**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 foods
- 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
- 3.7 Special requirements for highly susceptible populations

**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

**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

**Violations/Comment(s)**

*CRI TICAL 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, 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 as 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)

A bag of peeled hard cooked eggs were observed without a date on them in the top of the East prep cooler. A plastic
container of diced tomato was observed in the bottom of the East prep cooler without a date on it. A baggie of cooked
ground beef was observed in the bottom of the West prep cooler without a date on it. A container of house made mild
sausage was observed in the walk in cooler without a date of preparation on it. Ready to eat foods which are
temperature controlled for safety must be date marked when they are prepared, thawed, or opened from their original
package to accurately track their seven day use by period. THE GROUND BEEF WAS REMOVED TO TRASH. DATES
OF PREPARATION WAS KNOWN FOR THE OTHER PRODUCTS AND PLACED ON THEM 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 walk in cooler is leaking condensation from the ceiling in three locations. Please repair the unit to eliminate the
condensation.

3717-1-03.2 Food: protection from contamination after receiving.
(Q) Food storage - preventing contamination from the premises.
Except as hereinafter provided in this rule, food shall be protected from contamination by storing the food:
(1) In a clean, dry location;
(2) Where it is not exposed to splash, dust, or other contamination; and
(3) At least six inches (fifteen centimeters) above the floor.
Food in packages and working containers may be stored less than six inches (fifteen centimeters) above the floor
on case lot handling equipment as specified under paragraph (II) of rule 3717-1-04.1 of the Administrative Code; and
pressurized beverage containers, cased food in waterproof containers such as bottles or cans, and milk containers in
plastic crates may be stored on a floor that is clean and not exposed to floor moisture.

A box of snack chips was observed on the floor of the dry goods storage room. Food items shall be kept at least six
inches above the floor to prevent contamination and to allow for easy cleaning of the floor beneath the products.
<table>
<thead>
<tr>
<th>Inspected by</th>
<th>R.S./SIT #</th>
<th>Licensor</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>CHRIS MILLER</td>
<td>3139</td>
<td>Auglaize County Health Department</td>
<td>1-419-568-3323</td>
</tr>
</tbody>
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As per HEA 5302 4/10 The Baldwin Group, Inc.
As per AGR 1268 4/10 The Baldwin Group, Inc.