

Food Establishment Inspection Report



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

SITE NO. 7268 **INV NO.** 1 **IR NO.** **DATE** 09/13/2011 **INSPECTION TIME** **INSPECTOR** Railsback, Brian

SITE INFORMATION

KING TACO
1123 E CENTRAL FREEWAY # 1
WICHITA FALLS TX 76302
817-313-9444

INVENTORY/MANAGER

Process 3

SERVICE TYPE/FREQUENCY

Inspection- Regular
Inspected 4 Times per Year

Scheduled calendar inspections.

Violations: Critical - 5 Score: 84

CRITICAL VIOLATIONS SUMMARY

<u>CODE</u>	<u>DESCRIPTION</u>	<u>POINTS</u>	<u>CORRECTED</u>
9	Approved Source/Labeling	4	_____
17	Handwash Facilities with Soap & Towels	3	_____
20	Toxic Items Properly Labeled/Stored/Used	3	_____
24	Thermometers Provided/Accurate/Properly Calibrated +/- 2 F	3	_____
25	Food Contact Surfaces-Cleaned/Sanitized/Good Repair/Storage	3	_____

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 (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.

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(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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§229.164(b) §229.164(b)

(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

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.

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(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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§229.164(b) §229.164(b)

(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

CODE**DESCRIPTION**

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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 §229.164(b) §229.164(c)
 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 conducts the inspection program.
 (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.

To Wit: Food in walk in is not dated or labeled

17 Texas Food Establishment Rules

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§229.167

(e) Handwashing facilities.

(1) Minimum number. Handwashing facilities shall be provided as specified under §229.166(g)(1) of this title.

(2) Handwashing cleanser, availability. Each handwashing lavatory or group of 2 adjacent lavatories shall be provided with a supply of hand cleaning liquid, powder, or bar soap.

(3) Hand drying provision. Each handwashing lavatory or group of adjacent lavatories shall be provided with:

(A) individual, disposable towels;

(B) a continuous towel system that supplies the user with a clean towel; or

(C) a heated-air hand drying device.

To Wit: No hand drying provisions were available at the handwash facilities in the kitchen.

To Correct: Hand drying provisions must be available at the handwash facilities in the kitchen. 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;

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	<ul style="list-style-type: none"> (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:	Working containers of chemical are not properly labeled.
To Correct:	All working containers of chemical must be properly labeled. Corrections must be made immediately.
24	<p data-bbox="304 523 417 547">Page 77</p> <p data-bbox="304 553 467 578">§229.165(e)</p> <p data-bbox="304 588 1020 613">(e) Accuracy of temperature measuring devices, food.</p> <p data-bbox="304 623 851 647">(1) Temperature measuring device, food.</p> <p data-bbox="304 658 1448 793">(A) Food temperature measuring device that are scaled only in Celsius or dually scaled in Celsius and Fahrenheit shall be accurate to ± 1 degrees Celsius in the intended range of use.</p> <p data-bbox="304 803 1295 864">(B) Food temperature measuring device that are scaled only in Fahrenheit shall be accurate to ± 2 degrees Fahrenheit in the intended range of use.</p> <p data-bbox="304 874 1096 899">(2) Temperature measuring devices, ambient air and water.</p> <p data-bbox="304 909 357 934">#24</p> <p data-bbox="304 944 338 968">78</p> <p data-bbox="304 979 628 1003">§229.165(e) §229.165(f)</p> <p data-bbox="304 1013 1533 1099">(A) Ambient air and water temperature measuring device that are scaled in Celsius or dually scaled in Celsius and Fahrenheit shall be designed to be easily readable and accurate to ± 1.5 degrees Celsius in the intended range of use.</p> <p data-bbox="304 1109 1522 1171">(B) Ambient air and water temperature measuring device that are scaled only in Fahrenheit shall be accurate to ± 3 degrees Fahrenheit in the intended range of use.</p>
To Wit:	The thermometer in the reachin refrigerator that is located in the kitchen is broken.
To Correct:	The broken thermometer in the reachin refrigerator that is located in the kitchen must be replaced with a working thermometer. Corrections must be made within 14 days.
25	<p data-bbox="304 1371 417 1396">Page 76</p> <p data-bbox="304 1406 467 1430">§229.165(d)</p> <p data-bbox="304 1441 514 1465">(d) Cleanability.</p> <p data-bbox="304 1475 1193 1500">(1) Food-contact surfaces. Multiuse food-contact surfaces shall be:</p> <p data-bbox="304 1510 460 1535">(A) smooth;</p> <p data-bbox="304 1545 1287 1606">(B) free of breaks, open seams, cracks, chips, inclusions, pits, and similar imperfections;</p> <p data-bbox="304 1616 1039 1641">(C) free of sharp internal angles, corners, and crevices;</p> <p data-bbox="304 1651 965 1676">(D) finished to have smooth welds and joints; and</p> <p data-bbox="304 1686 1502 1747">(E) except as specified in subparagraph (B) of this paragraph, accessible for cleaning and inspection by one of the following methods:</p> <p data-bbox="304 1757 718 1782">(i) without being disassembled;</p> <p data-bbox="304 1792 939 1817">(ii) by disassembling without the use of tools; or</p> <p data-bbox="304 1827 1491 1937">(iii) by easy disassembling with the use of handheld tools commonly available to maintenance and cleaning personnel such as screwdrivers, pliers, and wrenches.</p>

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	(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
To Wit:	The reachin refrigerator located in the food preparation area has adhering food or food particles.
To Correct:	The reachin refrigerator 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.
To Wit:	The counter located in the kitchen has adhering food or food particles.
To Correct:	The counter located in the kitchen must be properly washed, rinsed and sanitized and free of food or food particles. Corrections must be made immediately.

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

Brian Railsback, Public Health Officer

OWNER / MANAGER SIGNATURE

OWNER / MANAGER PRINT NAME