

POLICY NUMBER: 222.31
DIVISION: Environmental Public Health
POLICY TITLE: Food Establishment Enforcement
AGENCY (ies): Lincoln-Lancaster County Health Department
AUTHORITY: Board of Health, L.M.C. Chapter 8.20 Lincoln Food Code
DRAFTED: 05-04-90
APPROVED: 07-10-90
REVISED: ~~02-16-10~~ 05-13-14
APPROVED: ~~12-14-10~~
STANDARD ADOPTED: ~~12-14-10~~

POLICY STATEMENT:

To ensure the health and safety of the public, staff will follow established procedures in the enforcement of the Lincoln Food Code.

PROCEDURE:

- I. To determine if a food service establishment meets minimum requirements, the assigned Environmental Health Specialist (EHS) will make unannounced inspections within designated intervals.
- II. All inspections will conform to Policy 222.30 - Routine Food Establishment Inspections.
- III. Outdoor sanitation, air quality, illicit discharge to storm drains, or water/sewer violations not specifically covered by LMC 8.20, will be addressed and enforcement action taken by the inspecting EHS with the assistance from the related program.
- ~~IV. The EHS shall inspect for compliance with the Lincoln Smoking Regulation Act and the Nebraska Clean Indoor Air Act of 2008, and document observed violations as 2-401.11 on the inspection form. The EHS shall refer the establishment to the Health Promotion and Outreach Division for educational follow up, or the Lincoln Police Department in cases of repeat offenses.~~
- IV. Issuance of a Food Enforcement Notice as a "Warning."(Exhibit 1)
 - A. A Food Enforcement Notice may be issued as a "Warning" if any of the following occur:
 1. On a routine, follow-up, or complaint inspection, a critical item violation or violations are found that pose an immediate and substantial hazard to public health. These critical violations will be required to be corrected immediately.
 2. A pattern of declining sanitation level and an increase in the number of violations over the last three routine inspections has occurred.

3. A pattern of repeat non-critical item violations related to basic sanitation or cleaning over the last three routine inspections has occurred. A Supervisor's approval is required prior to the issuance of a Food Enforcement Notice for non-critical item violations.
 4. If there is a repeat non-compliance with Food Manager Permit or Food Handler Permit requirements of the Lincoln Food Code 8.20, in accordance with Policy 222.37.
- D. The time frame allowed for compliance with a Food Enforcement Notice as a "Warning" will not exceed 5 days, except when such notice is for construction repairs or repeated non-critical item violations, in which case it shall not exceed 30 days. Reasonable shorter time frames are encouraged. A reinspection will be conducted on the compliance date, or earlier if requested by the establishment or if so directed by a Supervisor, Division Manager, or Health Director. The establishment shall be reinspected at least once within 30 days.
 - E. The food manager or establishment owner is required to submit a written plan of action within five (5) days identifying what action will be taken to prevent violation(s) from reoccurring. The EHS shall provide a form (Exhibit 2) for the food manager or owner to use to submit their required plan of action. The EHS will review the written plan and file it in the establishment's file. If the plan is not received, the EHS shall contact the food manager or establishment owner.
 - F. The issuance of the Food Enforcement Notice as a "Warning" shall not preclude the EHS from recommending a suspension or revocation of the Food Establishment Permit to the Division Manager or Health Director.
 - G. The permit holder of a food establishment that has been issued a Food Enforcement Notice as a "Warning" may appeal the inspection findings and subsequent enforcement action within three working days following the inspection. All appeals shall be heard by the Health Director in accordance with Lincoln Food Code 8.20.290 following the filing of a written request.
- VI. Issuance of a Food Enforcement Notice as an "Immediate Suspension Notice." (Exhibit 2 3)
- A. A Food Enforcement Notice will be issued as an "Immediate Suspension Notice" if any of the following occur:
 1. On a routine, follow-up, or complaint inspection a food establishment has critical item violations and poor sanitation levels.
 2. Conditions are such that an immediate and substantial health hazard exists, including but not limited to, significant food temperature violation, sewage backup in kitchen or food storage area, power outage affecting cooking or

refrigeration, flooding, no water service, significant rodent or cockroach infestation, or chemical contamination due to misapplied or illegal pesticides.

