3717-1 OAC Violation Checked

Management and Personnel

- 4.4 Maintenance and operation
- 4.5 Cleaning of equipment and utensils
- 4.6 Sanitizing of equipment and utensils
- 4.7 Laundering
- 4.8 Protection of clean items

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

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
- 8.5 Facility layout and equipment specifications
- 8.6 Existing facilities and equipment

Administration

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

3717-1-03.2 Food: protection from contamination after receiving.
(T) Food preparation - preventing contamination from the premises. During preparation, unpackaged food shall be protected from environmental sources of contamination.

Trays of food were observed uncovered in the walk in freezer at the time of inspection. Please keep foods covered during preparation to prevent potential contamination.

*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.

Individual creamer cups with "Keep Refrigerated" printed on them were observed at room temperature on the front serving counter and near the coffee dispensers at the time of inspection. Products which state they must be kept...
refrigerated shall be kept at or below 41°F to prevent rapid pathogen growth. PRODUCTS MOVED INTO THE DISPLAY COOLER TO CORRECT.

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.

The pre-packaged cookies offered for customer pick up next to the front serving counter did not have ingredient lists on the packages. Please provide an ingredient list for any products offered for customer self service. THE FACILITY WILL MOVE THE PRODUCTS INTO THE CASE UNTIL A LIST OF INGREDIENTS CAN BE PROVIDED.

3717-1-04.0 Equipment, utensils, and linens: materials for construction and repair.

(I) Nonfood-contact surfaces - materials.

Nonfood-contact surfaces of equipment that are exposed to splash, spillage, or other food soiling or that require frequent cleaning shall be constructed of a corrosion-resistant, nonabsorbent, and smooth material.

Cardboard was being used to line a prep table shelf with clean trays on it. A cloth was being used to line a wire shelf with topping containers on it. Non absorbent materials shall not be used.

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.

Styrofoam plates were observed at the donut display case upright and uncovered. Plastic clamshells were observed upright and uncovered on the storage racks. Single use items shall be kept covered or upside down to prevent contamination of food contact surfaces. TURNED UPSIDE DOWN TO CORRECT.
3717-1-05.4 Water, plumbing, and waste: refuse, recyclables, and returnables.
(H)Toilet room receptacle - covered.
A toilet room used by females shall be provided with a covered receptacle for sanitary napkins.

The women's restroom did not have a covered waste can as required.

3717-1-06.1 Physical facilities: design, construction, and installation.
(I)Light bulbs - protective shielding.
(1) Light bulbs shall be shielded, coated, or otherwise shatter-resistant in areas where there is exposed food; clean equipment, utensils, or linens; or unwrapped single-service or single-use articles. This paragraph does not apply in areas used only for storing food in unopened packages, if the integrity of the packages can not be affected by broken glass falling onto them; and the packages are capable of being cleaned of debris from broken bulbs before the packages are opened.

(2) An infrared or other heat lamp shall be protected against breakage by a shield surrounding and extending beyond the bulb so that only the face of the bulb is exposed.

The light bulbs above the donut display case did not have shields on them to prevent contamination from broken glass. Please provide shields or shatterproof bulbs.

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 floor of the walk in freezer was accumulating debris and needs cleaned at this time.

*CRITICAL VIOLATION*
3717-1-07.0 Poisonous or toxic materials: labeling and identification.
(B)Working containers - common name.
Working containers used for poisonous or toxic materials such as cleaners and sanitizers taken from bulk supplies shall be clearly and individually identified with the common name of the material.

A bottle of blue liquid was observed without identification of contents. Chemical working containers shall be kept identified to prevent misuse of products. THE BOTTLE WAS LABELED TO CORRECT.