

State of Ohio Standard Inspection Report

Authority: Chapters 3717 and 3715 Ohio Revised Code

Name of facility NEW BREMEN SUNOCO-CARDINAL EXPRESS		Check one <input type="checkbox"/> FSO <input checked="" type="checkbox"/> RFE	License number 411	Date 05/01/2018
Address: 4970 ST. RT. 66 NEW BREMEN, OH 45869		Category/Descriptive COMMERCIAL CLASS 3 <25,000 SQ. FT.		
License holder THE VILLAGE MARKET & DELI NEW KNOXVILLE OH IN		Inspection Time (min) 45	Travel Time (min) 30	Other
Type of visit (check) <input checked="" type="checkbox"/> Standard <input type="checkbox"/> Follow Up <input type="checkbox"/> Foodborne <input type="checkbox"/> 30 Day <input type="checkbox"/> Complaint <input type="checkbox"/> Prelicensing <input type="checkbox"/> Consultation <input type="checkbox"/> Other <i>specify</i>		Follow-up date (if required) //		Sample date/result(if required) //

3717-1 OAC Violation Checked

Management and Personnel

<input type="checkbox"/> 2.1	Employee health
<input type="checkbox"/> 2.2	Personal cleanliness
<input type="checkbox"/> 2.3	Hygienic practices
<input checked="" type="checkbox"/> 2.4	Supervision

Food

<input type="checkbox"/> 3.0	Safe, unadulterated and honestly presented
<input type="checkbox"/> 3.1	Sources, specification and original containers
<input checked="" type="checkbox"/> 3.2	Protection from contamination after receiving
<input type="checkbox"/> 3.3	Destruction of organisms
<input type="checkbox"/> 3.4	Limitation of growth of organisms
<input checked="" type="checkbox"/> 3.5	Identity, presentation, on premises labeling
<input type="checkbox"/> 3.6	Discarding or reconditioning unsafe, adulterated
<input type="checkbox"/> 3.7	Special requirements for highly susceptible populations

Equipment, Utensils and Linens

<input type="checkbox"/> 4.0	Materials for construction and repair
<input type="checkbox"/> 4.1	Design and construction
<input type="checkbox"/> 4.2	Numbers and capacities
<input type="checkbox"/> 4.3	Location and installation

<input checked="" type="checkbox"/> 4.4	Maintenance and operation
<input checked="" type="checkbox"/> 4.5	Cleaning of equipment and utensils
<input type="checkbox"/> 4.6	Sanitizing of equipment and utensils
<input type="checkbox"/> 4.7	Laundering
<input type="checkbox"/> 4.8	Protection of clean items

Water, Plumbing, and Waste

<input type="checkbox"/> 5.0	Water
<input type="checkbox"/> 5.1	Plumbing system
<input type="checkbox"/> 5.2	Mobile water tanks
<input type="checkbox"/> 5.3	Sewage, other liquid waste and rainwater
<input checked="" type="checkbox"/> 5.4	Refuse, recyclables, and returnables

Physical Facilities

<input type="checkbox"/> 6.0	Materials for construction and repair
<input checked="" type="checkbox"/> 6.1	Design, construction and installation
<input checked="" type="checkbox"/> 6.2	Numbers and capacities
<input type="checkbox"/> 6.3	Location and placement
<input checked="" type="checkbox"/> 6.4	Maintenance and operation

Poisonous or Toxic Materials

<input type="checkbox"/> 7.0	Labeling and identification
<input type="checkbox"/> 7.1	Operational supplies and applications
<input type="checkbox"/> 7.2	Storage and display separation

Special Requirements

<input type="checkbox"/> 8.0	Fresh juice production
<input type="checkbox"/> 8.1	Heat treatment dispensing freezers
<input type="checkbox"/> 8.2	Custom processing
<input type="checkbox"/> 8.3	Bulk water machine criteria
<input type="checkbox"/> 8.4	Acidified white rice preparation criteria
<input type="checkbox"/> 9.0	Facility layout and equipment specifications
<input type="checkbox"/> 20	Existing facilities and equipment

Administration

<input type="checkbox"/> 901:3-4	OAC
<input type="checkbox"/> 3701-21	OAC

Violations/Comment(s)

3717-1-02.4 Management and personnel: supervision.

(A) Person in charge - assignment of responsibility.