3. On a reinspection following a Food Enforcement Notice issued as a “Warning”, substantial improvement has not been made, including compliance with Food Manager or Food Handler Permit requirements in accordance with Policy 222.37.
- B. The Division Manager’s or Health Director's approval is required prior to the issuance of an "Immediate Suspension Notice."
 1. The date and time of the approval shall be recorded on the Food Enforcement Notice.
 - C. The Food Enforcement Notice shall be issued by the EHS at the time of inspection. The report shall clearly identify and describe the items found to be in violation that must be corrected prior to re-opening.
 - D. The permit holder of a food establishment that has been issued a Food Enforcement Notice as a “Immediate Suspension Notice” may appeal the inspection findings and subsequent enforcement action within three working days following the inspection. All appeals shall be heard by the Health Director in accordance with Lincoln Food Code 8.20.290 following the filing of a written request.
 - E. Following the reinspection, any food establishment that receives a Food Enforcement Notice as a “Immediate Suspension Notice” shall be reinspected at least once within 30 days and the establishment’s inspection interval shall be changed per policy 222.38.
- VII. A food establishment permit may be revoked by the Health Director in accordance with Lincoln Municipal Code 8.20 Lincoln Food Code.
- VIII. Issuance of “Notification of Violation.” (Exhibit 3 & 4)
- A. A “Notification of Violation” shall be used to notify food managers and establishment owners when critical item violations or conditions that could lead to a serious violation that could result in a foodborne illness or if they are in non-compliance with Food Manager or Food Handler Permit requirements in accordance with Policy 222.37.
 - B. The establishment permit holder or food manager must submit a written plan of action within seven (7) days identifying what actions management will take to prevent the noted violation(s) from reoccurring. The EHS shall provide a form (Exhibit 2) for the food manager or owner to use to submit their required plan of action. The EHS will review the written plan and file it in the establishments file.

If a plan is not received, the EHS must contact the permit holder or food manager. If the violation is not corrected on the follow up inspection, or the next routine inspection a Food Enforcement Notice as a "Warning" shall be issued.

~~IX~~ VIII. A digital copy of the Notice of Violation, Food Enforcement Notice, Immediate Suspension Notice, or Revocation Notice of a Food Establishment permit shall be emailed to the Food Team, Supervisor, and Division Manager the same day as issued.



Lincoln-Lancaster County Health Department
 Environmental Health Division
 3140 "N" Street
 Lincoln, Nebraska 68510

Time In 2:35 PM	Firm I.D. [REDACTED]	Inspector Code 60
Time Out 4:50 PM	Facility Codes 01A	Inspection Date 03/31/2014

FIRM [REDACTED] OWNER [REDACTED]
 ADDRESS [REDACTED] **LINCOLN NE, 68510** **FOOD ENFORCEMENT NOTICE**

FOOD ESTABLISHMENT INSPECTION REPORT	PURPOSE	CRITICAL 2
Unless otherwise stated, violations cited in this report shall be corrected within a period not to exceed 10 calendar days for critical items (8-405.11) or 90 days for non-critical items (8-406.11).	Regular...1	NONCRITICAL 5

FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS		GOOD RETAIL PRACTICES	
Demonstration of Knowledge		Safe Food and Water	
1	IN COMPLIANCE Certification by accredited program, compliance with Code, or correct responses	28	IN COMPLIANCE Pasteurized eggs used where required
Employee Health		29	IN COMPLIANCE Water and ice from approved source
2	IN COMPLIANCE Management awareness; policy present	30	IN COMPLIANCE Variance obtained or specialized processing methods
3	IN COMPLIANCE Proper use of reporting, restriction exclusion	Food Temperature Control	
Good Hygienic Practices		31	IN COMPLIANCE Proper cooling methods used; adequate equipment for temperature control
4	IN COMPLIANCE Proper eating, tasting, drinking, nor tobacco use	32	IN COMPLIANCE Plant food properly cooked for hot holding
5	IN COMPLIANCE No discharge from eyes, nose, mouth	33	IN COMPLIANCE Approved thawing methods used
Preventing Contamination By Hands		34	IN COMPLIANCE Thermometers provided and accurate
6	NOT OBSERVED Hands clean properly washed	Food Identification	
7	IN COMPLIANCE No bare hand contact with ready-to-eat foods or approved alternate method followed	35	IN COMPLIANCE Food properly labeled; original container
8	IN COMPLIANCE Adequate handwashing facilities supplied and accessible	Prevention of Food Contamination	
Approved Source		36	IN COMPLIANCE Insects, rodents, animals not present; no unauthorized persons
9	IN COMPLIANCE Food obtained from approved source	37	IN COMPLIANCE Contamination prevented during food preparation, storage, display
10	NOT OBSERVED Food received at proper temperature	38	IN COMPLIANCE Personal cleanliness
11	IN COMPLIANCE Food in good condition, safe, and unadulterated	39	IN COMPLIANCE Wiping cloths; properly used and stored
12	NOT APPLICABLE Required records available: shellstock tags, parasite destruction	40	IN COMPLIANCE Washing fruits and vegetables
Protection from Contamination		Proper Use of Utensils	
13	IN COMPLIANCE Food separated protected	41	IN COMPLIANCE In-use utensils: properly stored
14	IN COMPLIANCE Food-contact surfaces: cleaned sanitized	42	IN COMPLIANCE Utensils, equipment and linens: properly stored, dried, and handled
15	IN COMPLIANCE Proper disposition of returned, previously served, reconditioned, unsafe food	43	IN COMPLIANCE Single-use and single-service articles: properly stored and used
Potentially Hazardous Food Time/Temperature		44	IN COMPLIANCE Gloves used properly
16	NOT OBSERVED Proper cooking time and temperature	Utensils, Equipment, and Vending	
17	IN COMPLIANCE Proper reheating procedures for hot holding	45	OUT OF COMPLIANCE Food and non-food contact surfaces cleanable, properly designed, constructed, and used
18	OUT OF COMPLIANCE Proper cooling time and temperatures	46	IN COMPLIANCE Warewashing facilities: installed, maintained, and used; test strips
19	IN COMPLIANCE Proper hot holding temperatures	47	OUT OF COMPLIANCE Non-food contact surfaces clean
20	OUT OF COMPLIANCE Proper cold holding temperatures	Physical Facilities	
21	IN COMPLIANCE Proper date marking and disposition	48	IN COMPLIANCE Hot and cold water available: adequate pressure
22	NOT OBSERVED Time as a public health control: procedures record	49	IN COMPLIANCE Plumbing installed; proper backflow devices
Consumer Advisory		50	IN COMPLIANCE Sewage and waste water properly disposed
23	NOT APPLICABLE Consumer advisory provided for raw or undercooked foods	51	IN COMPLIANCE Toilet facilities: properly constructed, supplied, and cleaned
Highly Susceptible Populations		52	IN COMPLIANCE Garbage and refuse properly disposed: facilities maintained
24	NOT APPLICABLE Pasteurized foods used; prohibited foods not offered	53	OUT OF COMPLIANCE Physical facilities installed, maintained, and clean
Chemical		54	IN COMPLIANCE Adequate ventilation and lighting: designated areas used
25	NOT APPLICABLE Food additives: approved properly used		
26	IN COMPLIANCE Toxic substances properly identified, stored, used		
Conformance with Approved Procedures			
27	NOT APPLICABLE Compliance with variance, specialized process, and HACCP plan		

TEMPERATURE OBSERVATIONS **STAFFING/RECORDS REQUIREMENTS**

FOOD PRODUCT	TEMPERATURE	LOCATION
corn salsa	44	breakfast table/rail
pico de gallo	46	breakfast table/rail
black beans	48	breakfast table/rail
pinot beans	50	brekfast table/rail
steak	46	breakfast table/rail
chciken & pork	45	breakfast table/rail
shell eggs	34	breakfast table/cooler
guacamole	36	Amigos's table/rail
mexi rice	50	Amigo's table/rail
SW & fajita chicken	48	Amigos's table/rail
fish/tacos	36	Amigo's table/cooler
cheeses, sliced	42	King's table/rail
fish fillets	32	King's table/cooler
taco meat	144	steam table
hamburgers	145	hot holding cabinet
crispy pintos	29	frier cooler
milk	38	coffee station/cooler
diablo sauce	40	salsa bar
salsa	48	salsa bar

PIC = Person In Charge during Inspection

PIC Permit Level	Food Protection Manager
Food Handler Permits	Acceptable
Food Handler Data Sheet	Acceptable

FOOD ENFORCEMENT NOTICE

Pursuant to LLCHD Policy 222.31, this is to serve as notice of:

WARNING Failure to immediately correct violations posing an immediate and substantial hazard to public health (checked as critical violations below) will result in action to suspend or revoke your Food Establishment Permit.

Failure to correct the violations (other than critical) listed below by the Correction Date listed below will result in action to suspend or revoke your Food Establishment Permit.

