3717-1 OAC Violation Checked

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A plastic container with powder and spices in it was observed in the dry goods storage racks without identification. Working containers of food products shall be identified to prevent misuse of products.

3717-1-03.2 Food: protection from contamination after receiving.

(D) Food storage containers - identified with common name of food.

Working containers holding food or food ingredients that are removed from their original packages for use in a food service operation or retail food establishment, such as cooking oils, flour, herbs, potato flakes, salt, spices, and sugar shall be identified with the common name of the food except that containers holding food that can be readily and unmistakably recognized such as dry pasta need not be identified.

A plastic container with powder and spices in it was observed in the dry goods storage racks without identification. Working containers of food products shall be identified to prevent misuse of products.

3717-1-03.2 Food: protection from contamination after receiving.

(K) In-use utensils - between-use storage.

During pauses in food preparation or dispensing, food preparation and dispensing utensils shall be stored:

(1) Except as specified under paragraph (K) of this rule, in the food with their handles above the top of the food and the container;
(2) In food that is not time/temperature controlled for safety with their handles above the top of the food within containers or equipment that can be closed, such as bins of sugar, flour, or cinnamon;
(3) On a clean portion of the food preparation table or cooking equipment only if the in-use utensil and the food-contact surface of the food preparation table or cooking equipment are cleaned and sanitized at a frequency specified under paragraphs (A) and (B) of rule 3717-1-04.5 of the Administrative Code and paragraph (B) of rule 3717-1-04.6 of the Administrative Code;
(4) In running water of sufficient velocity to flush particulates to the drain, if used with moist food such as ice cream or mashed potatoes;
(5) In a clean, protected location if the utensils, such as an ice scoops, are used only with a food that is not time/temperature controlled for safety; or
(6) In a container of water if the water is maintained at a temperature of at least one hundred thirty-five degrees Fahrenheit (fifty-seven degrees Celsius) and the container is cleaned at a frequency specified under paragraph (B)(2)(g) of rule 3717-1-04.5 of the Administrative Code.
Serving spoons were being kept on a paper towel between use under the microwave ovens. In-use utensils shall be kept on a clean hard surface between use to prevent bacterial growth in the towel. **THE SPOONS WERE REMOVED TO CORRECT.**

3717-1-03.2 Food: protection from contamination after receiving.

(T) Food preparation - preventing contamination from the premises.

During preparation, unpackaged food shall be protected from environmental sources of contamination.

Pans of fried food were observed uncovered in the small reach in freezer. Please keep food items covered during preparation to prevent contamination.

3717-1-03.4 Food: limitation of growth of organisms of public health concern.

(E) Cooling methods - temperature and time control.

1. Cooling shall be accomplished in accordance with the time and temperature criteria specified under paragraph (D) of this rule by using one or more of the following methods based on the type of food being cooled:
   - Placing the food in shallow pans;
   - Separating the food into smaller or thinner portions;
   - Using rapid cooling equipment;
   - Stirring the food in a container placed in an ice water bath;
   - Using containers that facilitate heat transfer;
   - Adding ice as an ingredient; or
   - Other effective methods.

2. When placed in cooling or cold holding equipment, food containers in which food is being cooled shall be:
   - Arranged in the equipment to provide maximum heat transfer through the container walls; and
   - Loosely covered, or uncovered if protected from overhead contamination as specified under paragraph (Q)(2) of rule 3717-1-03.2 of the Administrative Code, during the cooling period to facilitate heat transfer from the surface of the food.

Pans of green beans were observed in ice baths in the walk in cooler with lids on tight during cooling. While cooling, leave lids offset to allow heat to escape from the containers.

*CRITICAL VIOLATION*

3717-1-03.4 Food: limitation of growth of organisms of public health concern.

(F) Time/temperature controlled for safety food - hot and cold holding.

