

MENASHA HEALTH DEPARTMENT - RESTAURANT / RETAIL FOOD SERVICE INSPECTION REPORT

Business Name Third Street Market		Business Address 403 Third Street		County Winnebago		ID # 11-24062	
Legal Licensee Foodmen 2 Inc.		Mailing Address (Licensee) 1220 Webster Green Bay		Telephone # (920) 558-4477			
Date of inspection 10/29/15		Bare Hand Contact Plan in Place <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Type of Establishment <input type="checkbox"/> Restaurant <input checked="" 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	
Inspection Type <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				Action Taken <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			
Person in Charge Mike Novak				CFM # and expiration CFM # expiration date			
FOODBORNE ILLNESS RISK FACTORS							
Circle designated compliance status for each item IN -in compliance OUT – out of compliance N/O – not observed N/A – not applicable				Mark an X in appropriate box for COS and/or R COS – corrected on site during inspection R - repeat violation			

COMPLIANCE STATUS			COS	R
DEMONSTRATION OF KNOWLEDGE				
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"/>
EMPLOYEE HEALTH				
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"/>
GOOD HYGENIC PRATICES				
4	IN	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"/>
PREVENTING CONTAMINATION FROM HANDS				
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"/>
APPROVED SOURCE				
9	IN	Food obtained from approved source	<input type="checkbox"/>	<input type="checkbox"/>
10	NO	Food received at proper temperature	<input type="checkbox"/>	<input type="checkbox"/>
11	OUT	Food in good condition, safe, unadulterated	<input type="checkbox"/>	<input type="checkbox"/>
12	NO	Records available, shell stock tags, parasite destruction	<input type="checkbox"/>	<input type="checkbox"/>
PROTECTION FROM CONTAMINATION				
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
POTENTIALLY HAZARDOUS FOOD TEMPERATURE				
16	NO	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	NO	Proper cooling time and temperature	<input 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	OUT	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"/>
HIGHLY SUSEPTABLE POPULATIONS				
24	NA	Pasteurized foods used; prohibited foods not offered	<input type="checkbox"/>	<input type="checkbox"/>
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	NA	Compliance with variance, specialized process, HACCP plan	<input type="checkbox"/>	<input type="checkbox"/>
<p>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.</p> <p>Risk factor violations should be corrected on site during the inspection unless there is some reason that correction cannot be immediately made.</p>				

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	NO	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	OUT	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	IN	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: Develop a written policy for the proper break down and cleaning of the meat cold room grinder. Equipment is used for both ready to eat and raw animal products.

TEMPERATURES – Refrigeration/hot hold/cook					
Item / Location	Temp	Item / Location	Temp	Item / Location	Temp
hot hold rot chicken	153°F	deli display salad	36°F	walk in cooler rot chicken	35°F
upright refrigerator process meat display	37°F	upright refrigerator raw meat display	39°F	--	° F
Cook --	°F	Cook --	F °	Cook --	° F

WAREWASHING INFORMATION					
Machine Name	Sanitization Method	Thermo Label confirmed	PPM/ temp	Sanitizer Name / Approved Y/N	Sanitizer Type
3 compartment	manual sanitize	<input type="checkbox"/> yes <input type="checkbox"/> No	200ppm / °F rinse	QUAT <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	QUAT

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 1st page, violation description, Food Code reference, corrective action, and score.

CDC Code	Violation number P- Priority Pf- Priority Foundation	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)
US	11 <input checked="" type="checkbox"/> P <input type="checkbox"/> Pf <input type="checkbox"/> C	<p>Discolored (grey) and past date package of ground beef (dated 10/23) was noted stored in the deli prep cooler. Package was leaking on to the base of the cooler. Based on visual appearance and age - food product considered unsafe due to adulteration. .</p> <p>WISCONSIN FOOD CODE REFERENCE 3–101.11 Safe, Unadulterated, and Honestly Presented. FOOD shall be safe, unADULTERATED and, as specified under § 3–601.12, honestly presented.P</p> <p>CORRECTIVE ACTION Food product was disposed of by food employee when pointed out. Food product used and stored in department refrigeration units must be safe and unadulterated. Foods which are no longer safe and/or wholesome must be disposed of immediately.</p>	COS