VIOLATION DETAIL

Code	Critical Repeat	Violation Description	Remarks / Food Code Citation	Corrected	Correct By
3-501.14	<input checked="" type="checkbox"/> <input type="checkbox"/>	Taco meat found in walk-in cooler not properly cooler. Couple of pans found at 86 and 75 degrees after 3 hours into the cooling process. Ice baths not observed. Cilantro/lime rice was at 55 degrees Fahrenheit. No records of time for cooling process.		<input type="checkbox"/>	04/05/2014
Risk Factor	18	Cooked potentially hazardous food (time/temperature control for safety food) shall be cooled:			
		(1) Within 2 hours from 57°C (135°F) to 21°C (70°F); and			
		(2) Within a total of 6 hours from 57°C (135°F) to 5°C (41°F) or less, or to 7°C (45°F) or less as specified under Subparagraph 3-501.16(A)(2)(b).			

VIOLATION DETAIL

Code	Critical Repeat	Violation Description	Remarks / Food Code Citation	Corrected	Correct By
3-501.16	<input checked="" type="checkbox"/> <input type="checkbox"/>	Food in cold holding kept at unsafe temperatures. Time as a "control for safety" not observed (see temperature chart for details).		<input type="checkbox"/>	04/05/2014
Risk Factor	20	Except during preparation, cooking, or cooling or when time is used as the public health control as specified under § 3-501.19, and except as specified under (B) of this section, potentially hazardous food (time/temperature control for safety food) shall be maintained:			NOTICE: Critical Item Violation
		(2) At a temperature specified in the following:			
		(a) 5°C (41°F) or less; or			
		(b) 7°C (45°F) or between 5°C (41°F) and 7°C (45°F) in existing refrigeration equipment that is not capable of maintaining the food at 5°C (41°F) or less if:			
		(i) The equipment is in place and in use in the food establishment, and			
		(ii) Within 5 years of the regulatory authority's adoption of this Code, the equipment is upgraded or replaced to maintain food at a temperature of 5°C (41°F) or less.			
4-201.11	<input type="checkbox"/> <input checked="" type="checkbox"/>	"Homestyle" freezers in use. Use previously approved by LLCHD.		<input type="checkbox"/>	04/30/2014
Risk Factor	45	Equipment and utensils shall be designed and constructed to be durable and to retain their characteristic qualities under normal use conditions.			
4-501.11	<input type="checkbox"/> <input checked="" type="checkbox"/>	Door gaskets in several reach-in coolers were deteriorated. Gasket on small hot holding unit was also deteriorated. One of the friers missing bottom cabinet door.		<input type="checkbox"/>	04/30/2014
Risk Factor	45	Equipment components such as doors, seals, hinges, fasteners, and kick plates shall be kept intact, tight, and adjusted in accordance with manufacturer's specifications.			
4-602.13	<input type="checkbox"/> <input checked="" type="checkbox"/>	Food residue buildup inside reach-in coolers (breakfast, Amigos and Kings tables). Food residue & grease under the grill. Large amount of grease and food residue inside bottom compartment of friers. Food residue/ice buildup inside "homestyle" freezers.		<input type="checkbox"/>	04/30/2014
Risk Factor	47	Nonfood-contact surfaces of equipment shall be cleaned at a frequency necessary to preclude accumulation of soil residues.			
6-501.11	<input type="checkbox"/> <input checked="" type="checkbox"/>	Kitchen floor (tiles and grout) deteriorated in several areas.		<input type="checkbox"/>	04/30/2014
Risk Factor	53	The physical facilities shall be maintained in good repair.			
6-501.12	<input type="checkbox"/> <input checked="" type="checkbox"/>	Some litter accumulated on floor under shelves in dry storage (upstairs). Black residue inside floor drain for rinse sink in coffee station.		<input type="checkbox"/>	04/30/2014
Risk Factor	53	The physical facilities shall be cleaned as often as necessary to keep them clean.			

VIOLATION DETAIL

Code Critical Repeat Violation Description Remarks / Food Code Citation Corrected Correct By

ADDITIONAL ACTION REQUIRED: You are hereby ordered to submit a written plan of action within five (5) days that you will implement to assure that items designated "NOTICE: Critical Item Violation" will be prevented in the future. Send to: Food Team Supervisor, LLCHD, 3140 "N" Street, Lincoln, NE 68510.

Correction of the above violations does not preclude further actions in accord with Lincoln Municipal Code 8.20 and /or the Nebraska Pure Food Act. You may appeal this Food Enforcement Notice within three (3) working days by filing a written request with the Health Director. The request shall include the specific findings which are being appealed and why the enforcement action taken should be modified. Violations identified on this Notice must be corrected regardless of your decision to appeal.

