# Food Inspection Report

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

**Name of facility:** MAX'S DAIRY BAR  
**Check one:** ☑️ FSO  
**License number:** 484  
**Date:** 09/24/2019

**Address:**  
901 BELLEFONTAINE ST.  
**City/Zip Code:** WAPAKONETA 45895

**Type of inspection (check all that apply):**  
☑️ Standard  
☑️ Critical Control Point (FSO)  
☐ Process Review (RFE)  
☐ Variance Review  
☐ Follow Up  
☐ Foodborne  
☐ 30 Day  
☐ Complaint  
☐ Pre-licensing  
☐ Consultation

**Compliance Status**  
**Time/Travel Time:** 50  
10

**Follow-up date (if required):**  
**Water sample date/result (if required):**  

## Foodborne Illness Risk Factors and Public Health Interventions

Mark designated compliance status (IN, OUT, N/O, N/A) for each numbered item:  
IN = in compliance  
OUT = not in compliance  
N/O = not observed  
N/A = not applicable

### Compliance Status

#### Supervision
1. ☑️ IN  ☐ OUT  ☐ N/A  
   Person in charge present, demonstrates knowledge, and performs duties
2. ☑️ IN  ☐ OUT  ☐ N/A  
   Certified Food Protection Manager
3. ☑️ IN  ☐ OUT  ☐ N/A  
   Management, food employees and conditional employee; knowledge, responsibilities and reporting
4. ☑️ IN  ☐ OUT  ☐ N/A  
   Proper use of restriction and exclusion
5. ☑️ IN  ☐ OUT  ☐ N/A  
   Procedures for responding to vomiting and diarrheal events

#### Employee Health
6. ☑️ IN  ☐ OUT  ☐ N/A  
   Proper eating, tasting, drinking, or tobacco use
7. ☑️ IN  ☐ OUT  ☐ N/A  
   No discharge from eyes, nose, and mouth
8. ☑️ IN  ☐ OUT  ☐ N/A  
   Hands clean and properly washed
9. ☑️ N/A  ☐ OUT  ☐ N/O  
   No bare hand contact with ready-to-eat foods or approved alternate method properly followed
10. ☑️ IN  ☐ OUT  ☐ N/A  
    Adequate handwashing facilities supplied & accessible

#### Approved Source
11. ☑️ IN  ☐ OUT  ☐ ☐  
    Food obtained from approved source
12. ☑️ IN  ☐ OUT  ☐ N/A  ☐ N/O  
    Food received at proper temperature
13. ☑️ IN  ☐ OUT  ☐ ☐  
    Food in good condition, safe, and unadulterated
14. ☑️ N/A  ☐ OUT  ☐ N/O  
    Required records available: shellstock tags, parasite destruction

#### Protection from Contamination
15. ☑️ IN  ☐ OUT  ☐ N/A  ☐ N/O  
    Food separated and protected
16. ☑️ IN  ☐ OUT  ☐ N/A  ☐ N/O  
    Food-contact surfaces: cleaned and sanitized
17. ☑️ IN  ☐ OUT  ☐ ☐  
    Proper disposition of returned, previously served, reconditioned, and unsafe food

#### Time/Temperature Controlled for Safety Food (TCS food)
18. ☑️ IN  ☐ OUT  ☐ N/A  ☐ N/O  
    Proper cooking time and temperatures
19. ☑️ IN  ☐ OUT  ☐ N/A  ☐ N/O  
    Proper reheating procedures for hot holding
20. ☑️ IN  ☐ OUT  ☐ N/A  ☐ N/O  
    Proper cooling time and temperatures
21. ☑️ OUT  ☐ ☐  ☐  
    Proper hot holding temperatures
22. ☑️ IN  ☐ OUT  ☐ N/A  
    Proper cold holding temperatures

