State of Ohio  
Standard Inspection Report  
Authority: Chapters 3717 and 3715 Ohio Revised Code  

Name of facility  
J M SCOOPS LLC  

Address:  
725 W. AUGLAIZE ST.  
WAPAKONETA, OH 45895  

License holder  
JUDY DUBOIS  

Type of visit (check)  
X Standard  
Follow Up  
Complaint  
Prelicensing  
Consultation  
30 Day  
Foodborne  

Follow-up date (if required)  
I / I  
Sample date/result (if required)  
I / I  

Address:  
J M SCOOPS LLC  
Name of facility  

Type of visit (check)  
X Standard  
Follow Up  
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Foodborne  

Follow-up date (if required)  
I / I  
Sample date/result (if required)  
I / I  

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  
X 3.2 Protection from contamination after receiving  
3.3 Destruction of organisms  
3.4 Limitation of growth of organisms  
X 3.5 Identity, presentation, on premises labeling  
3.6 Discarding or reconditioning unsafe, adulterated  
3.7 Special requirements for highly susceptible populations  

Equipment, Utensilsand Linens  

4.0 Materials for construction and repair  
4.1 Design and construction  
4.2 Numbers and capacities  
4.3 Location and installation  

Poisonous or Toxic Materials  

4.4 Maintenance and operation  
4.5 Cleaning of equipment and utensils  
4.6 Sanitizing of equipment and utensils  
4.7 Laundering  
X 4.8 Protection of clean items  

Water, Plumbing, and Waste  

5.0 Water  
5.1 Plumbing system  
5.2 Mobile water tanks  
5.3 Sewage, other liquid waste and rainwater  
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  

Violations/Comment(s)  

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 of powdered substance was observed above the ice cream topping prep table without identification of contents. Working containers of foods shall be readily identifiable to prevent misuse of products.  

*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)(1) 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).

2 plastic containers of BBQ pork was observed in reach in coolers with a date of 4-2 on them. Sloppy Joe was observed in the reach in cooler with a date of 3-28 on it. Cooked bacon was observed in a plastic baggie with a date of 3-25 on it. A container of house made BBQ sauce was observed in the reach 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 track the seven day use by period. Person in charge stated that the dates on the containers were when the items were placed in the freezer and they have not been updated since they have been thawed. The bacon had been placed into a used bag with an old date. DATES OF THAWING PRODUCTS WAS KNOWN AND PLACED ON THE PORK AND SLOPPY JOE TO CORRECT. BACON WAS RE-PACKAGED WITH DATE OF PREPARATION PLACED ON THE PRODUCT TO CORRECT. THE BBQ WAS REMOVED TO TRASH AS THE DATE OF PREPARATION WAS NOT KNOWN TO CORRECT.

3717-1-04.4 Equipment, utensils, and linens: maintenance and operation.

(S)Single-service articles and single-use articles - use limitation.

(1) Single-service articles and single-use articles may not be reused.

(2) The bulk milk container dispensing tube shall be cut on the diagonal leaving no more than one inch protruding from the chilled dispensing head.

A plastic potato salad container was being re-used to hold BBQ sauce in. A plastic baggie was being re-used to hold prepared bacon in. Single use items shall not be re-used. BBQ SAUCE WAS REMOVED TO TRASH TO CORRECT AND THE BACON WAS RE-PACKAGED TO CORRECT.

3717-1-04.8 Equipment, utensils, and linens: protection of clean items.

(G)Kitchenware and tableware - handling.

(1) Single-service articles, single-use articles, and cleaned and sanitized utensils shall be handled, displayed, and dispensed so that contamination of food-contact and lip-contact surfaces is prevented.

(2) Knives, forks, and spoons that are not prewrapped shall be presented so that only the handles are
touched by employees and by consumers if consumer self-service is provided.

(3) Except as specified under paragraph (G) (2) of this rule, single-service articles that are intended for food-contact or lip-contact shall be furnished for consumer self-service with the original individual wrapper intact or from an approved dispenser.

Unwrapped plastic straws were observed near the serving windows. Straws shall be pre-wrapped or individually dispensed to prevent bare hand contact with lip contact surfaces.

*CRITICAL VIOLATION*

3717-1-07.1 Poisonous or toxic materials: operational supplies and applications.

[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) Storage: separation.

Poisonous or toxic materials shall be stored so they can not contaminate food, equipment, utensils, linens, single-service articles, 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, single-service articles, 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, single-service articles, and single-use articles.

2 bottles of RV antifreeze and 3 cans of paint were observed on a shelf above boxes of cups, lids, and baggies in the outside storage shed. Chemicals shall not be stored where they can contaminate foods or food contact surfaces. THE ANTIFREEZE AND PAINT WAS MOVED BELOW THE SINGLE USE ITEMS TO CORRECT.

<table>
<thead>
<tr>
<th>Inspected by</th>
<th>R.S./SIT #</th>
<th>Licensor</th>
<th>Phone</th>
</tr>
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<tbody>
<tr>
<td>CHRIS MILLER</td>
<td>3139</td>
<td>Auglaize County Health Department</td>
<td>1-419-302-4826</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.