State of Ohio  
Standard Inspection Report  
Authority: Chapters 3717 and 3715 Ohio Revised Code

Name of facility: TASTY TREET, LTD.  
Address: 294 S. MAIN ST. MINSTER, OH 45865  
License holder: TRACY SCHULZE  
Type of visit (check)  
- Standard  
- Follow Up  
- Foodborne  
- 30 Day  
- Complaint  
- Prelicensing  
- Consultation  
- Other

Inspection Time (min): 60  
Travel Time (min): 30  
Follow-up date (if required): / /  
Sample date/result(if required): / /

TASTY TREET, LTD.  
Category/Descriptive: COMMERCIAL CLASS 4 <25,000 SQ. FT.

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) 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 (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.

Cups without handles were being used to scoop peanut and pecan toppings from containers near the drive thru window. Utensils shall have handles and be kept in the products with the handles up out of the products to prevent bare hand contact with the ready to eat toppings.

*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; or

(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)

2 open bags of shredded lettuce, a glass container of shredded chicken, and an open can of chili sauce were observed without dates of opening on the products. Ready to eat foods which are temperature controlled for safety must be accurately date marked to track the seven day use by period. THE DATES OF OPENING WERE KNOWN AND PLACED ON THE CONTAINERS 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 shutoff control is activated as specified in paragraph (LL)(1) of rule 3717-1-04.1 of the Administrative Code.

A container of BBQ beef was observed in the walk in cooler with a date of 8-8-18 on it which is beyond the seven day use by period. Ready to eat foods which are temperature controlled for safety must be removed from service when it exceeds its seven day use by period to prevent a build up of pathogens such as Listeria. THE PRODUCT WAS REMOVED FROM SERVICE TO CORRECT.

*CRITICAL VIOLATION*

3717-1-04.1 Equipment, utensils, and linens: design and construction.
(C) Food-contact surfaces - cleanability.
Multiuse food-contact surfaces shall be:
(1) Smooth;
(2) Free of breaks, open seams, cracks, chips, inclusions, pits, and similar imperfections;
(3) Free of sharp internal angles, corners, and crevices;
(4) Finished to have smooth welds and joints; and
(5) Except for cooking oil storage tanks, distribution lines for cooking oils, or beverage syrup lines or tubes; accessible for cleaning and inspection by one of the following methods:
   (a) Without being disassembled;
   (b) By disassembling without the use of tools; or
   (c) By easy disassembling with the use of handheld tools commonly available to maintenance and cleaning personnel such as screwdrivers, pliers, open-end wrenches, and Allen wrenches.

The wood cone holder in the front chest freezer is not an acceptable food contact surface and shall be replaced.

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.

The light fixture in the walk in cooler is missing its aluminum light socket; therefore, a light cannot be installed in the fixture. Please repair the light to ensure at least 10 foot candles of light are provided to the walk in cooler.

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 cold air return grates above the dry goods storage racks were accumulating dust debris and need cleaned at this time.

3717-1-03.4 Food: limitation of growth of organisms of public health concern.
(E) Cooling methods - temperature and time control.
(1) Cooling shall be accomplished in accordance with the time and temperature criteria specified under paragraph (D) of this rule by using one or more of the following methods based on the type of food being cooled:
   (a) Placing the food in shallow pans;
   (b) Separating the food into smaller or thinner portions;
   (c) Using rapid cooling equipment;
   (d) Stirring the food in a container placed in an ice water bath;
   (e) Using containers that facilitate heat transfer;
   (f) Adding ice as an ingredient; or
   (g) Other effective methods.
(2) When placed in cooling or cold holding equipment, food containers in which food is being cooled shall be:
   (a) Arranged in the equipment to provide maximum heat transfer through the container walls; and
   (b) Loosely covered, or uncovered if protected from overhead contamination as specified under paragraph (Q)(2) of rule 3717-1-03.2 of the Administrative Code, during the cooling period to facilitate heat transfer from the surface of the food.

3 containers of chicken broth were observed on top of the chest freezer between 105 to 120F. Foods shall be placed under active cooling when they reach 135F to ensure they can be cooled from 135F to 70F in 2 hours and then from 70F to 41F within another 4 hours. THE BROTH CONTAINERS WERE PLACED INTO THE REACH IN COOLER TO CORRECT.