Remarks:

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Environmental Health Specialist

60 MARITZA LEON, MS, REHS

441-8140

Follow-up

Received by Person-In Charge





Lincoln-Lancaster County Health Department
3140 N Street
Lincoln, NE 68510
(402) 441-6280
FAX: (402) 441-6206

PLAN of ACTION

To Prevent Recurring Violations

PLEASE PRINT CLEARLY

Establishment _____

Inspector Name _____ Number _____

Address _____

Phone Number _____ FAX _____

Food Enforcement Notice (FEN): Completed Plan of Action must be submitted to LLCHD within 5 days.

Signature of Manager _____ Date _____

Notice of Violation (NOV): Completed Plan of Action must be submitted to LLCHD within 7 days.

Print Name _____

A change in management does *not* release the establishment from the terms of this action plan. Contact the Lincoln-Lancaster County Health Department in case of a change in management.

Critical Violation: _____

How/When Violation will be Corrected: _____

How will Violation be Prevented in the Future (be specific): _____

Who is Responsible to Monitoring to Ensure Compliance: _____

Reviewed Needs Modification Notes: _____

Keep a copy at your establishment.

Signature of REHS _____ Date _____
_____ 1 _____ of _____ pages

PLEASE PRINT CLEARLY

Critical Violation: _____

How/When Violation will be Corrected: _____

How will Violation be Prevented in the Future (be specific): _____

Who is Responsible to Monitoring to Ensure Compliance: _____

Critical Violation: _____

How/When Violation will be Corrected: _____

How will Violation be Prevented in the Future (be specific): _____

Who is Responsible to Monitoring to Ensure Compliance: _____

Keep a copy at your establishment.

_____ of _____ pages



Lincoln-Lancaster County Health Department
 Environmental Health Division
 3140 "N" Street
 Lincoln, Nebraska 68510

Time In 11:30 AM	Firm I.D. [REDACTED]	Inspector Code 67
Time Out 12:30 PM	Facility Codes 01A, 04A, 06A, 16A	Inspection Date 08/23/2013

FIRM [REDACTED] OWNER [REDACTED]
 ADDRESS [REDACTED] LINCOLN NE, 68508 **IMMEDIATE SUSPENSION NOTICE**

FOOD ESTABLISHMENT INSPECTION REPORT

Unless otherwise stated, violations cited in this report shall be corrected within a period not to exceed 10 calendar days for critical items (8-405.11) or 90 days for non-critical items (8-406.11).

PURPOSE	CRITICAL	0
Other...5	NONCRITICAL	0

IMMEDIATE SUSPENSION NOTICE

Pursuant to Food Service Establishment Policy 222.31 adopted by the Lincoln-Lancaster County Board of Health, you are hereby notified that the Food Establishment Permit issued to the food establishment named above is hereby:

SUSPENDED as of **Friday, August 23, 2013** at **12:00:00 PM**

You are ordered to cease all food service operations immediately. Failure to cease operating your food establishment as ordered is a violation of Chapter 8.20.280 and 8.20.300.

Any person whose Food Establishment Permit has been suspended may make application for reinspection for the purpose of reinstatement of such permit. Such application for reinspection shall include a statement signed by the applicant that the conditions causing suspension of the permit have been corrected and a reinstatement fee submitted. Within three (3) days following the day of receipt by the Health Director of such written request for reinspection, the Health Director shall cause such reinspection to be made and if the Health Director shall find that the applicant is in compliance with the requirements of the Ordinance and Regulations pertaining to food establishments, the permit shall be reinstated upon payment of the fee provided by 8.20.170.

Chapter 8.20.290 of the Lincoln Food Code makes provision for appealing this suspension or revocation. Appeals may be made by filing a written request with the Health Director for review of the matter. The request shall include a statement of the action or decision of the Health Director which is being appealed and why the same should be rescinded or modified. The Health Director has the discretion to hold an administrative conference to review the decision with the aggrieved party prior to a formal hearing on the appeal. All hearings on appeals will be heard by the Health Director within three (3) days following the filing of the written request unless a later date is agreed upon by the appellate and the Health Director. Final decisions of the Health Director may be appealed to District Court.

Violations leading to this action have been documented and provided to this food establishment via this notice.

