

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
7045	1		05/28/2011		McKenzie, Suzanne

SITE INFORMATION	INVENTORY/MANAGER	SERVICE TYPE/FREQUENCY
TAQUERIA EL CUBILETE 1714 COLLINS AVE WICHITA FALLS TX 76301 940-228-8656	Process 2 Mobile; El Guero's (Commissary) Mobile	Inspection- Regular Inspected 2 Times per Year

Scheduled calender inspections.

Violations: Critical - 6 Non-Critical - 1 Score: 79

CRITICAL VIOLATIONS SUMMARY

<u>CODE</u>	<u>DESCRIPTION</u>	<u>POINTS</u>	<u>CORRECTED</u>
2	Cold Hold (41/45 degrees F)	5	05/28/2011
13	Approved Systems (Time as Public Hlth Control/HACCP Plan)	4	05/28/2011
15	Equipment Adequate to Maintain Product Temperature	3	05/28/2011
20	Toxic Items Properly Labeled/Stored/Used	3	05/28/2011
24	Thermometers Provided/Accurate/Properly Calibrated +/- 2 F	3	05/28/2011
25	Food Contact Surfaces-Cleaned/Sanitized/Good Repair/Storage	3	05/28/2011

NON-CRITICAL VIOLATIONS SUMMARY

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

CRITICAL VIOLATIONS DETAIL

<u>CODE</u>	<u>DESCRIPTION</u>
2	Texas food Establishment Rules Page 60 §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

CODE**DESCRIPTION**

as specified under paragraph (9) of this subsection, and except as specified in subparagraph (B) of this paragraph, potentially hazardous food shall be maintained:

(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 charizo is in/on the ice chest at an internal temperature of 50 to 54 degrees F and is not being maintained at 41/45 degrees F or below after cooling for 02 hours. (Corrected 05/28/11)

To Correct: Discard the charizo that is not being maintained at 41degrees F or below. Corrections must be made immediately.

13 Texas Food Establishment Rules

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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:	The food / 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 05/28/11)
To Correct:	The food / that is located in the food prep 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.
15	<p>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.</p>
To Wit:	The reachin refrigerator is not holding cold vegetables at 41 degrees. (Corrected 05/28/11)
To Correct:	The reachin refrigerator must hold cold vegetables at 41 degrees. 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.</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. (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;</p>

<u>CODE</u>	<u>DESCRIPTION</u>
	(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 05/28/11)
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.
24	<p>Page 77</p> <p>§229.165(e)</p> <p>(e) Accuracy of temperature measuring devices, food.</p> <p>(1) Temperature measuring device, food.</p> <p>(A) Food temperature measuring device that are scaled only in Celsius or dually scaled in Celsius and Fahrenheit shall be accurate to ± 1 degrees Celsius in the intended range of use.</p> <p>(B) Food temperature measuring device that are scaled only in Fahrenheit shall be accurate to ± 2 degrees Fahrenheit in the intended range of use.</p> <p>(2) Temperature measuring devices, ambient air and water.</p> <p>#24</p> <p>78</p> <p>§229.165(e) §229.165(f)</p> <p>(A) Ambient air and water temperature measuring device that are scaled in Celsius or dually scaled in Celsius and Fahrenheit shall be designed to be easily readable and accurate to ± 1.5 degrees Celsius in the intended range of use.</p> <p>(B) Ambient air and water temperature measuring device that are scaled only in Fahrenheit shall be accurate to ± 3 degrees Fahrenheit in the intended range of use.</p>
To Wit:	The reachin refrigerator in the food preparation area did not have a readily available and visible thermometer. (Corrected 05/28/11)
To Correct:	The reachin refrigerator in the food preparation area must have a readily available and visible thermometer. Corrections must be made within before the next inspection..
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</p>

<u>CODE</u>	<u>DESCRIPTION</u>
	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 cutting board located in the food preparation area has adhering food or food particles. (Corrected 05/28/11)
To Correct:	The cutting board 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

<u>CODE</u>	<u>DESCRIPTION</u>
28	OTHER VIOLATIONS- REQUIRE CORRECTIVE ACTION , NOT TO EXCEED 90 DAYS OR NEXT INSPECTION, WHICHEVER COMES FIRST.
To Wit:	Need to replace tiles where missing and damaged.

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