIONS SUMMARY

<u>CODE</u>	<u>DESCRIPTION</u>	<u>POINTS</u>	<u>CORRECTED</u>
8	Good Hygienic Practices (Eating/Drinking/Smoking/Other)	4	_____
13	Approved Systems (Time as Public Hlth Control/HACCP Plan)	4	05/09/2011
15	Equipment Adequate to Maintain Product Temperature	3	_____
20	Toxic Items Properly Labeled/Stored/Used	3	05/09/2011
25	Food Contact Surfaces-Cleaned/Sanitized/Good Repair/Storage	3	05/09/2011

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>
8	Texas food Establishment Rules Page 31 229.163 (n) Eating, drinking, or using tobacco.

CODE**DESCRIPTION**

(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 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 general manager's and food workers hair is not restrained while preparing/handling food or contacting clean food contact surfaces. Refuses to wear hair restraints.

To Correct: The general manager's and food workers hair must be restrained while preparing/handling food or contacting clean food contact surfaces. 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:

CODE	DESCRIPTION
	<p>(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;</p> <p>(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;</p> <p>(iii) the food in unmarked containers or packages or marked exceed a four hour limit shall be discarded; and</p> <p>(iv) written procedures shall be maintained in the food establishment and made available to the regulatory authority upon request, that ensure compliance with:</p> <p>(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> <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</p> <p>§229.171</p> <p>(d) HACCP plan requirements.</p> <p>(1) When a HACCP plan is required.</p> <p>(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> <p>(i) submission of a HACCP plan is required according to law;</p> <p>(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</p> <p>(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> <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's /delicatessen product 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 05/09/11)
To Correct:	The food in RIR's /delicatessen 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	<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:	The reachin refrigerator is not holding cold food at 50 to 54 degrees F Seal is bad on unit. Replaced seal with weather stripping and not the correct replacement part.
To Correct:	The reachin refrigerator must hold cold food at 50 to 54 degrees F. Corrections must be made immediately.
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</p>

CODE**DESCRIPTION**

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 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 nail polish, air freshener, and chemicals are not properly stored to prevent the contamination of food, equipment, utensils, linens or single service items. (Corrected 05/09/11)

To Correct: All containers of nail polish, air freshener, and chemicals 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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§229.165(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

<u>CODE</u>	<u>DESCRIPTION</u>
	food-contact surfaces; and (ii) the system is self-draining or capable of being completely drained of cleaning and sanitizing solutions; and
To Wit:	The food storage containers that the facility are using is not constructed of food grade material located in the food preparation area has adhering foreign material. Second violation (Corrected 05/09/11)
To Correct:	The food storage containers that the facility are using is not constructed of food grade material located in the food preparation area must be properly washed, rinsed and sanitized and free of foreign material. 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:	Facility has 3 beverage RIR that they are using for food storage. Need to replace with commercial units

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