### Time/temperature Controlled for Safety Food (TCS food)

23. ☑️ IN  ☐ OUT  ☐ N/A  ☐ N/O  
    Proper date marking and disposition
24. ☑️ IN  ☐ OUT  ☐ N/A  ☐ N/O  
    Time as a public health control: procedures & records
25. ☑️ IN  ☐ OUT  ☐ N/A  ☐ N/O  
    Consumer advisory provided for raw or undercooked foods
26. ☑️ IN  ☐ OUT  ☐ N/A  ☐ N/O  
    Pasteurized foods used; prohibited foods not offered
27. ☑️ N/A  ☐ OUT  ☐ N/A  ☐ N/O  
    Food additives: approved and properly used
28. ☑️ IN  ☐ OUT  ☐ N/A  ☐ N/O  
    Toxic substances properly identified, stored, used
29. ☑️ IN  ☐ OUT  ☐ N/A  ☐ N/O  
    Compliance with Reduced Oxygen Packaging, other specialized processes, and HACCP plan
30. ☑️ IN  ☐ OUT  ☐ N/A  ☐ N/O  
    Special Requirements: Fresh Juice Production
31. ☑️ IN  ☐ OUT  ☐ N/A  ☐ N/O  
    Special Requirements: Heat Treatment Dispensing Freezers
32. ☑️ IN  ☐ OUT  ☐ N/A  ☐ N/O  
    Special Requirements: Custom Processing
33. ☑️ IN  ☐ OUT  ☐ N/A  ☐ N/O  
    Special Requirements: Bulk Water Machine Criteria
34. ☑️ IN  ☐ OUT  ☐ N/A  ☐ N/O  
    Special Requirements: Acidified White Rice Preparation Criteria
35. ☑️ IN  ☐ OUT  ☐ N/A  ☐ N/O  
    Critical Control Point Inspection
36. ☑️ IN  ☐ OUT  ☐ N/A  ☐ N/O  
    Process Review
37. ☑️ IN  ☐ OUT  ☐ N/A  ☐ N/O  
    Variance

### Risk Factors

Risk Factors are food preparation practices and employee behaviors that are identified as the most significant contributing factors to foodborne illness.

### Public Health Interventions

Public health interventions are control measures to prevent foodborne illness or injury.

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As per HEA 5302A  The Baldwin Group, Inc. (7/18)  
As per AGR 1268  The Baldwin Group, Inc. (7/18)
### Observations and Corrective Actions

Mark "X" in appropriate box for COS and R: **COS** = corrected on-site during inspection  **R** = repeat violation

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Code Section</th>
<th>Priority Level</th>
<th>Comment</th>
<th>COS</th>
<th>R</th>
</tr>
</thead>
<tbody>
<tr>
<td>21</td>
<td>3717-1-03.4(F)(1)(a)</td>
<td>C</td>
<td>Time/temperature controlled for safety food - hot holding. Hot dogs and shredded chicken were being held at 129F and 122F, respectively. FOODS WERE REHEATED TO CORRECT. 3717-1.03.4.F.1.a: At one hundred thirty-five degrees Fahrenheit (fifty-seven degrees Celsius) or above, or 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 may be held at a temperature of one hundred thirty-five degrees Fahrenheit (fifty-four degrees Celsius) or above; or</td>
<td></td>
<td></td>
</tr>
<tr>
<td>42</td>
<td>3717-1-03.4(C)</td>
<td>NC</td>
<td>Thawing - temperature and time control. Meatloaf, shredded chicken and bbq were being thawed on the counter. A safe thawing method sheet was included with this inspection.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>51</td>
<td>3717-1-04.8(E)(2)</td>
<td>NC</td>
<td>Clean equipment and utensils stored in a self-draining position and covered or inverted. A container of forks was stored with the mouth -contact surface up. THESE WERE INVERTED TO CORRECT.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### GOOD RETAIL PRACTICES

Good Retail Practices are preventative measures to control the introduction of pathogens, chemicals, and physical objects into foods. Mark designated compliance status (IN, OUT, N/O, N/A) for each numbered item: **IN** = compliance **OUT** = not in compliance **N/O** = not observed **N/A** = not applicable