(1) The license holder shall be the person responsible for the food service operation or retail food establishment. The license holder may be the person in charge or shall designate a person or persons in charge and shall ensure that a person in charge with applicable knowledge is present at the food service operation or retail food establishment during all hours of operation. This paragraph does not apply to a micro market as defined in Chapter 3717-1 of the Administrative Code.

(2) One year after the effective date of this rule, at least one employee that has supervisory and management responsibility and the authority to direct and control food preparation and service shall obtain the level two certification in food protection according to rule 3701-21-25 of the Administrative Code.

(3) Temporary, mobile, vending and risk level I and risk level II food service operations or retail food establishments are exempt from paragraph (A)(2) of this rule.

The facility does not have at least one employee with level II training in food protection. At least one employee from the facility was required to have this training since March 1, 2017. Please obtain the training as soon as possible. Information regarding local training opportunities was sent along with this report.

3717-1-02.4 Management and personnel: supervision.

(C) Person in charge - duties.

The person in charge shall ensure that:

(1) Food service or retail food establishment operations are not conducted in a private home or in a room used as living or sleeping quarters as specified under paragraphs (S) and (T) of rule 3717-1-06.1 of the Administrative Code;

(2) Persons unnecessary to the food service operation or retail food establishment are not allowed in the food preparation, food storage, or warewashing areas, except that brief visits and tours may be authorized by the

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- person in charge if steps are taken to ensure that exposed food; clean equipment, utensils, and linens; and unwrapped single-service and single-use articles are protected from contamination;
- (3) Employees and other persons such as delivery and maintenance persons and pesticide applicators entering the food preparation, food storage, and warewashing areas comply with this chapter;
- (4) Employees are effectively cleaning their hands, by routinely monitoring the employees' handwashing;
- (5) Employees are visibly observing foods as they are received to determine that they are from approved sources, delivered at the required temperatures, protected from contamination, unadulterated, and accurately presented, by routinely monitoring the employees' observations and periodically evaluating foods upon their receipt;
- (6) Employees are verifying that foods delivered to a food service operation or retail food establishment during non-operating hours are from approved sources and are placed into appropriate storage locations such that they are maintained at the required temperatures,
- (7) Employees are properly cooking time/temperature controlled for safety food, being particularly careful in cooking those foods known to cause severe foodborne illness and death, such as eggs and comminuted meats, through daily oversight of the employees' routine monitoring of the cooking temperatures using appropriate temperature measuring devices properly scaled and calibrated as specified under paragraph (K) of rule 3717-1-04.1 of the Administrative Code and paragraph (Q) (2) of rule 3717-1-04.4 of the Administrative Code;
- (8) Employees are using proper methods to rapidly cool time/temperature controlled for safety foods that are not held hot or are not for consumption within four hours, through daily oversight of the employees' routine monitoring of food temperatures during cooling;
- (9) Consumers who order raw or partially cooked ready-to-eat foods of animal origin are informed as specified under paragraph (E) of rule 3717-1-03.5 of the Administrative Code that the food is not cooked sufficiently to ensure its safety;
- (10) Employees are properly sanitizing cleaned multiuse equipment and utensils before they are reused, through routine monitoring of solution temperature and exposure time for hot water sanitizing, and chemical concentration, pH, temperature, and exposure time for chemical sanitizing;
- (11) Consumers are notified that clean tableware is to be used when they return to self-service areas such as salad bars and buffets as specified under paragraph (O) of rule 3717-1-03.2 of the Administrative Code;
- (12) Except when approved as specified in paragraph (A) (4) of rule 3717-1-03.2 of the Administrative Code, employees are preventing cross-contamination of ready-to-eat food with bare hands by properly using suitable utensils such as deli tissue, spatulas, tongs, single-use gloves, or dispensing equipment;
- (13) Employees are properly trained in food safety, including food allergy awareness, as it relates to their assigned duties; and
- (14) Food employees and conditional employees are informed in a verifiable manner of their responsibility to report in accordance with this chapter, to the person in charge, information about their health as it relates to diseases that are transmissible through food as specified under paragraph (A) of rule 3717-1-02.1 of the Administrative Code.
- (15) Written procedures and plans, as specified in this Chapter and as developed by the food service operation or retail food establishment, are maintained and implemented as required; and
- (16) The food service operation or retail food establishment shall have written procedures for employees to follow when responding to vomiting or diarrheal events that involve discharge onto surfaces in the food service operation or retail food establishment. The procedures shall address the specific actions employees must take to minimize the spread of contamination and the exposure of employees, consumers, food, and surfaces to vomitus or fecal matter.

