

**MENASHA HEALTH DEPARTMENT - RESTAURANT / RETAIL FOOD SERVICE INSPECTION REPORT**

Business Name <b>Stone Toad Bar &amp; Grill</b>	Business Address 1109 S. Oneida	County <b>Calumet</b>	ID # <b>02-71032-C</b>
Legal Licensee <b>Stone Toad Bar and Grill</b>	Mailing Address (Licensee) same	Telephone # (920 ) 731-1858	

Date of inspection 6/3/13	Bare Hand Contact Plan in Place <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Type of Establishment <input checked="" type="checkbox"/> Restaurant <input type="checkbox"/> Retail <input type="checkbox"/> School <input type="checkbox"/> Liq lic	Is operator Certified <input checked="" type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> pending <input type="checkbox"/> N/A
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<b>Inspection Type</b> <input type="checkbox"/> pre-inspection <input checked="" type="checkbox"/> routine inspection <input type="checkbox"/> Re-inspection <input type="checkbox"/> Complaint <input type="checkbox"/> Downtime <input type="checkbox"/> Non inspection visit	<b>Action Taken</b> <input checked="" type="checkbox"/> Operational <input type="checkbox"/> Conditional Permit 30 days <input type="checkbox"/> Withhold Permit <input type="checkbox"/> License suspended <input type="checkbox"/> License revoked <input type="checkbox"/> Other
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<b>Person in Charge</b> <b>Clem Weinandt</b>	<b>CFM # and expiration</b> CFM # KBRN -82TMVG expiration date 4/15
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FOODBORNE ILLNESS RISK FACTORS	
Circle designated compliance status for each item IN-in compliance <b>OUT</b> – out of compliance <b>N/O</b> – not observed <b>N/A</b> – not applicable	Mark an <b>X</b> in appropriate box for <b>COS</b> and/or <b>R</b> <b>COS</b> – corrected on site during inspection <b>R</b> - repeat violation

COMPLIANCE STATUS		COS	R
<b>DEMONSTRATION OF KNOWLEDGE</b>			
1A	IN	Certified food manager, duties	<input type="checkbox"/> <input type="checkbox"/>
1B	IN	Person in charge, ID knowledgeable, duties and responsibilities	<input type="checkbox"/> <input type="checkbox"/>
<b>EMPLOYEE HEALTH</b>			
2	IN	Management awareness, policy present	<input type="checkbox"/> <input type="checkbox"/>
3	IN	Proper use of reporting, restriction and exclusion	<input type="checkbox"/> <input type="checkbox"/>
<b>GOOD HYGENIC PRATICES</b>			
4	OUT	Proper eating, tasting, drinking	<input type="checkbox"/> <input type="checkbox"/>
5	IN	No discharge from eyes, nose and mouth	<input type="checkbox"/> <input type="checkbox"/>
<b>PREVENTING CONTAMINATION FROM HANDS</b>			
6	IN	Hands cleaned and properly washed	<input type="checkbox"/> <input type="checkbox"/>
7	IN	No bare hand contact or using approved plan	<input type="checkbox"/> <input type="checkbox"/>
8	IN	Adequate hand washing facilities supplied and accessible	<input type="checkbox"/> <input type="checkbox"/>
<b>APPROVED SOURCE</b>			
9	IN	Food obtained from approved source	<input type="checkbox"/> <input type="checkbox"/>
10	IN	Food received at proper temperature	<input type="checkbox"/> <input type="checkbox"/>
11	IN	Food in good condition, safe, unadulterated	<input type="checkbox"/> <input type="checkbox"/>
12	NA	Records available, shell stock tags, parasite destruction	<input type="checkbox"/> <input type="checkbox"/>
<b>PROTECTION FROM CONTAMINATION</b>			
13	IN	Food separated and protected	<input type="checkbox"/> <input type="checkbox"/>
14	IN	Food contact surfaces cleaned and sanitized	<input type="checkbox"/> <input type="checkbox"/>
15	IN	Proper disposition of returned, previously served, reconditioned & unsafe food	<input type="checkbox"/> <input type="checkbox"/>

COMPLIANCE STATUS		COS	R
<b>POTENTIALLY HAZARDOUS FOOD TEMPERATURE</b>			
16	IN	Proper cooking time and temperature	<input type="checkbox"/> <input type="checkbox"/>
17	NO	Proper re-heating procedures for hot holding	<input type="checkbox"/> <input type="checkbox"/>
18	OUT	Proper cooling time and temperature	<input checked="" type="checkbox"/> <input type="checkbox"/>
19	IN	Proper hot holding temperatures	<input type="checkbox"/> <input type="checkbox"/>
20	IN	Proper cold holding temperatures	<input type="checkbox"/> <input type="checkbox"/>
21	IN	Proper date marking and disposition	<input type="checkbox"/> <input type="checkbox"/>
22	NA	Time as a public health control; procedures and record	<input type="checkbox"/> <input type="checkbox"/>

