

# Food Establishment Inspection Report



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

**SITE NO.** 395    **INV NO.** 1    **IR NO.**    **DATE** 05/02/2011    **INSPECTION TIME**    **INSPECTOR** Baxter, Mike

**SITE INFORMATION**

WHATABURGER #435  
1040 CENTRAL FRWY  
WICHITA FALLS TX 76306  
940-723-1019

**INVENTORY/MANAGER**

Process 2

**SERVICE TYPE/FREQUENCY**

Inspection- Regular  
Inspected 3 Times per Year

Scheduled calender inspections.

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**Violations: Critical - 3    Score: 90**

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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>
8	Good Hygienic Practices (Eating/Drinking/Smoking/Other)	4	_____
25	Food Contact Surfaces-Cleaned/Sanitized/Good Repair/Storage	3	_____
26	Posting Consumer Advisories- Heimlich/Raw Shellfish/Bufferet	3	_____

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**CRITICAL VIOLATIONS DETAIL**

**CODE**                      **DESCRIPTION**

8                              Texas food Establishment Rules

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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.

**CODE****DESCRIPTION**

(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: manager cooking with no hair restraint

25 Texas Food Establishment Rules

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§229.165(d)

(d) Cleanability.

(1) Food-contact surfaces. Multiuse food-contact surfaces shall be:

(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:

(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,

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

To Wit: soft drink dispensers were dirty

To Correct: Corrected

26 Pages 37, 55 & 154  
229.164(h); (r) & 173(b) -

A card, sign or other effective means of notification shall be displayed to notify customers that clean tableware is to be used upon return to self-service areas. Food establishments which deliver shellfish to a consumer for raw consumption shall inform consumers of the significantly increased risk associated with certain especially vulnerable consumers eating such shellfish in raw or undercooked form. The Heimlich Maneuver Poster shall be in all food service establishments in a place conspicuous to employees or customers.

To Wit: no heimlich poster

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

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Mike Baxter, Public Health Officer

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OWNER / MANAGER SIGNATURE

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OWNER / MANAGER PRINT NAME