# Standard Inspection Report

**State of Ohio**

**Standard Inspection Report**

Authority: Chapters 3717 and 3715 Ohio Revised Code

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**Name of facility**

**TASTY TREET, LTD.**

**Address:** 294 S. MAIN ST. MINSTER, OH 45865

**License holder**

**TRACY SCHULZE**

**License number**

63

**Date**

04/16/2018

**Category/Descriptive**

COMMERCIAL CLASS 4 <25,000 SQ. FT.

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<table>
<thead>
<tr>
<th>Type of visit (check)</th>
<th>Inspection Time (min)</th>
<th>Travel Time (min)</th>
<th>Follow-up date (if required)</th>
<th>Sample date/result(if required)</th>
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### 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
- 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, Utensilsand 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

**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

**Poisonous or Toxic Materials**

- 7.0 Labeling and identification
- 7.1 Operational supplies and applications
- 7.2 Storage and display separation

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**Violations/Comment(s)**

*CRI-TICAL VIOLATION*

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

(C)Packaged and unpackaged food - preventing contamination by separation, packaging, and segregation. Food shall be protected from cross contamination by:

1. Except as specified in paragraph (C)(1)(c) of this rule, separating raw animal foods during storage, preparation, holding, and display from:
   a. Raw ready-to-eat food including other raw animal food such as fish for sushi or molluscan shellfish, or other raw ready-to-eat food such as fruits and vegetables; and
   b. Cooked ready-to-eat food.
   c. Frozen, commercially processed and packaged raw animal food may be stored or displayed with or above frozen, commercially processed and packaged, ready-to-eat food.

2. Except when combined as ingredients, separating types of raw animal foods from each other such as beef, fish, lamb, pork, and poultry during storage, preparation, holding, and display by:
   a. Using separate equipment for each type; or
   b. Arranging each type of food in equipment so that cross contamination of one type with another is prevented; and
   c. Preparing each type of food at different times or in separate areas.

3. Cleaning equipment and utensils as specified under paragraph (B) (1) of rule 3717-1-04.5 of the Administrative Code and sanitizing as specified under paragraph (C) of rule 3717-1-04.6 of the Administrative Code;

4. Cleaning hermetically sealed containers of food of visible soil before opening;

5. Protecting food containers that are received packaged together in a case or overwrap from cuts when the case or overwrap is opened;

6. Storing damaged, spoiled, or recalled food being held in the food service operation or retail food establishment as specified under paragraph (D) of rule 3717-1-06.3 of the Administrative Code;

7. Separating fruits and vegetables, before they are washed as specified under paragraph (G) of this rule from ready-to-eat food; and

8. Storing the food in packages, covered containers, or wrappings. This provision does not apply to:
   a. Whole, uncut, raw fruits and vegetables and nuts in the shell, that require peeling or hulling before
consumption;
(b) Primal cuts, quarters, or sides of raw meat or slab bacon that are hung on clean, sanitized hooks or placed on clean, sanitized racks;
(c) Whole, uncut, processed meats such as country hams, and smoked or cured sausages that are placed on clean, sanitized racks;
(d) Food being cooled as specified under paragraph (E)(2)(b) of rule 3717-1-03.4 of the Administrative Code; or
(e) Shellstock.

A plastic container of pickles was observed uncovered next to the hot holding unit in the front serving area. Prepared ice cream cones were observed uncovered in the bottom of the front chest freezer. Ready to eat foods must be kept covered to protect them from contamination. THE ITEMS WERE COVERED TO CORRECT.

3717-1-03.2 Food: protection from contamination after receiving.
(D) Food storage containers - identified with common name of food.
Working containers holding food or food ingredients that are removed from their original packages for use in a food service operation or retail food establishment, such as cooking oils, flour, herbs, potato flakes, salt, spices, and sugar shall be identified with the common name of the food except that containers holding food that can be readily and unmistakably recognized such as dry pasta need not be identified.

A working container of chopped peanuts with chocolate mixed in was observed on a shelf in the front serving area without identification of contents. Foods must be kept readily identifiable to prevent misuse of products or potential allergen concerns with certain types of nuts. THE CONTAINER WAS LABELED TO CORRECT.

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 of chicken and ice cream toppings were observed on the floor of the walk in cooler. Boxes of ice cream cones were observed on the floor of the front serving area. Food 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.

*CRITICAL VIOLATION*
3717-1-03.4 Food: limitation of growth of organisms of public health concern.
(F) Time/temperature controlled for safety food - hot and cold holding.
(1) Except during preparation, cooking, or cooling, or when time is used as the public health control as specified under paragraph (I) of this rule, and except as specified under paragraph (F)(2) and in paragraph (F)(3) of this rule, time/temperature controlled for safety food shall be maintained at a temperature specified as follows:
   (a) At one hundred thirty-five degrees Fahrenheit (fifty-seven degrees Celsius) or above, 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 or reheated as specified in paragraph (H) (1) of rule 3717-1-03.3 of the Administrative Code may be held at a temperature of one hundred thirty degrees Fahrenheit (fifty-four degrees Celsius) or above; or
   (b) At forty-one degrees Fahrenheit (five degrees Celsius) or less.
(2) Eggs that have not been treated to destroy all viable Salmonellae shall be stored in refrigerated equipment that maintains an ambient air temperature of forty-five degrees Fahrenheit (seven degrees Celsius) or less.
(3) Time/temperature controlled for safety food in a homogenous liquid form may be maintained outside of the temperature control requirements, as specified under paragraph (F) (1) of this rule, while contained within specially designed equipment that complies with the design and construction requirements as specified under paragraph (P)(5) of rule 3717-1-04.1 of the Administrative Code.
Potato salad was observed in the under counter reach in cooler at 43°F. A partial gallon of milk was observed on top of the ice bin near the front window at 61°F. The soft serve mix was observed at 42°F in the lower portion of the serving machine. Cold held foods must be kept at or below 41°F to prevent rapid pathogen growth in the products. THE MILK WAS MOVED INTO ACTIVE REFRIGERATION TO CORRECT AND A RE-INSPECTION WILL BE PERFORMED TO CHECK OTHER UNITS AFTER ADJUSTMENTS ARE MADE.