**CONSUMER ADVISORY**

23	IN	Consumer advisory supplied	<input type="checkbox"/> <input type="checkbox"/>
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**HIGHLY SUSEPTABLE POPULATIONS**

24	NA	Pasteurized foods used; prohibited foods not offered	<input type="checkbox"/> <input type="checkbox"/>
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**CHEMICAL**

25	NA	Food additives approved and properly use	<input type="checkbox"/> <input type="checkbox"/>
26	IN	Toxic substances properly identified, stored, used	<input checked="" type="checkbox"/> <input type="checkbox"/>

**CONFORMANCE WITH APPROVED PROCEDURES**

27	IN	Compliance with variance, specialized process, HACCP plan	<input type="checkbox"/> <input type="checkbox"/>
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**Risk Factors:** are important practices or procedures identified as the most prevalent contributing factors of foodborne illness or injury. Public Health interventions are control measures to prevent foodborne illness or injury.

Risk factor violations should be corrected on site during the inspection unless there is some reason that correction cannot be immediately made.

**GOOD RETAIL PRACTICES**

Good retail practices are preventative measures to control the addition of pathogens, chemicals, and physical objects into food. Mark an X in box if item is not in compliance. Mark an X in appropriate box for COS/R. **COS** – corrected on site during inspection  
**R**- repeat violation

SAFE FOOD AND WATER			COS	R	PROPER USE OF UTENSILS			COS	R
28	NA	Pasteurized eggs used where required	<input type="checkbox"/>	<input type="checkbox"/>	41	IN	In use utensils properly stored	<input type="checkbox"/>	<input type="checkbox"/>
29	IN	Water and ice from approved source	<input type="checkbox"/>	<input type="checkbox"/>	42	IN	Utensils equipment and linen properly stored and used	<input type="checkbox"/>	<input type="checkbox"/>
30	NA	Variance obtained for specialized processing methods	<input type="checkbox"/>	<input type="checkbox"/>	43	IN	Single-use and Single service articles properly stored and used	<input type="checkbox"/>	<input type="checkbox"/>
FOOD TEMPERATURE CONTROL					44	IN	Gloves properly used	<input type="checkbox"/>	<input type="checkbox"/>
31	IN	Proper cooling methods used; adequate equip. for temperature control.	<input type="checkbox"/>	<input type="checkbox"/>	UTENSILS AND EQUIPMENT				
32	IN	Plant food properly cooked for hot holding	<input type="checkbox"/>	<input type="checkbox"/>	45	IN	Food and nonfood contact surfaces; cleanable, properly designed, constructed and used	<input type="checkbox"/>	<input type="checkbox"/>
33	IN	Approved thawing methods used.	<input type="checkbox"/>	<input type="checkbox"/>	46	IN	Warewash facilities; installed, maintained, and used	<input type="checkbox"/>	<input type="checkbox"/>
34	IN	Thermometers provided and accurate	<input type="checkbox"/>	<input type="checkbox"/>	47	IN	Non-food contact surfaces clean	<input type="checkbox"/>	<input type="checkbox"/>
FOOD PROTECTION					PHYSICAL FACILITIES				
35	IN	Food properly labeled original container	<input type="checkbox"/>	<input type="checkbox"/>	48	IN	Hot and cold water available, under pressure	<input type="checkbox"/>	<input type="checkbox"/>
36	IN	Pests and animals not present, no unauthorized persons	<input type="checkbox"/>	<input type="checkbox"/>	49	IN	Plumbing installed; proper backflow devices	<input type="checkbox"/>	<input type="checkbox"/>
37	IN	Contamination prevented during food preparation storage and display	<input type="checkbox"/>	<input type="checkbox"/>	50	IN	Sewage and wastewater properly disposed	<input type="checkbox"/>	<input type="checkbox"/>
38	OUT	Personal cleanliness, jewelry	<input type="checkbox"/>	<input type="checkbox"/>	51	IN	Toilet facilities, properly constructed, supplied and clean	<input type="checkbox"/>	<input type="checkbox"/>
39	IN	Wiping cloths; properly used and stored	<input type="checkbox"/>	<input type="checkbox"/>	52	IN	Garbage and refuse, properly disposed facilities and maintained	<input type="checkbox"/>	<input type="checkbox"/>
40	NO	Plant food cooking for hot hold Washing all fruits and vegetables	<input type="checkbox"/>	<input type="checkbox"/>	53	IN	Physical facilities installed maintained and clean	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	54	IN	Adequate ventilation and lighting, designed and used.	<input type="checkbox"/>	<input type="checkbox"/>

