

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
144	1		06/03/2011		McKenzie, Suzanne

SITE INFORMATION
SUBWAY SANDWICHES
1200 HOLLIDAY
WICHITA FALLS TX 76301
940-322-2782

INVENTORY/MANAGER
Process 2
LANCE LANE

SERVICE TYPE/FREQUENCY
Permit Inspection
Permit Granted
Inspected 3 Times per Year

Violations: Critical - 8 Non-Critical - 1 Score: 83

CRITICAL VIOLATIONS SUMMARY

<u>CODE</u>	<u>DESCRIPTION</u>	<u>POINTS</u>	<u>CORRECTED</u>
8	Good Hygienic Practices (Eating/Drinking/Smoking/Other)	4	06/03/2011
13	Approved Systems (Time as Public Hlth Control/HACCP Plan)	4	06/03/2011
18	No Evidence of Insect Contamination	3	06/03/2011
20	Toxic Items Properly Labeled/Stored/Used	3	06/03/2011
25	Food Contact Surfaces-Cleaned/Sanitized/Good Repair/Storage (4)	3	_____

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>
8	Texas food Establishment Rules Page 31 229.163 (n) Eating, drinking, or using tobacco.

CODE**DESCRIPTION**

(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.

(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 worker is drinking in a food service area from an uncovered container while preparing/handling food or contacting clean food contact surfaces. (Corrected 06/03/11)

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

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:

CODE**DESCRIPTION**

- (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 in the RIR/RIF that is located in the food preparation 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 06/03/11)

To Correct: The food in the RIR/RIF 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.

18

Pages 126

229.167(p)(11) & (12)

(11) Controlling pests. The presence of insects, rodents, and other pests shall be controlled to minimize their presence within the physical facility and its contents, and on the contiguous land or property under the control of the permit holder by:

(A) routinely inspecting incoming shipments of food and supplies;

(B) routinely inspecting the premises for evidence of pests;

(C) using methods, if pests are found, such as trapping devices or other means of pest control as specified under §§229.168(d)(2), (h)(2), and (h)(3)(A) of this title (relating to Poisonous or Toxic Materials); and

(D) eliminating harborage conditions.

(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 pests.

To Wit: Flies were observed in or around the food preparation area. (Corrected 06/03/11)

To Correct: Flies must be controlled and prevented access in or around the food preparation area. Corrections must be made within before the next inspection..

<u>CODE</u>	<u>DESCRIPTION</u>
To Wit:	Dead pest were observed in or around the food preparation area. (Corrected 06/03/11)
To Correct:	Dead pest must be controlled and prevented access in or around the food preparation area. Corrections must be made within before the next inspection..
20	<p>Texas Food Establishment Rules</p> <p>Pages 129 thru 132 §229.168(a) thru (h) Poisonous or Toxic Materials.</p> <p>(a) Original containers, identifying information, prominence. Containers of poisonous or toxic materials and personal care items shall bear a legible manufacturer's label.</p> <p>(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.</p> <p>(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:</p> <ol style="list-style-type: none"> (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. <p>(d) Presence and use.</p> <ol style="list-style-type: none"> (1) Restriction. <ol style="list-style-type: none"> (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: <ol style="list-style-type: none"> (A) used according to: <ol style="list-style-type: none"> (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 06/03/11)
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.
25	<p>Page 76 §229.165(d) (d) Cleanability.</p> <p>(1) Food-contact surfaces. Multiuse food-contact surfaces shall be:</p> <ol style="list-style-type: none"> (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:

CODE

DESCRIPTION

(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:
(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 (4)

To Wit: The labels on the pans the adhesive is not being removed properly, and the counter is damaged and has metal shavings by oven, located in the food preparation area has adhering foreign material.

To Correct: The labels on the pans the adhesive is not being removed properly, and the counter is damaged and has metal shavings by oven, located in the food preparation area must be properly washed, rinsed and sanitized and free of foreign material. Corrections must be made immediately.

NON-CRITICAL VIOLATIONS DETAIL

CODE

DESCRIPTION

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

To Wit: Food protection/ Food contact surfaces stored under water drain.

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