*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)(1) 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, guryere, 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).

The following products were observed in the walk in cooler without dates of opening or preparation on them: Sliced ham,
tub of hot dogs, and open can of hot dog chili sauce. 2 open bags of shredded lettuce were observed in the under counter reach in cooler in the front serving area. Ready to eat foods which are temperature controlled for safety must be date marked when they are prepared, opened from the original package, or thawed to track the seven day use by period. DATES OF OPENING WERE KNOWN AND PLACED ON THE PRODUCTS TO CORRECT.

**CRITICAL VIOLATION**
3717-1-03.4 Food: limitation of growth of organisms of public health concern.

(H) Ready-to-eat, time/temperature controlled for safety food - disposition.

(1) A food specified under paragraph (G)(1) or (G)(2) of this rule shall be discarded if it:
(a) Exceeds the temperature or time specified in paragraph (G)(1) of this rule, except time that the product is frozen;
(b) Is in a container or package that does not bear a date or day; or
(c) Is appropriately marked with a date or day that exceeds the temperature and time combination as specified in paragraph (G)(1) of this rule.

(2) Refrigerated, ready-to-eat, time/temperature controlled for safety food, dispensed through a vending machine with an automatic shut-off control, shall be discarded if the automatic shut-off control is activated as specified in paragraph (X)(2) of rule 3717-1-04.1 of the Administrative Code.

(3) Refrigerated, ready-to-eat, time/temperature controlled for safety food, displayed at a micro market, shall be discarded if the automatic shut-off control is activated as specified in paragraph (LL)(1) of rule 3717-1-04.1 of the Administrative Code.

A tub of prepared salisbury steak was observed in the walk in cooler with a date mark of 3-30 on it, which exceeds the seven day use by period. Ready to eat foods which are temperature controlled for safety must be removed from service when they exceed their seven day use by period to prevent Listeria growth in the products. THE PRODUCT WAS REMOVED TO TRASH TO CORRECT.

**CRITICAL VIOLATION**
3717-1-04.1 Equipment, utensils, and linens: design and construction.

(Y) Temperature measuring devices.

(1) In a mechanically refrigerated or hot food storage unit, the sensor of a temperature measuring device shall be located to measure the air temperature or a simulated product temperature in the warmest part of a mechanically refrigerated unit and in the coolest part of a hot food storage unit.

(2) Cold or hot holding equipment used for time/temperature controlled for safety food shall be designed to include and shall be equipped with at least one integral or permanently affixed temperature measuring device that is located to allow easy viewing of the device's temperature display. This requirement does not apply to equipment for which the placement of a temperature measuring device is not a practical means for measuring the ambient air temperature surrounding the food because of the design, type, and use of the equipment, such as calrod units, heat lamps, cold plates, bainmaries, steam tables, insulated food transport containers, and salad bars.

(3) Temperature measuring devices shall be designed to be easily readable.

(4) Water temperature measuring devices on warewashing machines and food temperature measuring devices shall have a numerical scale, printed record, or digital readout in increments no greater than two degrees Fahrenheit or one degree Celsius in the intended range of use.

Thermometers were not located in the under counter reach in cooler or the bottom of the soft serve machine. Please provide a temperature measuring device to the warmest location of the cooler to monitor the temperature.
A wooden ice cream cone holder was being used in the bottom of the chest freezer to hold the cones in direct contact with the wood. Since the wood is absorbent and can grow mold and/or bacteria, it shall be replaced with a material that is smooth and easily cleanable.

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 bottom of the front chest freezer was accumulating food debris and needs cleaned at this time.

3717-1-04.8 Equipment, utensils, and linens: protection of clean items.
(G) Kitchenware and tableware - handling.
(1) Single-service articles, single-use articles, and cleaned and sanitized utensils shall be handled, displayed, and dispensed so that contamination of food-contact and lip-contact surfaces is prevented.
(2) Knives, forks, and spoons that are not prewrapped shall be presented so that only the handles are touched by employees and by consumers if consumer self-service is provided.
(3) Except as specified under paragraph (G) (2) of this rule, single-service articles that are intended for food-contact or lip-contact shall be furnished for consumer self-service with the original individual wrapper intact or from an approved dispenser.

Unwrapped plastic straws were being stored upright in boxes at the serving windows. Single use items shall have food and lip contact surfaces protected from contamination by having them individually dispensed by the consumer or pre-packaged.

3717-1-06.1 Physical facilities: design, construction, and installation.
(A) Floors, walls, and ceilings.
Except as specified under paragraph (D) of this rule and except for antislip floor coverings or applications that may be used for safety reasons, floors, floor coverings, walls, wall coverings, and ceilings shall be designed, constructed, and installed so they are smooth and easily cleanable.

The ceiling in the walk in cooler was missing a panel of FRP behind the condenser unit. Please ensure that all surfaces are maintained in a smooth and easily cleanable condition.

3717-1-06.2 Physical facilities: numbers and capacities.
(B) Handwashing cleanser - availability.
Each handwashing sink or group of two adjacent handwashing sinks shall be provided with a supply of hand cleaning liquid, powder, or bar soap.

The kitchen handsink was missing handsoap at the time of inspection. Please ensure handsoap is provided to facilitate proper handwashing as it is the most important defense in the prevention of foodborne illness.