The facility does not have a written procedure on how to properly clean a vomitus/fecal release event. The written procedure is required to help prevent the spread of foodborne illness, such as Norovirus. A copy of the procedure has been sent with the inspection.

 3717-1-03.2 Food: protection from contamination after receiving.

(K)In-use utensils - between-use storage.

During pauses in food preparation or dispensing, food preparation and dispensing utensils shall be stored:

- (1) Except as specified under paragraph (K) (2) of this rule, in the food with their handles above the top of the food and the container;
- (2) In food that is not time/temperature controlled for safety with their handles above the top of the food within containers or equipment that can be closed, such as bins of sugar, flour, or cinnamon;
- (3) On a clean portion of the food preparation table or cooking equipment only if the in-use utensil and the food-contact surface of the food preparation table or cooking equipment are cleaned and sanitized at a frequency specified under paragraphs (A) and (B) of rule 3717-1-04.5 of the Administrative Code and paragraph

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- (B) of rule 3717-1-04.6 of the Administrative Code;
- (4) In running water of sufficient velocity to flush particulates to the drain, if used with moist food such as ice cream or mashed potatoes;
- (5) In a clean, protected location if the utensils, such as an ice scoops, are used only with a food that is not time/temperature controlled for safety; or
- (6) In a container of water if the water is maintained at a temperature of at least one hundred thirty-five degrees Fahrenheit (fifty-seven degrees Celsius) and the container is cleaned at a frequency specified under paragraph (B)(2)(g) of rule 3717-1-04.5 of the Administrative Code.

Tongs, a spatula, and a pizza slicer were being kept on pieces of cardboard in the kitchen during the inspection. In-use utensils shall be kept in the product with the handle up out of the product or on a clean hard surface to prevent potential contamination from bacterial growth in the cardboard.

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, cased 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.

Boxes and a bag of drink syrup were observed on the floor of the back storage room. Cardboard beverage cases were observed on the floor of the walk in cooler. These items shall be kept at least six inches above the floor to prevent contamination and to allow for easy cleaning of the floor beneath these products while they are in place.

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.

Parfait muffins are being offered for customer self service in the donut case without ingredient labeling on them. The

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donut ingredient list is a general listing without a specific ingredient list for each type of donut offered for sale. Please provide a complete list of ingredients on foods offered for customer self service.

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 display racks in the walk in cooler that hold the milk and orange juice were dirty and need cleaned at this time. The top of the small chest freezer in the drive thru had bird droppings on it and needs cleaned.

3717-1-05.4 Water, plumbing, and waste: refuse, recyclables, and returnables.

(N)Covering receptacles.

Receptacles and waste handling units for refuse, recyclables, or returnables shall be kept covered:

(1) Inside the food service operation or retail food establishment if the receptacles and units:

- (a) Contain food residue and are not in continuous use; or
- (b) After they are filled; and

(2) With tight-fitting lids or doors if kept outside the food service operation or retail food establishment.

The dumpsters had lids open at the time of inspection. Please keep lids closed to prevent pest entry and scattered litter from blowing out.

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 can opener had electrical tape on the crank arm which was flaking up and getting a rough surface. Please remove the rough tape to ensure the surface remains smooth and easily cleanable.

3717-1-06.2 Physical facilities: numbers and capacities.

(C)Handwashing sinks - hand drying provision.

Each handwashing sink or group of adjacent handwashing sinks shall be provided with:

- (1) Individual, disposable towels;
- (2) A continuous towel system that supplies the user with a clean towel;
- (3) A heated-air hand drying device; or
- (4) A hand drying device that employs an air-knife system that delivers high velocity, pressurized air at ambient temperatures.

The kitchen handsink did not have towels available in the wall-mounted dispenser, but did have a roll of paper towels available. The towels shall be individually dispensed to prevent potential contamination of the entire roll when pulling a towel off to dry hands. Please re-stock the wall mounted unit or provide another dispenser for the roll of paper towels.

3717-1-06.4 Physical facilities: maintenance and operation.

(B)Cleaning - frequency and restrictions.

(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 wall of the walk in cooler had debris splashed on it and needs cleaned. The floor under the soft drink syrup storage rack had syrup leaked onto it and needs cleaned.

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Inspected by CHRIS MILLER	R.S./SIT # 3139	Licensors Auglaize County Health Department
Received by	Title	Phone 1-419-629-2459

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

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