

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 |
|----------|---------|--------|------------|-----------------|-------------------|
| 5767 | 1 | | 03/09/2010 | | McKenzie, Suzanne |

| SITE INFORMATION | INVENTORY/MANAGER | SERVICE TYPE/FREQUENCY |
|--|-------------------|---|
| SHELL FOOD MART 4110 BUSINESS 287 J IOWA PARK TX 76367 940-855-1648 | Process 1 | Inspection- Regular Inspected 2 Times per Year |

Violations: Critical - 3 Score: 90

CRITICAL VIOLATIONS SUMMARY

| <u>CODE</u> | <u>DESCRIPTION</u> | <u>POINTS</u> | <u>CORRECTED</u> |
|-------------|--|---------------|------------------|
| 10 | Sound Condition | 4 | 03/09/2010 |
| 19 | No Evidence of Rodents/Other Animals | 3 | 03/09/2010 |
| 20 | Toxic Items Properly Labeled/Stored/Used | 3 | 03/09/2010 |

CRITICAL VIOLATIONS DETAIL

| <u>CODE</u> | <u>DESCRIPTION</u> |
|-------------|--|
| 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 candy compromised due to rodent exposure is unsound and should not be sold, served or consumed. (Corrected 03/09/10) To Correct: The candy compromised due to rodent exposure must be sound to be sold, served or consumed. Corrections must be made immediately. |
| 19 | Pages 126 and 27 229.167(p)(12) & (15) (12) Removing dead or trapped birds, insects, rodents, and other pests. Dead or trapped birds, insects, rodents, and other pests shall be removed from control devices and the premises at a frequency that prevents their accumulation, decomposition, or the attraction of |

CODE**DESCRIPTION**

pests.

(15) Prohibiting animals.

(A) Except as specified in subparagraphs (B) and (C) of this paragraph, live animals may not be allowed on the premises of a food establishment.

(B) Live animals may be allowed in the following situations if the contamination of food, clean equipment, utensils, linens, and unwrapped single-service and single-use articles cannot result:

(i) edible fish or decorative fish in aquariums, shellfish or crustacea on ice or under refrigeration, and shellfish and crustacea in display tank systems;

(ii) patrol dogs accompanying police or security officers in offices and dining, sales, and storage areas, and sentry dogs running loose in outside fenced areas;

(iii) in areas that are not used for food preparation and that are usually open for customers, such as dining and sales areas, service animals that are controlled by

the disabled employee or person, or service animals in training when accompanied by an approved trainer, if a health or safety hazard will not result from the presence or activities of the

service animal;

(iv) pets in the common dining areas of institutional care facilities such as nursing homes, assisted living facilities, group homes, or residential care facilities at times other than during meals if:

(I) effective partitioning and self-closing doors separate the common dining areas from food storage or food preparation areas;

(II) condiments, equipment, and utensils are stored in enclosed cabinets or removed from the common dining areas when pets are present; and
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§229.167(p) §229.167(p)

(III) dining areas including tables, countertops, and similar surfaces are effectively cleaned before the next meal service; and

(v) in areas that are not used for food preparation, storage, sales, display, or dining, in which there are caged animals or animals that are similarly confined, such

as in a variety store that sells pets or a tourist park that displays animals.

(C) Live or dead fish bait may be stored if contamination of food, clean equipment, utensils, linens, and unwrapped single-service and single-use articles cannot result.

To Wit: The evidence of rats droppings were observed in or around the customer service area.
(Corrected 03/09/10)

To Correct: The evidence of rats droppings that are in or around the customer service area must be eliminated. Corrections must be made within 24 hours.

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.

CODE**DESCRIPTION**

(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: The blue block rodenticide are used in a manner that does not prevent the contamination of food, equipment, utensils, linens or single service items. (Corrected 03/09/10)

To Correct: The blue block rodenticide must be used in a manner that prevents the contamination of food, equipment, utensils, linens or single service items. Corrections must be made immediately.

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