

**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
1026	1		01/28/2010		McKenzie, Suzanne

SITE INFORMATION	INVENTORY/MANAGER	SERVICE TYPE/FREQUENCY
HARVEY'S FAMILY RESTAURANT 805 W HIGHWAY IOWA PARK TX 76367 940-592-4731	Process 3	Inspection- Regular Inspected 4 Times per Year

---



---

**Violations: Critical - 4 Non-Critical - 1 Score: 86**

---



---

**CRITICAL VIOLATIONS SUMMARY**

<u>CODE</u>	<u>DESCRIPTION</u>	<u>POINTS</u>	<u>CORRECTED</u>
8	Good Hygienic Practices (Eating/Drinking/Smoking/Other)	4	01/28/2010
13	Approved Systems (Time as Public Hlth Control/HACCP Plan)	4	01/28/2010
23	Approved sewage	3	01/28/2010
25	Food Contact Surfaces-Cleaned/Sanitized/Good Repair/Storage	3	01/28/2010

**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.

(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;

**CODE****DESCRIPTION**

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 food service worker's hair is not restrained while preparing/handling food or contacting clean food contact surfaces. (Corrected 01/28/10)

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.

13 Texas Food Establishment Rules

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

**CODE****DESCRIPTION**

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.

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.

To Wit: The food product that is located in the WIR and WIF 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 01/28/10)

To Correct: The food product that is located in the walkin refrigerator 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.

23 Texas Food Establishment Rules

Page 113

§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: The water running in the ceiling is a violation of the health code. Need to make repair immediately to prevent food contamination. (Corrected 01/28/10)

<b><u>CODE</u></b>	<b><u>DESCRIPTION</u></b>
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 fryers, WIR shelving, freezer top duct taped on lid located in the food preparation area has adhering food or food particles. (Corrected 01/28/10)
To Correct:	The fryers, WIR shelving, freezer top duct taped on lid located in the food preparation area must be properly washed, rinsed and sanitized and free of food or food particles. Corrections must be made immediately.

---



---

### **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:	Floor tiles need repair and regrouting and replace any missing tiles.
To Wit:	Homestyle RIR Galaxy 2 door Model # 25361802100
To Wit:	Non commercial microwave.
To Wit:	Using mop sink to drain food pans.

---



---

**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**