Judith A. Halstead
 Judith A. Halstead, MS, Health Director

TEMPERATURE OBSERVATIONS **STAFFING/RECORDS REQUIREMENTS**

PIC = Person In Charge during Inspection

PIC Permit Level	Food Protection Manager
Food Handler Permits	Not Required
Food Handler Data Sheet	Not Required

VIOLATION DETAIL

Code	Critical Repeat	Violation Description	Remarks / Food Code Citation	Corrected	Correct By
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	#Error

ADDITIONAL ACTION REQUIRED: You are hereby ordered to submit a written plan of action within five (5) days that you will implement to assure that these violations will be prevented in the future. Send to: Food Team Supervisor, LLCHD, 3140 "N" Street, Lincoln, NE 68510.

Correction of the above violations does not preclude further actions in accord with Lincoln Municipal Code 8.20 and /or the Nebraska Pure Food Act. You may appeal this Food Enforcement Notice within three (3) working days by filing a written request with the Health Director. The request shall include the specific findings which are being appealed and why the enforcement action taken should be modified. Violations identified on this Notice must be corrected regardless of your decision to appeal.

Remarks: *Establishment was suspended for violating Lincoln Food Code 8.20.160 c) A food establishment permit holder who fails to renew the permit before it expires is operating without a valid permit and shall be subject to appropriate enforcement action by the Health Director. Also see short form.*

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Environmental Health Specialist 
 67 ANDREA R. BETHKE, EHS 441-8074

Follow-up

Received by Person-In Charge 




Lincoln-Lancaster County Health Department
Environmental Health Division
 3140 "N" Street
 Lincoln, Nebraska 68510

Time In 11:15 AM	Firm I.D. [REDACTED]	Inspector Code 67
Time Out 1:15 PM	Facility Codes 01A, 16A	Inspection Date 01/30/2014

FIRM [REDACTED] OWNER [REDACTED]
 ADDRESS [REDACTED] **LINCOLN NE, 68508** **NOTICE OF VIOLATION**

FOOD ESTABLISHMENT INSPECTION REPORT

Unless otherwise stated, violations cited in this report shall be corrected within a period not to exceed 10 calendar days for critical items (8-405.11) or 90 days for non-critical items (8-406.11).

PURPOSE Regular...1	CRITICAL 4
	NONCRITICAL 5

FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS		GOOD RETAIL PRACTICES	
Demonstration of Knowledge		Safe Food and Water	
1	IN COMPLIANCE Certification by accredited program, compliance with Code, or correct responses	28	IN COMPLIANCE Pasteurized eggs used where required
Employee Health		29	IN COMPLIANCE Water and ice from approved source
2	IN COMPLIANCE Management awareness; policy present	30	IN COMPLIANCE Variance obtained or specialized processing methods
3	IN COMPLIANCE Proper use of reporting, restriction, exclusion	Food Temperature Control	
Good Hygienic Practices		31	IN COMPLIANCE Proper cooling methods used; adequate equipment for temperature control
4	IN COMPLIANCE Proper eating, tasting, drinking, nor tobacco use	32	IN COMPLIANCE Plant food properly cooked for hot holding
5	IN COMPLIANCE No discharge from eyes, nose, mouth	33	IN COMPLIANCE Approved thawing methods used
Preventing Contamination By Hands		34	IN COMPLIANCE Thermometers provided and accurate
6	IN COMPLIANCE Hands clean, properly washed	Food Identification	
7	IN COMPLIANCE No bare hand contact with ready-to-eat foods or approved alternate method followed	35	IN COMPLIANCE Food properly labeled; original container
8	IN COMPLIANCE Adequate handwashing facilities supplied and accessible	Prevention of Food Contamination	
Approved Source		36	IN COMPLIANCE Insects, rodents, animals not present; no unauthorized persons
9	IN COMPLIANCE Food obtained from approved source	37	IN COMPLIANCE Contamination prevented during food preparation, storage, display
10	NOT OBSERVED Food received at proper temperature	38	IN COMPLIANCE Personal cleanliness
11	IN COMPLIANCE Food in good condition, safe, and unadulterated	39	IN COMPLIANCE Wiping cloths; properly used and stored
12	NOT APPLICABLE Required records available: shellstock tags, parasite destruction	40	IN COMPLIANCE Washing fruits and vegetables
Protection from Contamination		Proper Use of Utensils	
13	IN COMPLIANCE Food separated, protected	41	IN COMPLIANCE In-use utensils: properly stored
14	IN COMPLIANCE Food-contact surfaces: cleaned, sanitized	42	IN COMPLIANCE Utensils, equipment and linens: properly stored, dried, and handled
15	IN COMPLIANCE Proper disposition of returned, previously served, reconditioned, unsafe food	43	IN COMPLIANCE Single-use and single-service articles: properly stored and used
Potentially Hazardous Food Time/Temperature		44	IN COMPLIANCE Gloves used properly
16	IN COMPLIANCE Proper cooking time and temperature	Utensils, Equipment, and Vending	
17	OUT OF COMPLIANCE Proper reheating procedures for hot holding	45	OUT OF COMPLIANCE Food and non-food contact surfaces cleanable, properly designed, constructed, and used
18	NOT OBSERVED Proper cooling time and temperatures	46	IN COMPLIANCE Warewashing facilities: installed, maintained, and used; test strips
19	OUT OF COMPLIANCE Proper hot holding temperatures	47	IN COMPLIANCE Non-food contact surfaces clean
20	IN COMPLIANCE Proper cold holding temperatures	Physical Facilities	
21	IN COMPLIANCE Proper date marking and disposition	48	IN COMPLIANCE Hot and cold water available: adequate pressure
22	NOT APPLICABLE Time as a public health control: procedures record	49	IN COMPLIANCE Plumbing installed; proper backflow devices
Consumer Advisory		50	IN COMPLIANCE Sewage and waste water properly disposed
23	NOT APPLICABLE Consumer advisory provided for raw or undercooked foods	51	IN COMPLIANCE Toilet facilities: properly constructed, supplied, and cleaned
Highly Susceptible Populations		52	IN COMPLIANCE Garbage and refuse properly disposed: facilities maintained
24	NOT APPLICABLE Pasteurized foods used; prohibited foods not offered	53	OUT OF COMPLIANCE Physical facilities installed, maintained, and clean
Chemical		54	IN COMPLIANCE Adequate ventilation and lighting: designated areas used
25	NOT APPLICABLE Food additives: approved, properly used		
26	OUT OF COMPLIANCE Toxic substances properly identified, stored, used		
Conformance with Approved Procedures			
27	NOT APPLICABLE Compliance with variance, specialized process, and HACCP plan		

