

# Food Establishment Inspection Report



Wichita Falls - Wichita County  
Public Health District  
1700 Third Street  
Wichita Falls, TX 76301  
940-761-7800

**SITE NO.** 121    **INV NO.** 1    **IR NO.**    **DATE** 09/28/2011    **INSPECTION TIME**    **INSPECTOR** O'Neal, Robbie

**SITE INFORMATION**

WHATABURGER #384  
3404 MCNEIL  
WICHITA FALLS TX 76308  
940-696-2201

**INVENTORY/MANAGER**

Process 2  
LINDA BULLARD

**SERVICE TYPE/FREQUENCY**

Permit Inspection  
Permit Granted  
Inspected 3 Times per Year

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**Violations:    Critical - 4    Non-Critical - 3    Score: 91**

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**CRITICAL VIOLATIONS SUMMARY**

<b><u>CODE</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>POINTS</u></b>	<b><u>CORRECTED</u></b>
20	Toxic Items Properly Labeled/Stored/Used	3	_____
24	Thermometers Provided/Accurate/Properly Calibrated +/- 2 F	3	_____
25	Food Contact Surfaces-Cleaned/Sanitized/Good Repair/Storage	3	_____
25	Food Contact Surfaces-Cleaned/Sanitized/Good Repair/Storage	3	_____

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**NON-CRITICAL VIOLATIONS SUMMARY**

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

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**CRITICAL VIOLATIONS DETAIL**

<b><u>CODE</u></b>	<b><u>DESCRIPTION</u></b>
20	Texas Food Establishment Rules  Pages 129 thru 132 §229.168(a) thru (h) Poisonous or Toxic Materials.

**CODE****DESCRIPTION**

- (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;
      - (iii) the conditions of certification, if certification is required, for use of the pest control materials; and

To Wit: Working containers of chemical are not properly labeled.

To Correct: All working containers of chemical must be properly labeled. Corrections must be made immediately.

- 24 Page 77  
 §229.165(e)  
 (e) Accuracy of temperature measuring devices, food.  
 (1) Temperature measuring device, food.  
 (A) Food temperature measuring device that are scaled only in Celsius or dually scaled in Celsius and Fahrenheit shall be accurate to  $\pm 1$  degrees Celsius in the intended range of use.  
 (B) Food temperature measuring device that are scaled only in Fahrenheit shall be accurate to  $\pm 2$  degrees Fahrenheit in the intended range of use.  
 (2) Temperature measuring devices, ambient air and water.  
 #24  
 78  
 §229.165(e) §229.165(f)

CODE	DESCRIPTION
	<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 <math>\pm 1.5</math> 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 <math>\pm 3</math> degrees Fahrenheit in the intended range of use.</p>
To Wit:	The reachin freezer in the food service/dispensing area did not have a readily available and visible thermometer.
To Correct:	The reachin freezer in the food service/dispensing area must have a readily available and visible thermometer. Corrections must be made within 7 days.
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 in-use utensils used for preparation or serving in the ice machine are not stored in a manner to prevent contamination of the product.
	scoops must have handles
To Correct:	<p>During pauses in food preparation or dispensing, food preparation and dispensing utensils shall be stored:</p> <ol style="list-style-type: none"> <li>1) in the food with handles above the top of the food and the container</li> <li>2) on a clean portion of the food preparation table or cooking equipment when cleaned and sanitized at the prescribed intervals.</li> <li>3) in running water of sufficient velocity to wash food particles away.</li> <li>4) in a clean location if the utensil is used only for a non-potentially hazardous food.</li> <li>5) in water maintained at 140 degrees F or greater.</li> </ol> <p>Corrections must be made immediately.</p>

**CODE            DESCRIPTION**

To Wit:            The reachin freezer located in the storage shelving area has adhering food or food particles.

To Correct:        The reachin freezer located in the storage shelving area must be properly washed, rinsed and sanitized and free of food or food particles. 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:            broken base board tiles in walkin.

To Wit:            need to clean walkin freezer floor

To Wit:            lights shield missing by dish wash area

**I HEREBY, ACKNOWLEDGE THE ISSUANCE AND RECEIPT OF THIS OFFICIAL Food Establishment Inspection Report.**

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**Robbie O'Neal, Public Health Officer**

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**OWNER / MANAGER SIGNATURE**

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**OWNER / MANAGER PRINT NAME**