MINSTER MARATHON
54 S. MAIN ST.
MINSTER, OH 45865

NORTHTOWNE SUNOCO INC

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

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

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, 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

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

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

Administration
901.3-4 OAC
3701-21 OAC

Violations/Comment(s)

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, cases 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.

Bags of ice were being kept on the floor of the walk in freezer and cardboard beverage cases were being kept on the floor of the walk in cooler. Food and drink 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 while they are in place.

*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;

(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 tornados and 2 cut heads of lettuce were observed in the lower portion of the sandwich prep cooler without a dates of opening on them. Cut lettuce was observed in a baggie in a container dated 5-7 in the upper part of the sandwich prep cooler. Ready to eat foods which are temperature controlled for safety must be date marked to track their seven day use by period. THE TORNADOS WERE REMOVED TO TRASH, THE CUT LETTUCE HEADS WERE DATED, AND THE CORRECT DATE WAS PLACED ON THE BAGGIE OF CUT LETTUCE TO CORRECT.

3717-1-03.5 Food: food identity, presentation, and on premises labeling.

(C) Food labels.

(1) Food packaged in a food service operation or retail food establishment, shall be labeled as specified in 21 C.F.R. 101 and 9 C.F.R. 317.

(2) Label information shall include:

(a) The common name of the food, or absent a common name, an adequately descriptive identity statement;

(b) If made from two or more ingredients and sub-ingredients, a list of ingredients in descending order of predominance by weight, including a declaration of artificial colors, artificial flavors and chemical preservatives, if contained in the food;

(c) An accurate declaration of the quantity of contents;

(d) The name and place of business of the manufacturer, packer, or distributor; and

(e) The name of the food source for each major food allergen contained in the food unless the food source is already part of the common or usual name of the respective ingredient.

(f) Except as exempted in the Federal Food, Drug, and Cosmetic Act Section 403(q)(3)-(5) (as amended on August 2, 2004), nutrition labeling as specified in 21 C.F.R. 101 and 9 C.F.R. 317 Subpart B.
(g) For any salmonid fish containing canthaxanthin or astaxanthin as a color additive, the labeling of the bulk fish container, including a list of ingredients, displayed on the retail container or by other written means, such as a counter card, that discloses the use of canthaxanthin or astaxanthin.

(3) Bulk food that is available for consumer self-dispensing shall be prominently labeled with the following information in plain view of the consumer:
   (a) The manufacturer's or processor's label that was provided with the food; or
   (b) A card, sign, or other method of notification that includes the information specified under paragraphs (C)(2)(a), (C)(2)(b), and (C)(2)(f) of this rule.

(4) Bulk, unpackaged foods such as bakery products and unpackaged foods that are portioned to consumer specification need not be labeled if:
   (a) A health, nutrient content, or other claim is not made; and
   (b) The food is manufactured or prepared on the premises of the food service operation or retail food establishment or at another food service operation or retail food establishment or a food processing plant that is owned by the same person and is regulated by the food regulatory agency that has jurisdiction.

Meatloaf sandwiches were observed offered packaged for customer self service in the hot case without ingredients for the bun on the package. The meatloaf ingredients have been placed on the package; however, the bun ingredients have not been included. Please ensure that all the sandwich component ingredients are listed on the package.

3717-1-04.8 Equipment, utensils, and linens: protection of clean items.
(E) Equipment, utensils, linens, single-service articles, and single-use articles - storage.
   (1) Cleaned equipment and utensils, laundered linens, single-service articles, and single-use articles shall be stored:
      (a) In a clean, dry location;
      (b) Where they are not exposed to splash, dust, or other contamination; and
      (c) At least six inches (fifteen centimeters) above the floor unless the items are kept in closed packages on dollies, pallets, racks, and skids that are designed as specified under paragraph (II) of rule 3717-1-04.1 of the Administrative Code.

   (2) Clean equipment and utensils shall be stored as specified under paragraph (E)(1) of this rule and shall be stored:
      (a) In a self-draining position that allows air drying; and
      (b) Covered or inverted.

   (3) Single-service and single-use articles shall be stored as specified under paragraph (E)(1) of this rule and shall be kept in the original protective package or stored by using other means that afford protection from contamination until used.

Paper plates were observed upright and uncovered on top of the pizza prep table. Single use articles shall be kept covered or upside down to prevent contamination of the food contact surface. THE PLATES WERE TURNED UPSIDE DOWN TO CORRECT.

3717-1-04.5 Equipment, utensils, and linens: cleaning of equipment and utensils.
(D) Nonfood-contact surfaces - cleaning frequency.
Nonfood-contact surfaces of equipment shall be cleaned at a frequency necessary to preclude accumulation of soil residues.

The top of the microwave in the kitchen area was accumulating food debris and needs cleaned at this time.

3717-1-06.2 Physical facilities: numbers and capacities.
(I) Lighting - intensity
The light intensity shall be:
   (1) At least ten foot candles (one hundred eight lux) at a distance of thirty inches (seventy-five centimeters) above the floor, in walk-in refrigeration units and dry food storage areas and in other areas and rooms during periods of cleaning;
   (2) At least twenty foot candles (two hundred fifteen lux):
      (a) At a surface where food is provided for consumer self-service such as buffets and salad bars or where fresh produce or packaged foods are sold or offered for consumption;
      (b) Inside equipment such as reach-in and under-counter refrigerators; and
      (c) At a distance of thirty inches (seventy-five centimeters) above the floor in toilet rooms and in areas used for handwashing, warewashing, equipment storage, or utensil storage; and
(3) At least fifty foot candles (five hundred forty lux) at a surface where a food employee is working with food, utensils or equipment such as knives, slicers, grinders, or saws where employee safety is a factor.

A light was out in the back corner of the walk in cooler at the time of inspection with less than 2 foot candles of light being produced in this area. Please repair the light to provide at least 10 foot candles of light.

---

Inspected by
CHRIS MILLER

R.S./SIT #
3139

Licensor
Auglaize County Health Department

Received by

Title

Phone
1-419-628-9030

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