TEMPERATURE OBSERVATIONS **STAFFING/RECORDS REQUIREMENTS**

FOOD PRODUCT	TEMPERATURE	LOCATION
Tomatoes	42	rail
Turkey	39	reach-in cooler
Soup	141	steam table
baked beans (reheat	128	steam table
pulled pork	139	hot holding unit
mac and cheese	129	hot holding cabinet
ambient air	12	reach-in freezer
brisket	147	hot holding cabinet
roast	176	smoker
mac and cheese	35	3 door upright
mac and cheese (re	167	microwave reheat
mac and cheese reh	179	microwave reheat
Sausage	37	3 door upright
roast	35	1 door upright cooler

PIC = Person In Charge during Inspection

PIC Permit Level	Food Protection Manager
Food Handler Permits	Acceptable
Food Handler Data Sheet	Incomplete

Notice of Violation

During an inspection of your establishment, significant violations, those most likely to lead to foodborne illness, were identified and have been designated as "Critical" in the following section:

VIOLATION DETAIL

Code	Critical Repeat	Violation Description	Remarks / Food Code Citation	Corrected	Correct By
8.20.190	<input checked="" type="checkbox"/> <input type="checkbox"/>	Food handler roster incomplete. Employees new permit numbers not added to list. New employees not added. Completed by manager and inspector.	(d) A food permit holder shall maintain an up to date list of all employees working in the food establishment on a form provided or approved by the Health Director. The form shall include the employee's name, date of hire, food handler or food manager permit number and expiration date. The form shall be made available to the Health Director upon request.	<input checked="" type="checkbox"/>	CORRECTED NOTICE: Critical Item Violation
3-403.11	<input checked="" type="checkbox"/> <input type="checkbox"/>	Baked beans placed on steam table for reheat not reaching proper temps after 3 hours. Discarded.	Reheating for hot holding as specified under ¶¶ (A) -(C) of this section shall be done rapidly and the time the food is between the temperature specified under Subparagraph 3-501.16(A)(2) and the temperature specified under ¶¶ (A) - (C) of this section may not exceed 2 hours.	<input type="checkbox"/>	02/04/2014 NOTICE: Critical Item Violation
3-403.11	<input checked="" type="checkbox"/> <input type="checkbox"/>	Baked beans being reheated on steam table found at 128-138. Reheat on stove not steam table!!	Except as specified under ¶¶ (B) and (C) and in ¶ (E) of this section, potentially hazardous food that is cooked, cooled, and reheated for hot holding shall be reheated so that all parts of the food reach a temperature of at least 74°C (165°F) for 15 seconds.	<input type="checkbox"/>	02/04/2014 NOTICE: Critical Item Violation
3-501.16	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	Macaroni and cheese found in hot unit at 129 degrees. Had been placed in cabinet a little over an hour. Does discard after 4 hours. If case, use time as control (see notes). Also could have been reheated improperly. Unit found between 132-142 during inspection	Except during preparation, cooking, or cooling or when time is used as the public health control as specified under § 3-501.19, and except as specified under (B) of this section, potentially hazardous food (time/temperature control for safety food) shall be maintained: (1) At 57°C (135°F) or above, except that roasts cooked to a temperature and for a time specified in 3-401.11(B) or reheated as specified in 3-403.11(E) may be held at a temperature of 54°C (130°F) or above; or	<input type="checkbox"/>	02/04/2014 NOTICE: Critical Item Violation