1. Except during preparation, cooking, or cooling, or when time is used as the public health control as specified under paragraph (I) of this rule, and except as specified under paragraph (F)(2) and in paragraph (F)(3) of this rule, time/temperature controlled for safety food shall be maintained at a temperature specified as follows:
   - At one hundred thirty-five degrees Fahrenheit (fifty-seven degrees Celsius) or above, except that roasts cooked to a temperature and for a time specified in paragraph (A)(4) of rule 3717-1-03.3 of the Administrative Code or reheated as specified in paragraph (H)(1) of rule 3717-1-03.3 of the Administrative Code may be held at a temperature of one hundred thirty degrees Fahrenheit (fifty-four degrees Celsius) or above; or
   - At forty-one degrees Fahrenheit (five degrees Celsius) or less.

2. Eggs that have not been treated to destroy all viable Salmonellae shall be stored in refrigerated equipment that maintains an ambient air temperature of forty-five degrees Fahrenheit (seven degrees Celsius) or less.

3. Time/temperature controlled for safety food in a homogenous liquid form may be maintained outside of the temperature control requirements, as specified under paragraph (F) of this rule, while contained within specially designed equipment that complies with the design and construction requirements as specified under paragraph (P)(5) of rule 3717-1-04.1 of the Administrative Code.

The top reach in cooler near the fryers was holding products between 45F to 47F. Cold held foods must be kept at or below 41F to prevent rapid pathogen growth. **THE COOLER WAS EMPTIED TO CORRECT.**

*CRITICAL VIOLATION*

3717-1-03.4 Food: limitation of growth of organisms of public health concern.

(G) Ready-to-eat, time/temperature controlled for safety food - date marking.

1. Except when packaging food using a reduced oxygen packaging method as specified under paragraph (K) of this rule, and except as specified in paragraphs (G)(4) and (G)(5) of this rule, refrigerated, ready-to-eat,
time/temperature controlled for safety food prepared in a food service operation or in a retail food establishment for more than twenty-four hours, shall be clearly marked to indicate the date or day by which the food shall be consumed on the premises, sold, or discarded when held at a temperature of forty-one degrees Fahrenheit (five degrees Celsius) or less for a maximum of seven days. The day of preparation shall be counted as day one. (2) Except as specified in paragraphs (G)(5) to (G)(7) of this rule; refrigerated, ready-to-eat time/temperature controlled for safety food prepared and packaged by a food processing plant shall be clearly marked, at the time the original container is opened in a food service operation or retail food establishment and if the food is held for more than twenty-four hours, to indicate the date or day by which the food shall be consumed on the premises, sold, or discarded, based on the temperature and time combination specified in paragraph (G)(1) of this rule and:
   (a) The day the original container is opened in the food service operation or retail food establishment shall be counted as day one; and
   (b) The day or date marked by the food service operation or retail food establishment may not exceed a manufacturer's use-by date if the manufacturer determined the use-by date based on food safety.
(3) A refrigerated, ready-to-eat, time/temperature controlled for safety food ingredient or a portion of a refrigerated, ready-to-eat, time/temperature controlled for safety food that is subsequently combined with additional ingredients or portions of food shall retain the date marking of the earliest-prepared or first-prepared ingredient.
(4) A date marking system that meets the criteria stated in paragraphs (G)(1) and (G)(2) of this rule may include:
   (a) Using a method approved by the licensor for refrigerated, ready-to-eat time/temperature controlled for safety food that is frequently rewrapped, such as lunchmeat or a roast, or for which date marking is impractical, such as soft serve mix or milk in a dispensing machine;
   (b) Marking the date or day of preparation, with a procedure to discard the food on or before the last date or day by which the food must be consumed on the premises, sold, or discarded as specified under paragraph (G)(1) of this rule;
   (c) Marking the date or day the original container is opened in a food service operation or retail food establishment, with a procedure to discard the food on or before the last date or day by which the food must be consumed on the premises, sold, or discarded as specified under paragraph (G)(2) of this rule; or
   (d) Using calendar dates, days of the week, color-coded marks, or other effective marking methods, provided that the marking system is disclosed to the licensor upon request.
(5) Paragraphs (G)(1) and (G)(2) of this rule do not apply to individual meal portions served or repackaged for sale from a bulk container upon a consumer's request.
(6) Paragraphs (G)(1) and (G)(2) of this rule do not apply to shellstock
(7) Paragraph (G)(2) of this rule does not apply to the following foods prepared and packaged by a food processing plant under inspection:
   (a) Deli salads manufactured in accordance with 21 C.F.R. 110, such as ham salad, seafood salad, chicken salad, egg salad, pasta salad, potato salad, and macaroni salad;
   (b) Hard cheeses containing not more than thirty-nine per cent moisture as defined in 21 C.F.R. 133, such as cheddar, gruyere, parmesan and reggiano, and romano;
   (c) Semi-soft cheeses containing more than thirty-nine per cent moisture, but not more than fifty per cent moisture, as defined in 21 C.F.R. 133, such as blue, edam, gorgonzola, gouda, and monterey jack;
   (d) Cultured dairy products as defined in 21 C.F.R. 131, such as yogurt, sour cream, and buttermilk;
   (e) Preserved fish products, such as pickled herring and dried or salted cod, and other acidified fish products defined in 21 C.F.R. 114;
   (f) Shelf stable, dry fermented sausages, such as pepperoni and Genoa ; and
   (g) Shelf stable salt-cured products such as prosciutto and Parma (ham)

