3717-1 OAC Violation Checked

**Food 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**
- **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**

**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**

**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**

**Administration**

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

**Violations/Comment(s)**

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 interior of the reach in freezer in the back room was accumulating condensation that was dripping down onto food products stored in the freezer. Please repair or adjust the unit to prevent potential contamination of the food products.

*CRITICAL VIOLATION*

3717-1-04.5 Equipment, utensils, and linens: cleaning of equipment and utensils.

(B) Equipment food-contact surfaces and utensils - cleaning frequency.

1. Equipment food-contact surfaces and utensils shall be cleaned:
   a. Except as specified in paragraph (B)(2) of this rule, before each use with a different type of raw animal food such as beef, fish, lamb, pork, or poultry;
   b. Each time there is a change from working with raw foods to working with ready-to-eat foods;
   c. Between uses with raw fruits and vegetables and with time/temperature controlled for safety food;
   d. Before using or storing a food temperature measuring device; and
   e. At any time during the operation when contamination may have occurred.

2. Paragraph (B)(1)(a) of this rule does not apply if the food-contact surface or utensil is in contact with a succession of different types of raw meat and poultry each requiring a higher cooking temperature as specified under paragraph (A) of rule 3717-1-03.3 of the Administrative Code than the previous type.

3. Except as specified in paragraph (B)(4) of this rule, if used with time/temperature controlled for safety food, equipment food-contact surfaces and utensils shall be cleaned throughout the day at least
every four hours.
(4) Surfaces of utensils and equipment contacting food that is not time/temperature controlled for safety shall be cleaned:
(a) At any time when contamination may have occurred;
(b) At least every twenty-four hours for iced tea dispensers and consumer self-service utensils such as tongs, scoops, or ladles;
(c) Before restocking consumer self-service equipment and utensils such as condiment dispensers and display containers; and
(d) In equipment such as ice bins and beverage dispensing nozzles and enclosed components of equipment such as ice makers, cooking oil storage tanks and distribution lines, beverage and syrup dispensing lines or tubes, coffee bean grinders, and water vending equipment or bulk water machines:
(i) At a frequency specified by the manufacturer; or
(ii) Absent manufacturer specifications, at a frequency necessary to preclude accumulation of soil or mold.

Knives used to slice bananas were observed laying on top of the bananas with food debris on the blades. Please wash, rinse, and sanitize the knives at least once every four hours to prevent potential contamination of the food contact surface.
THE KNIVES WERE WASHED, RINSED, AND SANITIZED TO CORRECT.

3717-1-06.4 Physical facilities: maintenance and operation.
(B) Cleaning - frequency and restrictions.

Name of facility: MAX’S DAIRY BAR
(1) The physical facilities shall be cleaned as often as necessary to keep them clean. 
(2) Cleaning shall be done during periods when the least amount of food is exposed such as after closing. This requirement does not apply to cleaning that is necessary due to a spill or other accident.

The oscillating wall mounted fan was accumulating dust debris on the cover. Please clean the cover to prevent dust debris from blowing off onto food items.

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<tr>
<th>Inspected by</th>
<th>R.S./SIT #</th>
<th>Licensor</th>
</tr>
</thead>
<tbody>
<tr>
<td>CHRIS MILLER</td>
<td>3139</td>
<td>Auglaize County Health Department</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.