**Menu Review:** Review Conducted  yes  no - New menu items  Yes  No New items

**New processes:** Does new process require variance  yes  no

What interim step was taken pending variance

Addition to Consumer Advisory  yes  no New menu item which requires consumer advisory

**Concerns / Corrections Suggested:** Current HACCP plan for ROP has been discontinued due to product obtained in portions cryosealed. Reduction to moderate complexity restaurant

TEMPERATURES – Refrigeration/hot hold/cook					
Item / Location	Temp	Item / Location	Temp	Item / Location	Temp
prep cooler	37°F	walk in cooler	36°F	upright refrigerator	39°F
hot hold	143°F	--	F °	--	F °
Cook ground beef	159°F	Cook --	F °	Cook --	F °
WAREWASHING INFORMATION					
Machine Name	Sanitization Method	Thermo Label confirmed	PPM/ temp	Sanitizer Name / Approved Y/N	Sanitizer Type
	sanitizing machine	<input type="checkbox"/> yes <input type="checkbox"/> No	50ppm / 115 °F rinse	chlorine <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	chlorine

**CDC Risk Code Factor Abbreviations and Violation by Category Numbers Table**

(Use this table to group CDC risk factor listed below with violation from page 1)

Unsafe Sources (US)	Inadequate Cooking (IC)	Improper Hold (IH)	Cross Contamination (CC)	Personal Hygiene (PH)	Other CDC Factors (O)
9	16	18	13	3	1A
10	17	19	14	4	1B
11		20	15	5	2
12		21		6	23
		22		7	24
				8	25
					26

For each violation sited, use above table and record CDC Risk Code Factor abbreviation (such as “US” or “IH”), violation number, list from the Wisconsin Food Code (WFC) the reference number that refers to the area in violation.

**Record CDC risk code abbreviation, violation # from 1<sup>st</sup> page, violation description, Food Code reference, corrective action, and score.**

CDC Code	Violation number	Description of violation, WFC Reference Number including code reference text / Corrective Action Required – Note date(s) of repeat violations on previous inspections.	Compliance Date/ Corrected on site (COS)
PH	4	<p>Open personal beverage container noted out on prep counter adjacent to food.</p> <p><b>WISCONSIN FOOD CODE REFERENCE</b> 2-401.11 Eating, Drinking, or Using Tobacco.C</p> <p>(A) Except as specified in ¶ (B) of this section, an EMPLOYEE shall eat, drink, or use any form of tobacco only in designated areas where the contamination of exposed FOOD; clean EQUIPMENT, UTENSILS, and LINENS; unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES; or other items needing protection can not result.</p> <p>(B) A FOOD EMPLOYEE may drink from a closed BEVERAGE container if the container is handled to prevent contamination of:</p> <p>(1) The FOOD EMPLOYEE’S hands;</p> <p>(2) The container; and</p> <p>(3) Exposed FOOD; clean EQUIPMENT, UTENSILS, and LINENS; and</p>	--

		<p>unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES.</p> <p><b>CORRECTIVE ACTION</b></p> <p>Personal beverages must be maintained in closed top containers and kept away from food, food contact surfaces and utensils.</p>	
<b>IH</b>	<b>18</b>	<p>A large pan of stuffing was noted in the walk in cooler with pan temp in the center of 49F and edge temp of 41F. Food employee identified the material as having been placed in the cooler the night before. Product was approximately 5" thick in a full deep pan. .</p> <p>WISCONSIN FOOD CODE REFERENCE 3-501.14 Cooling.C</p> <p>(A) Cooked POTENTIALLY HAZARDOUS FOOD shall be cooled:</p> <p>(1) From 57.2oC (135oF) to 5oC (41oF) or less in 6 hours, provided that</p> <p>(2) Within at least the first 2 hours the FOOD is cooled from 57.2oC (135oF) to 21oC (70oF).</p> <p>(B) POTENTIALLY HAZARDOUS FOOD shall be cooled within 4 hours to 5oC (41oF) or less as specified in 3-501.16(A)(2), if PREPARED from ingredients at ambient temperature, such as reconstituted FOODS and canned tuna.</p> <p>(C) Except as specified in ¶ (D) of this section, a POTENTIALLY HAZARDOUS FOOD received in compliance with LAWS allowing a temperature above 5oC (41oF) during shipment from the supplier as specified in ¶ 3-202.11(B), shall be cooled within 4 hours to 5oC (41oF) or less as specified in 3-501.16(A)(2).</p> <p>(D) Raw shell EGGS shall be received as specified under ¶ 3-202.11(C) and immediately placed in refrigerated EQUIPMENT that maintains an ambient air temperature of 5oC (41oF) or less.</p> <p>3-501.15 Cooling Methods.</p> <p>(A) Cooling shall be accomplished in accordance with the time and temperature criteria specified under § 3-501.14 by using one or more of the following methods based on the type of FOOD being cooled:</p> <p>(1) Placing the FOOD in shallow pans;</p> <p>(2) Separating the FOOD into smaller or thinner portions;</p> <p>(3) Using rapid cooling EQUIPMENT;</p> <p>(4) Stirring the FOOD in a container placed in an ice water bath;</p> <p>(5) Using containers that facilitate heat transfer;</p> <p>(6) Adding ice as an ingredient; or</p> <p>(7) Other effective methods.</p> <p>(B) When placed in cooling or cold holding EQUIPMENT, FOOD containers in which FOOD is being cooled shall be:</p>	<b>COS</b>

