# Food Inspection Report

**State of Ohio**

**Food Inspection Report**

Authority: Chapters 3717 and 3715 Ohio Revised Code

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**Name of facility**: MAX'S DAIRY BAR

**License Number**: 484

**Date**: 04/02/2019

**Check one**

- [ ] FSO
- [ ] RFE

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**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

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**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

<table>
<thead>
<tr>
<th>Number</th>
<th>Compliance Status</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td><strong>IN</strong></td>
<td>Person in charge present, demonstrates knowledge, and performs duties</td>
</tr>
<tr>
<td>2</td>
<td><strong>IN</strong></td>
<td>Certified Food Protection Manager</td>
</tr>
<tr>
<td>3</td>
<td><strong>IN</strong></td>
<td>Management, food employees and conditional employee, knowledge, responsibilities and reporting</td>
</tr>
<tr>
<td>4</td>
<td><strong>IN</strong></td>
<td>Proper use of restriction and exclusion</td>
</tr>
<tr>
<td>5</td>
<td><strong>IN</strong></td>
<td>Procedures for responding to vomiting and diarrheal events</td>
</tr>
<tr>
<td>6</td>
<td><strong>IN</strong></td>
<td>Proper eating, tasting, drinking, or tobacco use</td>
</tr>
<tr>
<td>7</td>
<td><strong>IN</strong></td>
<td>No discharge from eyes, nose, and mouth</td>
</tr>
<tr>
<td>8</td>
<td><strong>IN</strong></td>
<td>Hands clean and properly washed</td>
</tr>
<tr>
<td>9</td>
<td><strong>IN</strong></td>
<td>No bare hand contact with ready-to-eat foods or approved alternate method properly followed</td>
</tr>
<tr>
<td>10</td>
<td><strong>IN</strong></td>
<td>Adequate handwashing facilities supplied &amp; accessible</td>
</tr>
<tr>
<td>11</td>
<td><strong>IN</strong></td>
<td>Food obtained from approved source</td>
</tr>
<tr>
<td>12</td>
<td><strong>IN</strong></td>
<td>Food received at proper temperature</td>
</tr>
<tr>
<td>13</td>
<td><strong>IN</strong></td>
<td>Food in good condition, safe, and unadulterated</td>
</tr>
<tr>
<td>14</td>
<td><strong>IN</strong></td>
<td>Required records available: shellstock tags, parasite destruction</td>
</tr>
<tr>
<td>15</td>
<td><strong>IN</strong></td>
<td>Food separated and protected</td>
</tr>
<tr>
<td>16</td>
<td><strong>IN</strong></td>
<td>Food-contact surfaces: cleaned and sanitized</td>
</tr>
<tr>
<td>17</td>
<td><strong>IN</strong></td>
<td>Proper disposition of returned, previously served, reconditioned, and unsafe food</td>
</tr>
<tr>
<td>18</td>
<td><strong>IN</strong></td>
<td>Proper cooking time and temperatures</td>
</tr>
<tr>
<td>19</td>
<td><strong>IN</strong></td>
<td>Proper reheating procedures for hot holding</td>
</tr>
<tr>
<td>20</td>
<td><strong>IN</strong></td>
<td>Proper cooling time and temperatures</td>
</tr>
<tr>
<td>21</td>
<td><strong>IN</strong></td>
<td>Proper hot holding temperatures</td>
</tr>
<tr>
<td>22</td>
<td><strong>IN</strong></td>
<td>Proper cold holding temperatures</td>
</tr>
</tbody>
</table>

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**Foodborne ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS**

- **Supervision**
- **Employee Health**
- **Good Hygienic Practices**
- **Preventing Contamination by Hands**
- **Approved Source**
- **Protection from Contamination**
- **Time/temperature controlled for Safety Food (TCS food)**

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**Follow-up date (if required)**: 04/08/2019

**Water sample date/result (if required)**: / /
Date: 04/02/2019

### GOOD RETAIL PRACTICES

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

#### Food Temperature Control

- [ ] IN  [ ] OUT  [ ] N/A  [ ] N/O  Proper cooling methods used; adequate equipment for temperature control
- [ ] IN  [ ] OUT  [ ] N/A  [ ] N/O  Plant food properly cooked for hot holding
- [ ] IN  [ ] OUT  [ ] N/A  [ ] N/O  Thermometers provided and accurate

