3717-1 OAC Violation Checked

Management and Personnel

- 2.1 Employee health
- 2.2 Personal cleanliness
- 2.3 Hygienic practices
- 2.4 Supervision

Food

- 3.0 Safe, unadulterated and honestly presented
- 3.1 Sources, specification and original containers
- 3.2 Protection from contamination after receiving
- 3.3 Destruction of organisms
- 3.4 Limitation of growth of organisms
- 3.5 Identity, presentation, on premises labeling
- 3.6 Discarding or reconditioning unsafe, adulterated
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Equipment, Utensils and Linens

- 4.0 Materials for construction and repair
- 4.1 Design and construction
- 4.2 Numbers and capacities
- 4.3 Location and installation
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Water, Plumbing, and Waste

- 5.0 Water
- 5.1 Plumbing system
- 5.2 Mobile water tanks
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- 5.4 Refuse, recyclables, and returnables

Physical Facilities

- 6.0 Materials for construction and repair
- 6.1 Design, construction and installation
- 6.2 Numbers and capacities
- 6.3 Location and placement
- 6.4 Maintenance and operation

Poisonous or Toxic Materials

- 7.0 Labeling and identification
- 7.1 Operational supplies and applications
- 7.2 Storage and display separation

Special Requirements

- 8.0 Fresh juice production
- 8.1 Heat treatment dispensing freezers
- 8.2 Custom processing
- 8.3 Bulk water machine criteria
- 8.4 Acidified white rice preparation criteria
- 9.0 Facility layout and equipment specifications
- 20 Existing facilities and equipment

Administration

- 901:3-4 OAC
- 3701-21 OAC

Violations/Comment(s)

3717-1-03.1 Food: sources, specifications, and original containers.

(L) Package integrity - specifications for receiving.

Food packages shall be in good condition and protect the integrity of the contents so that the food is not exposed to adulteration or potential contaminants.

2 cans of Brooks chili mix were observed in the display isle with severe dents in the end seals and bottom 1/4 of the cans. Cans with deeply creased dents and dents in the end seals shall not be offered for sale as the seals could be compromised. THE CANS WERE REMOVED FROM SERVICE TO CORRECT.

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.

Containers of cinnamon sugar and BBQ spice were observed without identification on the containers. Please ensure that working containers of food are kept identified to prevent misuse of products. PRODUCTS WERE LABELED 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)

Jarlburg cheese and con queso dip products which are made in-house were date marked with a 30 day use by period. These products do not have Ohio Department of Agriculture approval for a use by period that exceeds seven days. Please ensure that these products are properly date marked for a period not to exceed seven days as they are a temperature controlled for safety product that is in a ready to eat form. An open container of pinto beans was observed in the deli reach in cooler without a date of opening on it. An open container of banana pudding was observed in the produce walk in cooler without a date of opening on it. These products also require date marking to accurately track the seven day use by period. THE PRODUCTS WERE REMOVED TO TRASH TO CORRECT.

*CRITICAL VIOLATION*
3717-1-03.4 Food: limitation of growth of organisms of public health concern.
(H) Ready-to-eat, time/temperature controlled for safety food - disposition.
(1) A food specified under paragraph (G)(1) or (G)(2) of this rule shall be discarded if it:
(a) Exceeds the temperature or time specified in paragraph (G)(1) of this rule, except time that the product is frozen;
(b) Is in a container or package that does not bear a date or day; or
(c) Is appropriately marked with a date or day that exceeds the temperature and time combination as specified
State of Ohio
Standard Inspection Report
Authority: Chapters 3717 and 3715 Ohio Revised Code

in paragraph (G)(1) of this rule.

(2) Refrigerated, ready-to-eat, time/temperature controlled for safety food, dispensed through a vending machine with an automatic shut-off control, shall be discarded if the automatic shut-off control is activated as specified in paragraph (X)(2) of rule 3717-1-04.1 of the Administrative Code.

(3) Refrigerated, ready-to-eat, time/temperature controlled for safety food, displayed at a micro market, shall be discarded if the automatic shutoff control is activated as specified in paragraph (LL)(1) of rule 3717-1-04.1 of the Administrative Code.

Con queso dip prepared on 9-11 was observed in the deli display case which is beyond the seven day use by period. A corn and black bean mix opened on 8-27 was observed in the deli reach in cooler beyond the seven day use by period. Ready to eat foods which are temperature controlled for safety must be removed from service when they exceed their seven day use by period from when they are prepared, thawed, or opened from their original packaging. For increased shelf life, Ohio Department of Agriculture approval must be granted. THE PRODUCTS WERE 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, 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 pizza display freezer case had condensation forming in it which was dropping down on the food inside the unit. Please repair the source of the condensation to prevent potential contamination.

3717-1-06.4 Physical facilities: maintenance and operation.

(A) Repairing.
The physical facilities shall be maintained in good repair.

The short wall near the meat display cooler was missing a section of panel or coving with a piece of plywood exposed. Please cover the wall to make it smooth and easily cleanable.

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 bakery freezer had food and packaging debris on it and needs cleaned at this time. The fan grate in the deli walk in cooler was accumulating dust and debris and needs cleaned at this time.

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Inspected by
CHRIS MILLER

R.S./SIT #
3139

Licensor
Auglaize County Health Department

Received by
Title

Phone
1-419-738-8817

As per HEA 5302 4/10 The Baldwin Group, Inc.
As per AGR 1268 4/10 The Baldwin Group, Inc.