VIOLATION DETAIL					
Code	Critical Repeat	Violation Description	Remarks / Food Code Citation	Corrected	Correct By
7-201.11	<input type="checkbox"/>	<input type="checkbox"/>	Reorganize shelf with single service items so there is more space between employees medical items/other chemicals.	<input type="checkbox"/>	03/01/2014
Risk Factor	26	Poisonous or toxic materials shall be stored so they can not contaminate food, equipment, utensils, linens, and single-service and single-use articles by: Separating the poisonous or toxic materials by spacing or partitioning; (S)			
4-501.11	<input type="checkbox"/>	<input type="checkbox"/>	Seals on 3 door cooler severely ripped. One repaired with glue. Fix to maintain integrity of cooler.	<input type="checkbox"/>	03/01/2014
Risk Factor	45	Equipment components such as doors, seals, hinges, fasteners, and kick plates shall be kept intact, tight, and adjusted in accordance with manufacturer's specifications.			
4-502.11	<input type="checkbox"/>	<input type="checkbox"/>	Melted and chipped spatulas found. Discarded.	<input checked="" type="checkbox"/>	CORRECTED
Risk Factor	45	Utensils shall be maintained in a state of repair or condition that complies with the requirements specified under Parts 4-1 and 4-2 or shall be discarded.			
4-502.11	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Thermometer in hot holding cabinet not accurate. Hot holding unit holding between 133-142 degrees (door being opened repeatedly). Thermometer registering 150 and not moving. Replace.	<input type="checkbox"/>	03/01/2014
Risk Factor	45	Ambient air temperature, water pressure, and water temperature measuring device shall be maintained in good repair and be accurate within the intended range of use.			
6-501.12	<input type="checkbox"/>	<input type="checkbox"/>	Mop sink with an accumulation of residues. Increase cleaning frequency. Otherwise very clean facility.	<input type="checkbox"/>	03/01/2014
Risk Factor	53	The physical facilities shall be cleaned as often as necessary to keep them clean.			

CRITICAL VIOLATIONS checked above must be corrected immediately, unless a specific timeframe of correction is authorized by Lincoln-Lancaster County Health Department.

ACTION REQUIRED: You are hereby ordered to submit a written plan of action within seven (7) days that you will implement to assure that items marked as "NOTICE: Critical Item Violation" will be prevented in the future. Send to: Food Team Supervisor, LLCHD, 3140 "N" Street, Lincoln, NE 68510.

Failure to correct these violations may result in action to suspend or revoke your Food Establishment Permit.

You may appeal this Notice of Violation within three (3) working days by filing a written request with the Health Director. The request shall include the specific findings which are being appealed and why the enforcement action taken should be modified.

Remarks: Great improvement date marking!! Good cold holding temps. Overall, good job with food handlers. Make sure to keep list up to date. DO NOT take shortcuts when reheating food for service. Heat items for steam table in oven. When heating in microwave make sure to let sit covered for 2 minutes. CHECK temps before you put items on the line to be served! Have holding cabinet checked, but start by replacing thermometer. Regularly check items in hot holding unit to make sure it is working properly. IF not, use time as control. Must have log that states when item was removed from temp control and when it was discarded after four hours. Items must also be marked so staff knows when pulled and when to throw.

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Environmental Health Specialist

67 ANDREA R. BETHKE, EHS

441-8074

Follow-up

Received by Person-In Charge