

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
671	2		06/09/2011		McKenzie, Suzanne

SITE INFORMATION	INVENTORY/MANAGER	SERVICE TYPE/FREQUENCY
PUMP CITY DINER 804 E HWY. 287 ELECTRA TX 76360 940-495-2812 Fax 940-495-2813	Process 3; NEW OWNERS, CARLOS & NELLY MORENO 5-25-2011 FORMER WHISTLE STOP	Inspection- Regular Inspected 4 Times per Year

Scheduled calendar inspections.

Violations: Critical - 5 Non-Critical - 2 Score: 81

CRITICAL VIOLATIONS SUMMARY

<u>CODE</u>	<u>DESCRIPTION</u>	<u>POINTS</u>	<u>CORRECTED</u>
2	Cold Hold (41/45 degrees F)	5	06/09/2011
8	Good Hygienic Practices (Eating/Drinking/Smoking/Other)	4	06/09/2011
13	Approved Systems (Time as Public Hlth Control/HACCP Plan)	4	06/09/2011
21	Manual/Mechanical Warewashing & Sanitizing @ ___ ppm/Temp.	3	06/09/2011
25	Food Contact Surfaces-Cleaned/Sanitized/Good Repair/Storage	3	06/09/2011

NON-CRITICAL VIOLATIONS SUMMARY

<u>CODE</u>	<u>DESCRIPTION</u>	<u>POINTS</u>	<u>CORRECTED</u>
28	OTHER VIOLATIONS (2)	0	06/09/2011

CRITICAL VIOLATIONS DETAIL

<u>CODE</u>	<u>DESCRIPTION</u>
2	Texas food Establishment Rules

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 §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:

<u>CODE</u>	<u>DESCRIPTION</u>
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(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

(B) at a temperature specified in the following:

(i) 5 degrees Celsius (41 degrees Fahrenheit) or less; or

(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.

(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.

To Wit: The beef product is at room temperature with an internal temperature of 54 degrees F and is not being maintained at 41/45 degrees F or below. (Corrected 06/09/11)

To Correct: Discard thebeef product that is not being maintained at 41/45 degrees F or below. Corrections must be made immediately.

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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; 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.

<u>CODE</u>	<u>DESCRIPTION</u>
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(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 is drinking in a food service area from an uncovered container while preparing/handling food or contacting clean food contact surfaces. (Corrected 06/09/11)

To Correct: If in a food service area and preparing/handling food or contacting clean food contact surface, the food service worker must drink from covered containers. Corrections must be made immediately.

To Wit: The food service worker's hair is not restrained while preparing/handling food or contacting clean food contact surfaces. (Corrected 06/09/11)

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.

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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:

(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.

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§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

<u>CODE</u>	<u>DESCRIPTION</u>
	<p>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:	<p>The beef product 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 06/09/11)</p>
To Correct:	<p>The beef 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.</p>
21	<p>Texas Food Establishment Rules</p> <p>TFER 229.165(k) thru 229.165(y)</p> <p>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.</p> <p>A warewashing machine and its auxiliary components shall be operated in accordance with the machine's data plate and other manufacturer's instructions.</p> <p>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.</p> <p>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).</p> <p>The maximum temperature specified under subparagraph (A) of this paragraph does not apply 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:	<p>The bleach used as the sanitizer in the dishwasher machine area is at an inadequate concentration of 0 to sanitize equipment and utensils. (Corrected 06/09/11)</p>
To Correct:	<p>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.</p>
25	<p>Page 76 §229.165(d) (d) Cleanability.</p>

<u>CODE</u>	<u>DESCRIPTION</u>
	<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 reachin freezer located in the food preparation area is not properly sanitized to store food directly on shelf. (Corrected 06/09/11)
To Correct:	The reachin freezer located in the food preparation area must be properly sanitized. Corrections must be made immediately.
To Wit:	The food storage containers located in the food preparation area is cracked, chipped, bent or broken and cannot be properly cleaned and sanitized and is not made of food grade material.. (Corrected 06/09/11)
To Correct:	The food storage containers located in the food preparation area must be free of cracks, chips, bends or breaks to permit it to be properly cleaned and sanitized. 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. (2)
To Wit:	Food protection: Food stored in floor in WIR must be at least 6" off floor. (Corrected 06/09/11)

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