

# 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
7222	2		07/28/2011		McKenzie, Suzanne

SITE INFORMATION	INVENTORY/MANAGER	SERVICE TYPE/FREQUENCY
NEW ORLEANS CONNECTION 612 7TH WICHITA FALLS TX 76301 940-766-5250	Process 3	Inspection- Regular Voluntary Closure Inspected 3 Times per Year

Scheduled calendar inspections.

---



---

**Violations: Critical - 9 Non-Critical - 1 Score: 67**

---



---

## CRITICAL VIOLATIONS SUMMARY

<u>CODE</u>	<u>DESCRIPTION</u>	<u>POINTS</u>	<u>CORRECTED</u>
2	Cold Hold (41/45 degrees F)	5	_____
8	Good Hygienic Practices (Eating/Drinking/Smoking/Other)	4	07/28/2011
10	Sound Condition	4	07/28/2011
12	Cross-Contamination of Raw/Cooked Foods/Other	4	07/28/2011
13	Approved Systems (Time as Public Hlth Control/HACCP Plan)	4	07/28/2011
15	Equipment Adequate to Maintain Product Temperature	3	07/28/2011
20	Toxic Items Properly Labeled/Stored/Used	3	07/28/2011
21	Manual/Mechanical Warewashing & Sanitizing @ ___ ppm/Temp.	3	_____
25	Food Contact Surfaces-Cleaned/Sanitized/Good Repair/Storage	3	07/28/2011

## NON-CRITICAL VIOLATIONS SUMMARY

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

**CRITICAL VIOLATIONS DETAIL**

<b><u>CODE</u></b>	<b><u>DESCRIPTION</u></b>
2	<p>Texas food Establishment Rules</p> <p>Page 60</p> <p>§229.164(o)(6) Potentially hazardous food, hot and cold holding. Except during preparation, cooking, or cooling, or when time is used as the public health control as specified under paragraph (9) of this subsection, and except as specified in subparagraph (B) of this paragraph, potentially hazardous food shall be maintained:</p> <p>(A) at 57 degrees Celsius (135 degrees Fahrenheit) or above, except that roasts cooked to a temperature and for a time specified in subsection (k)(1)(B) of this section or reheated as specified in subsection (m)(2)(E) of this section may be held at a temperature of 54 degrees Celsius (130 degrees Fahrenheit) or above; or</p> <p>(B) at a temperature specified in the following:</p> <p>(i) 5 degrees Celsius (41 degrees Fahrenheit) or less; or</p> <p>(ii) 7 degrees Celsius (45 degrees Fahrenheit) or less in countertop, under-counter and open-top refrigeration units located in the food preparation area that were in use prior to October 6, 2003, provided the food is date marked as specified in paragraphs (7)-(9) of this subsection.</p> <p>(C) Shell eggs that have not been treated to destroy all viable Salmonellae shall be stored in refrigerated equipment that maintains an ambient air temperature of 7 degrees Celsius (45 degrees Fahrenheit) or less.</p> <p>To Wit: The food in the RIR and RIF at an internal temperature of 50 and 56 degrees F and is not being maintained at 41/45 degrees F or below after cooling for unknow amount of time.</p> <p>To Correct: Discard the RIR and RIF that is/are not being maintained at 41/45 degrees F or below. Corrections must be made immediately.</p>
8	<p>Page 31</p> <p>229.163 (n)</p> <p>Eating, drinking, or using tobacco.</p> <p>(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.</p> <p>(2) A food employee may drink from a closed beverage container if the container is handled to prevent contamination of:</p> <p>(A) the employee's hands;</p> <p>(B) the container; and</p> <p>(C) exposed food; clean equipment, utensils, and linens; and unwrapped single-service and single-use articles.</p> <p>(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> <p>(p) Hair restraints, effectiveness.</p> <p>(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</p>

**CODE**                      **DESCRIPTION**

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 07/28/11)

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.

10                              Texas Food Establishment Rules

§229.164.

(a) Food.

Condition safe, unadulterated, and honestly presented. Food shall be safe, unadulterated, and, as specified under subsection (q)(2) of this section, honestly presented.

To Wit:                      The food the is store in temperatures above 41 degrees is unsound and should not be sold, served or consumed. (Corrected 07/28/11)

To Correct:                The food the is store in temperatures above 41 degrees must be sound to be sold, served or consumed. Corrections must be made immediately.

12                              Pages 42 thru 50

229.164(e), (f), (g) & (h)

Ready-to-eat foods will be protected by preventing contamination by employees, preventing food and ingredient contamination, preventing contamination from ice used as a coolant and preventing contamination from equipment, utensils, wiping cloths and linens.

To Wit:                      The food in the RIF is stored in contact with or under the water that is spewing out the the cooler fan. (Corrected 07/28/11)

To Correct:                The food in the RIF must not be stored in contact with or under the water that is spewing out the the cooler fan. Corrections must be made immediately.

13                              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

**CODE****DESCRIPTION**

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/ that is located in the reachin refrigerator and reachin freezer 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 07/28/11)

To Correct: The food/ that is located in the reachin refrigerator and reachin freezer 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.

15 229.165(g)(1) - Page 84  
(g) Equipment, numbers and capacities.  
(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.

To Wit: The RIR and RIF is not cold holding the potentially hazardous foods at 41 degrees or below. (Corrected 07/28/11)

To Correct: The must hold cold at 41 or below. 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.

**CODE****DESCRIPTION**

(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 07/28/11)

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.

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

<u>CODE</u>	<u>DESCRIPTION</u>
	<p>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.</p> <p>Mechanical warewashing equipment, sanitization pressure.</p> <p>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.</p>
To Wit:	The bleach used as the sanitizer in the dishwasher machine area is at an inadequate concentration of zero to sanitize equipment and utensils.
To Correct:	The bleach used as the sanitizer in the dishwasher machine area must be at a concentration of > 50ppm bleach or >200 ppm quaternary ammonium compound to sanitize equipment and utensils. Corrections must be made immediately.
25	<p>Page 76</p> <p>§229.165(d)</p> <p>(d) Cleanability.</p> <p>(1) Food-contact surfaces. Multiuse food-contact surfaces shall be:</p> <p>(A) smooth;</p> <p>(B) free of breaks, open seams, cracks, chips, inclusions, pits, and similar imperfections;</p> <p>(C) free of sharp internal angles, corners, and crevices;</p> <p>(D) finished to have smooth welds and joints; and</p> <p>(E) except as specified in subparagraph (B) of this paragraph, accessible for cleaning and inspection by one of the following methods:</p> <p>(i) without being disassembled;</p> <p>(ii) by disassembling without the use of tools; or</p> <p>(iii) by easy disassembling with the use of handheld tools commonly available to maintenance and cleaning personnel such as screwdrivers, pliers, and wrenches.</p> <p>(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.</p> <p>(3) Cleaned in place (CIP) equipment.</p> <p>(A) CIP equipment shall meet the characteristics specified under paragraph (1) of this subsection and shall be designed and constructed so that:</p> <p>(i) cleaning and sanitizing solutions circulate throughout a fixed system and contact all interior food-contact surfaces; and</p> <p>(ii) the system is self-draining or capable of being completely drained of cleaning and sanitizing solutions; and</p>
To Wit:	The microwave and counters located in the food prep area has adhering food or food particles. (Corrected 07/28/11)
To Correct:	The microwave oven located in the food prep 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:	Need to obtain some sink stoppers and stop using towels to stop up sink.
To Wit:	Fan fuzzy need to clean.

**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**