	<p>(1) Arranged in the EQUIPMENT to provide maximum heat transfer through the container walls; and</p> <p>(2) Loosely covered, or uncovered if protected from overhead contamination as specified under Subparagraph 3-305.11(A)(2), during the cooling period to facilitate heat transfer from the surface of the FOOD.</p> <p><b>CORRECTIVE ACTION</b>  All cooling must be accomplished from 135F to 70F in 2 hours then to 41F in a total of 6 hours. Product was identified with an internal temp in the center of the pan at 49F after 15-18 hours. Product was immediately ordered disposed of as adulterated due to temperature abuse. Failure to cool potentially hazardous (TCS) foods poses a significant risk of food borne illness. Please refer to the attached information regarding cooling. Also attached is a sample cooling log to monitor cooling of PHF products.</p>	
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Use this section for Good Retail Practice (GRP) Violations

Violation #	Description of violation, WFC Reference Number / Corrective Action Required	Compliance Date/ Corrected during inspection
38	<p>Food employee was noted working directly with food without hair restraint  <b>WISCONSIN FOOD CODE REFERENCE</b>  2-402.11 Effectiveness.</p> <p>(A) Except as provided in ¶ (B) of this section, FOOD EMPLOYEES shall wear hair restraints such as hats, hair coverings or nets, beard restraints, and clothing that covers body hair, that are designed and worn to effectively keep their hair from contacting exposed FOOD; clean EQUIPMENT, UTENSILS, and LINENS; and unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES.</p> <p>(B) This section does not apply to FOOD EMPLOYEES such as counter staff who only serve BEVERAGES and wrapped or PACKAGED FOODS, hostesses, and wait staff if they present a minimal risk of contaminating exposed FOOD; clean EQUIPMENT, UTENSILS, and LINENS; and unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES.</p> <p><b>CORRECTIVE ACTION</b>  <b>Ball caps, nets or other effective hair restraints must be worn when working with food, food contact utensils or linens.</b></p>	Immediate
38	<p>Food employee was noted wearing a watch while working with food. Food employee was wearing gloves.  <b>WISCONSIN FOOD CODE REFERENCE</b>  2-303.11 Prohibition.</p> <p>While PREPARING FOOD, FOOD EMPLOYEES may not wear jewelry including medical information jewelry on their arms and hands. This section does not apply to a plain ring such as a wedding band.</p> <p><b>CORRECTIVE ACTION</b>  <b>No jewelry should be worn on the wrists or hands with the exception of plain wedding bands.</b></p>	immediate

Long term controls in place

**Critical Violations which require greater than one re-inspection and/or repeated CDC Risk Factors violation(s) which are cited on 3 consecutive inspections shall result in the issuance of a re-inspection fee. Re-inspection fees are set based on the complexity of the establishment as follows:**

- **Complex restaurants** \$250.00
- **Moderate restaurants** \$200.00
- **Simple restaurants** \$150.00
- **Retail >1 M** \$300.00
- **Retail 25K-1M** \$250.00
- **Retail remaining** \$200.00

**Violations must be corrected by the compliance date, unless some arrangement has been made with Menasha Health Department. Re-inspection fees will be assessed to all CDC Risk Factor violations requiring more than (1) re-inspection or if the same CDC Risk Factor violation is cited on 3 consecutive inspections. Re-inspection fees will be billed to the owner of the establishment. Failure to pay re-inspection fee shall result in the following potential legal actions:**