An open pack of shredded lettuce was observed on the top shelf of the walk in cooler wrapped in plastic wrap without date of opening on it. Ready to eat foods which are temperature controlled for safety must be dated when they are prepared, thawed, or opened from their original packaging to track their seven day use by period. THE LETTUCE WAS REMOVED TO TRASH TO CORRECT.

3717-1-04.4 Equipment, utensils, and linens: maintenance and operation.
[Comment: For publication dates of the C.F.R. referenced in this rule, see paragraph (B)(15)(b) of rule 3717-1-01 of the Administrative Code.]
(A) Equipment - good repair and proper adjustment.
   (1) Equipment shall be maintained in a state of repair and condition that meets the requirements specified under rule 3717-1-04 of the Administrative Code and rule 3717-1-04.1 of the Administrative Code.
   (2) Equipment components such as doors, seals, hinges, fasteners, and kick plates shall be kept intact, tight,
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and adjusted in accordance with manufacturer's specifications.
(3) Cutting or piercing parts of can openers shall be kept sharp to minimize the creation of metal fragments that can contaminate food when the container is opened.

The walk in cooler has condensation dripping from a seam in the ceiling near the fans. Please repair the source of the condensation to prevent potential contamination of food stored below.

3717-1-06.1 Physical facilities: design, construction, and installation.
(I) Light bulbs - protective shielding.
(1) Light bulbs shall be shielded, coated, or otherwise shatter-resistant in areas where there is exposed food; clean equipment, utensils, or linens; or unwrapped single-service or single-use articles. This paragraph does not apply in areas used only for storing food in unopened packages, if the integrity of the packages can not be affected by broken glass falling onto them; and the packages are capable of being cleaned of debris from broken bulbs before the packages are opened.
(2) An infrared or other heat lamp shall be protected against breakage by a shield surrounding and extending beyond the bulb so that only the face of the bulb is exposed.

A light bulb near the back of the walk in freezer was missing a shield and had a box of food resting on the bulb. Please ensure the light is shielded or made from a shatterproof material to prevent potential contamination from broken glass.

3717-1-06.4 Physical facilities: maintenance and operation.
(B) Cleaning - frequency and restrictions.
(1) The physical facilities shall be cleaned as often as necessary to keep them clean.
(2) Cleaning shall be done during periods when the least amount of food is exposed such as after closing. This requirement does not apply to cleaning that is necessary due to a spill or other accident.

The floor of the walk in freezer near the back had food and packaging debris on it and needs cleaned at this time.

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<tr>
<td>CHRIS MILLER</td>
<td>3139</td>
<td>Auglaize County Health Department</td>
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As per HEA 5302 4/10 The Baldwin Group, Inc.
As per AGR 1268 4/10 The Baldwin Group, Inc.