IH	21 <input checked="" type="checkbox"/> P <input type="checkbox"/> Pf <input type="checkbox"/> C	<p>Deli salad and sliced roast beef was noted in display cooler with date of 10/28. .</p> <p>WISCONSIN FOOD CODE REFERENCE 3-501.18 Ready-to-Eat, Potentially Hazardous Food (Time/Temperature Control for Safety Food), Disposition. (A) A FOOD specified under ¶ 3-501.17 (A) or (B) shall be discarded if it: (1) Exceeds the temperature and time combination specified in ¶ 3-501.17 (A), except time that the product is frozen; P (2) Is in a container or PACKAGE that does not bear a date or day; P or (3) Is appropriately marked with a date or day that exceeds a temperature and time combination as specified in ¶ 3-501.17 (A). P</p> <p>CORRECTIVE ACTION A current risk control plan dated 5/13/15 is still in effect at this location.</p> <p>Product was immediately ordered dumped per 3-501.18.</p> <p>Per the Risk Control Plan a written procedure was to be put in place and that steps must be taken to ensure that all products area dated and that all dated products are removed from sale immediately at expiration date.</p> <p>Additional violation to this section shall result in the issuance of a re-inspection fee of \$300.00.</p> <p>Active Managerial Controls must be put into place to prevent dated product from being offered for sale in the future.</p>	COS
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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
35 <input type="checkbox"/> P <input checked="" type="checkbox"/> Pf <input type="checkbox"/> C	<p>Items in the bakery and deli (bakery items, wraps, etc) did not have adequate allergen declaration.</p> <p>WISCONSIN FOOD CODE REFERENCE 3-602.11 Food Labels. (A) FOOD PACKAGED in a FOOD ESTABLISHMENT, shall be labeled as specified in LAW, including 21 CFR 101 — Food labeling, and 9 CFR 317 — Labeling, marking devices, and containers. (B) Label information shall include: (5) 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 (Effective January 1, 2006). Pf</p> <p>CORRECTIVE ACTION As previously cited all labels in bakery and deli must have labels which include the proper declaration of allergens. Allergen declarations made relative to trace allergens must be consistent for all products which are produced and/or packaged in the same area.</p>	30 days - final notice

Long term controls / approvals / special processes in place

Risk Control Plan Date Marking, Hot holding

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:

Recommend the development of SOP's for cleaning of the cold room meat grinder and for date marking of ready to eat potentially hazardous / TCS foods.

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.

PIC signature or authorized employee	Date	Sanitarian Signature Todd Drew, R.S.	Date

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 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		

“Whole–muscle, intact beef” means whole muscle beef that is not INJECTED, MECHANICALLY TENDERIZED, reconstructed, or scored and marinated, from which beef steaks may be cut.

Meat Department Information Request

(B) Whole MEAT roasts including beef, corned beef, lamb, pork, and cured pork roasts such as ham, shall be cooked:

(1) In an oven that is preheated to the temperature specified for the roast’s weight in the following chart and that is held at that temperature: Pf

Oven Type

Oven Temperature Based on Roast Weight

Less than 4.5 kg (10 lbs) 4.5 kg (10 lbs) or More

Still Dry 177°C (350°F) or more 121°C (250°F) or more

Convection 163°C (325°F) or more 121°C (250°F) or more

High Humidity¹ 121°C (250°F) or less 121°C (250°F) or less

¹ Relative humidity greater than 90% for at least 1 hour as measured in the cooking chamber or exit of the oven; or in a moisture–impermeable bag that provides 100% humidity.

; and

(2) As specified in the following chart, to heat all parts of the FOOD to a temperature and for the holding time that corresponds to that temperature: P

Temperature _C (_F) Time 1 in

Minutes Temperature °C (_F) Time 1 in

Seconds

54.4 (130) 112 63.9 (147) 134

55.0 (131) 89 65.0 (149) 85

56.1 (133) 56 66.1 (151) 54

57.2 (135) 36 67.2 (153) 34

57.8 (136) 28 68.3 (155) 22

58.9 (138) 18 69.4 (157) 14

60.0 (140) 12 70.0 (158) 0

61.1 (142) 8

62.2 (144) 5

62.8 (145) 4

¹ Holding time may include postoven heat rise.

(C) A raw or undercooked WHOLE–MUSCLE, INTACT BEEF steak may be served or offered for sale in a READY–TO–EAT form if:

(1) The FOOD ESTABLISHMENT serves a population that is not a HIGHLY SUSCEPTIBLE POPULATION,

(2) The steak is labeled to indicate that it meets the definition of “WHOLE–MUSCLE, INTACT BEEF” as specified under ¶ 3–201.11 (E), and

(3) The steak is cooked on both the top and bottom to a surface temperature of 63°C (145°F) or above and a cooked color change is achieved on all external surfaces.

(E) WHOLE–MUSCLE, INTACT BEEF steaks that are intended for consumption in an undercooked form without a CONSUMER advisory as specified in ¶ 3–401.11 (C) shall be:

(1) Obtained from a FOOD PROCESSING PLANT that, upon request by the purchaser, PACKAGES

the steaks and labels them, to indicate that the steaks meet the definition of WHOLE–MUSCLE, INTACT BEEF, Pf or

(2) Deemed acceptable by the REGULATORY AUTHORITY based on other evidence, such

as written buyer specifications or invoices, that indicates that the steaks meet the definition of WHOLE–MUSCLE, INTACT BEEF; Pf and

(3) If individually cut in a FOOD ESTABLISHMENT:

(a) Cut from WHOLE–MUSCLE, INTACT BEEF that is labeled by a FOOD PROCESSING

PLANT as specified in Subparagraph (E) (1) or identified as specified in Subparagraph (E) (2) of this section, Pf

(b) Prepared so they remain intact, Pf and

(c) If PACKAGED for undercooking in a FOOD ESTABLISHMENT, labeled as specified in

Subparagraph (E) (1) of this section or identified as specified in Subparagraph (E)

(2) of this section. Pf