- **Temporary revocation of license**
- **License will not be renewed pending payment**
- **Enforcement conference with licensee or licensee representative which would require signed compliance agreement.**

**Operators who wish to challenge the assessment of a re-inspection fee shall submit in writing circumstances and reason that they feel the re-inspection fee should not have been assessed. This statement must be submitted to the Public Health Director. The issue will then be addressed by the City of Menasha Board of Health. Any violations and /or enforcement shall be complied with pending appeal.**

**The City of Menasha posts all Health Department Inspection reports on the City of Menasha Web-Site.**

**Inspection Narrative and information on non-violation observations and/or suggestions:**

**Restaurant risk category is lowed to moderate. License fee for the 2013 – 2014 will be amended to the moderate fee.**

Cooling Information FDA 2009 Food Code Annex 3 (Public Health Reasons)

### **3-501.14 Cooling.**

Safe cooling requires removing heat from food quickly enough to prevent microbial growth. Excessive time for cooling of potentially hazardous foods (time/temperature control for safety foods) has been consistently identified as one of the leading contributing factors to foodborne illness. During slow cooling, potentially hazardous foods (time/temperature control for safety foods) are subject to the growth of a variety of pathogenic microorganisms. A longer time near ideal bacterial incubation temperatures, 21°C - 52°C (70°F - 125°F), is to be avoided. If the food is not cooled in accordance with this Code requirement, pathogens may grow to sufficient numbers to cause foodborne illness.

The Food Code provision for cooling provides for cooling from 135°F to 41°F or 45°F in 6 hours, with cooling from 135°F to 70°F in 2 hours. The 6-hour cooling parameter, with an initial 2-hour rapid cool, allows for greater flexibility in meeting the Code. The initial 2-hour cool is a critical element of this cooling process. An example of proper cooling might involve cooling from 135°F to 70°F in 1 hour, in which case 5 hours remain for cooling from 70°F to 41°F or 45°F. Conversely, if cooling from 135°F to 41°F or 45°F is achieved in 6 hours, but the initial cooling to 70°F took 3 hours, the food safety hazards may not be adequately controlled.

If the cooking step prior to cooling is adequate and no recontamination occurs, all but the spore-forming organisms such as *Clostridium perfringens* or *Bacillus cereus* should be killed or inactivated. However, under substandard sanitary conditions, other pathogens such as *Salmonella* or *Listeria monocytogenes* may be reintroduced. Thus, cooling requirements are based on growth characteristics of organisms that may survive or be a post-cook contaminate and grow rapidly under temperature abuse conditions.

**I understand and agree to comply with the corrections ordered in this report. I understand the failure to comply could result in legal action including loss of license.**

<b>PIC signature or authorized employee</b>	<b>Date</b>	<b>Sanitarian Signature Todd Drew, R.S.</b>	<b>Date</b>

**Food Safety Fact Sheets Attached:**

<input type="checkbox"/> Employee Health	<input type="checkbox"/> Employee Reporting Agreement	<input type="checkbox"/> Personal Hygiene	<input type="checkbox"/> Bare hand contact
<input type="checkbox"/> Responsibilities of the PIC	<input type="checkbox"/> Disposable glove use	<input type="checkbox"/> Cross – Contamination	<input type="checkbox"/> Demonstration of Knowledge
<input checked="" type="checkbox"/> Cooling Procedures	<input type="checkbox"/> Thawing Procedures	<input type="checkbox"/> Active Managerial Control	<input type="checkbox"/> Certified Food Manager
<input type="checkbox"/> Consumer Advisory	<input type="checkbox"/> HACCP	<input type="checkbox"/> HACCP Hazard Analysis	<input type="checkbox"/> Serving Safe Food
<input type="checkbox"/> Pre-Inspection	<input type="checkbox"/> Time as a Health Control	<input type="checkbox"/> Allergens	<input type="checkbox"/> Thermometer Calibration
<input type="checkbox"/> Catering	<input type="checkbox"/> Cooking Temperatures	<input type="checkbox"/> Microwave Cooking	<input type="checkbox"/> Interpreting the Inspection Report
<input type="checkbox"/> Variance / HACCP	<input type="checkbox"/> Frozen Foods	<input type="checkbox"/> Receiving	<input type="checkbox"/> Chemical / Physical Contamination
<input type="checkbox"/> Common Foodborne Illnesses	<input type="checkbox"/> Outdoor Events	<input type="checkbox"/> Serving Safe Food	<input type="checkbox"/> Effective Sanitizing
<input type="checkbox"/> Organizing Coolers	<input type="checkbox"/> Date Marking		