<table>
<thead>
<tr>
<th>Safe Food and Water</th>
<th>Utensils, Equipment and Vending</th>
</tr>
</thead>
<tbody>
<tr>
<td>38</td>
<td>54 IN OUT Pasteurized eggs used where required</td>
</tr>
<tr>
<td>39</td>
<td>55 IN OUT Water and ice from approved source</td>
</tr>
<tr>
<td>Food Temperature Control</td>
<td></td>
</tr>
<tr>
<td>40</td>
<td>56 IN OUT Proper cooling methods used; adequate equipment for temperature control</td>
</tr>
<tr>
<td>41</td>
<td>57 IN OUT Plant food properly cooked for hot holding</td>
</tr>
<tr>
<td>42</td>
<td>58 IN OUT Approved thawing methods used</td>
</tr>
<tr>
<td>43</td>
<td>59 IN OUT Thermometers provided and accurate</td>
</tr>
<tr>
<td>Food Identification</td>
<td></td>
</tr>
<tr>
<td>44</td>
<td>60 IN OUT Food properly labeled; original container</td>
</tr>
<tr>
<td>Prevention of Food Contamination</td>
<td></td>
</tr>
<tr>
<td>45</td>
<td>61 IN OUT Insects, rodents, and animals not present/outer openings protected</td>
</tr>
<tr>
<td>46</td>
<td>62 IN OUT Contamination prevented during food preparation, storage &amp; display</td>
</tr>
<tr>
<td>47</td>
<td>63 IN OUT Personal cleanliness</td>
</tr>
<tr>
<td>48</td>
<td>64 IN OUT Wiping cloths: properly used and stored</td>
</tr>
<tr>
<td>49</td>
<td>65 IN OUT Washing fruits and vegetables</td>
</tr>
<tr>
<td>Proper Use of Utensils</td>
<td></td>
</tr>
<tr>
<td>50</td>
<td>66 IN OUT Use of utensils: properly stored</td>
</tr>
<tr>
<td>51</td>
<td>67 IN OUT Utensils, equipment and linens: properly stored, dried, handled</td>
</tr>
<tr>
<td>52</td>
<td>68 IN OUT Single-use/single-service articles: properly stored, used</td>
</tr>
<tr>
<td>53</td>
<td>69 IN OUT Slash-resistant and cloth glove use</td>
</tr>
</tbody>
</table>

### Administrative

| 65 | 901:3-4 OAC |
| 66 | 3701-21 OAC |

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**Person in Charge**

**Date**

**Sanitarian**

**Licensor**

**State of Ohio Food Inspection Report**

**Authority: Chapters 3717 and 3715 Ohio Revised Code**

Name of Facility: MAX'S DAIRY BAR  
Type of Inspection: sta ccp  
Date: 09/24/2019

**GOOD RETAIL PRACTICES**

- Pasteurized eggs used where required
- Water and ice from approved source
- Proper cooling methods used; adequate equipment for temperature control
- Plant food properly cooked for hot holding
- Approved thawing methods used
- Thermometers provided and accurate
- Food properly labeled; original container
- Insects, rodents, and animals not present/outer openings protected
- Contamination prevented during food preparation, storage & display
- Personal cleanliness
- Wiping cloths: properly used and stored
- Washing fruits and vegetables
- Use of utensils: properly stored
- Utensils, equipment and linens: properly stored, dried, handled
- Single-use/single-service articles: properly stored, used
- Slash-resistant and cloth glove use

**Observations and Corrective Actions**

- Hot holding in the operation was mistakenly believed to be safe in the 120 F range. See Item 21 for details on the violation. I have included multiple food safety fact sheets including: hot holding, reheating temperatures, thawing safety.
- Hot dogs and shredded chicken were being held at 129F and 122F, respectively. FOODS WERE REHEATED TO CORRECT.
- Meatloaf, shredded chicken and bbq were being thawed on the counter. A safe thawing method sheet was included with this inspection.
- A container of forks was stored with the mouth-contact surface up. THESE WERE INVERTED TO CORRECT.

**Administrative**

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

**Sanitarian**

AARON LONGSWORTH  
RS/SIT# 3034

**Licensor**

Auglaize County Health Department

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**Priority Level:**  
C = CRITICAL  NC = NON-CRITICAL

As per AGR 1268 The Baldwin Group, Inc. (7/18)

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