#### Prevention of Food Contamination

- [ ] IN  [ ] OUT  [ ] N/A  [ ] N/O  Food properly labeled; original container
- [ ] IN  [ ] OUT  [ ] N/A  [ ] N/O  Insects, rodents, and animals not present/outer openings protected
- [ ] IN  [ ] OUT  [ ] N/A  [ ] N/O  Contamination prevented during food preparation, storage & display
- [ ] IN  [ ] OUT  [ ] N/A  [ ] N/O  Personal cleanliness
- [ ] IN  [ ] OUT  [ ] N/A  [ ] N/O  Wiping cloths: properly used and stored
- [ ] IN  [ ] OUT  [ ] N/A  [ ] N/O  Washing fruits and vegetables

#### Proper Use of Utensils

- [ ] IN  [ ] OUT  [ ] N/A  [ ] N/O  In-use utensils: properly stored
- [ ] IN  [ ] OUT  [ ] N/A  [ ] N/O  Utensils, equipment and linens: properly stored, dried, handled
- [ ] IN  [ ] OUT  [ ] N/A  [ ] N/O  Single-use/single-service articles: properly stored, used
- [ ] IN  [ ] OUT  [ ] N/A  [ ] N/O  Slash-resistant and cloth glove use

#### Observations and Corrective Actions

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Code Section</th>
<th>Priority Level</th>
<th>Comment</th>
</tr>
</thead>
</table>
| 10       | 3717-1-06.1(O)(1) | C | Using a handwashing sink - accessible at all times  
The kitchen handsink was being used to warm 2 containers of peanut butter at the time of inspection. As the only handsink for the kitchen area, this handsink shall remain accessible for use at all times. THE SINK WAS CLEARED TO CORRECT. |
| 10       | 3717-1-06.2(E) | NC | Handwashing signage.  
The kitchen handsink did not have a handwash sign as required. AN EXAMPLE HANDWASH SIGN WILL BE SENT ALONG WITH THE INSPECTION REPORT. |
| 22       | 3717-1-03.4(F)(1)(b) | C | Time/temperature controlled for safety food - cold holding  
The under counter reach in cooler was holding sliced pickles at 48F with the setting on the unit at 43F. The ice cream topping cooler was holding cherry juice at 48F with the interior thermometer reading 45F. Cold held foods must be kept at or below 41F to prevent rapid pathogen growth. A RE-INSPECTION WILL BE DONE TO CHECK THE COOLERS. |
| 23       | 3717-1-03.4(G) | C | Ready-to-eat, time/temperature controlled for safety food - date marking  
Baggies of regular hot dogs and foot long hot dogs were observed in the walk in cooler without dates of opening/thawing on them. Dates shall be placed on ready to eat foods which are temperature controlled for safety to track the seven day use by period. DATES OF OPENING WERE KNOWN AND PLACED ON THE BAGGIES TO CORRECT. |
| 28       | 3717-1-07(B) | C | Poisonous or toxic materials: Working containers - common name. |

### Personal in Charge

**Sanitarian:**

CHRIS MILLER  
RS/SIT# 3139

**Date:** 04/02/2019

**Licensor:**  
Auglaize County Health Department

**Priorities:**  
C = CRITICAL  
NC = NON-CRITICAL

As per HEA 5302B  The Baldwin Group, Inc. (7/18)

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

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Code Section</th>
<th>Priority Level</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>An aerosol can was observed on the shelf across from the three compartment sink without a label or identification. Chemical containers shall be identified to prevent misuse of products. THE CAN WAS LABELED TO CORRECT.</td>
</tr>
<tr>
<td>35</td>
<td>CCP-III.0008</td>
<td></td>
<td>Preventing Contamination by Hands: The hand washing sink(s) were not accessible for convenient use by employees.</td>
</tr>
<tr>
<td>35</td>
<td>CCP-VI.0012</td>
<td></td>
<td>TCS Food: Refrigerated, ready-to-eat, TCS foods held refrigerated were not properly date marked.</td>
</tr>
<tr>
<td>35</td>
<td>CCP-VI.0015</td>
<td></td>
<td>TCS Food: TCS foods were not being held at the proper temperature.</td>
</tr>
<tr>
<td>35</td>
<td>CCP-X.2</td>
<td></td>
<td>Chemical: Observed toxic materials improperly identified, stored and used.</td>
</tr>
<tr>
<td>46</td>
<td>3717-1-03.2(Q)</td>
<td>NC</td>
<td>Food storage - preventing contamination from the premises. 2 cases of peanut butter were observed on the floor of the back storage room. Please keep food products at least six inches above the floor. THE CASES WERE PLACED ON THE SHELF TO CORRECT.</td>
</tr>
</tbody>
</table>

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**Person in Charge**

Sanitarian: CHRIS MILLER

Licensor: Auglaize County Health Department

**Date:** 04/02/2019

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

As per HEA 5351 The Baldwin Group, Inc. (7/18)

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