

Food Establishment Inspection Report



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

SITE NO. 236 **INV NO.** 1 **IR NO.** **DATE** 05/24/2011 **INSPECTION TIME** **INSPECTOR** McKenzie, Suzanne

SITE INFORMATION

LUBY'S CAFETERIA
1801 NINTH ST
WICHITA FALLS TX 76301
940-723-6022 Fax 940-723-7963

INVENTORY/MANAGER

Process 3

SERVICE TYPE/FREQUENCY

Permit Inspection
Permit Granted
Inspected 4 Times per Year

Violations: Critical - 4 Non-Critical - 1 Score: 87

CRITICAL VIOLATIONS SUMMARY

<u>CODE</u>	<u>DESCRIPTION</u>	<u>POINTS</u>	<u>CORRECTED</u>
13	Approved Systems (Time as Public Hlth Control/HACCP Plan)	4	05/24/2011
16	Handwash Facilities Adequate & Access	3	05/24/2011
20	Toxic Items Properly Labeled/Stored/Used	3	05/24/2011
25	Food Contact Surfaces-Cleaned/Sanitized/Good Repair/Storage	3	05/24/2011

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>
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 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:

<u>CODE</u>	<u>DESCRIPTION</u>
	<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 §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.</p>
To Wit:	The PHF/ that is located in the food prep 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 05/24/11)
To Correct:	The PHF 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.
16	<p>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.</p>
To Wit:	The handwashing sink in the food preparation area is inaccessible to food service employees. (Corrected 05/24/11)
To Correct:	The handwashing sink in the food preparation area must be accessible to food service employees. Corrections must be made immediately.
20	<p>Texas Food Establishment Rules</p> <p>Pages 129 thru 132 §229.168(a) thru (h) Poisonous or Toxic Materials. (a) Original containers, identifying information, prominence. Containers of poisonous or</p>

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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 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 05/24/11)

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.

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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:

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(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 can opener, ovens and other equipment located in the food preparation area has adhering food or food particles. (Corrected 05/24/11)

To Correct: The can opener, ovens and other equipment 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

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28 OTHER VIOLATIONS- REQUIRE CORRECTIVE ACTION , NOT TO EXCEED 90 DAYS OR NEXT INSPECTION, WHICHEVER COMES FIRST.

To Wit: Need to clean fuzzy fan

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