

# Ohio Department of Agriculture/Ohio Department of Health Standard Inspection Report

Authority: Chapters 3717 and 3715 Ohio Revised Code

Name of facility <b>THE POORE HOUSE</b>	Check one <input checked="" type="checkbox"/> FSO <input type="checkbox"/> RFE	License number <b>409</b>	Date <b>11/23/2009</b>
Address: <b>29 W. MAIN STREET WAKEMAN, OH 44889</b>		Category/Descriptive <b>COMMERCIAL LEVEL 3 &lt;25,000 SQ. FT.</b>	
License holder <b>DWAYNE &amp; DOROTHY POORE</b>	Inspection Time (min) <b>60</b>	Travel Time (min) <b>0</b>	Other
Type of visit (check) <input checked="" type="checkbox"/> Standard <input type="checkbox"/> Follow Up <input type="checkbox"/> Foodborne <input type="checkbox"/> 30 Day <input type="checkbox"/> Complaint <input type="checkbox"/> Prelicensing <input type="checkbox"/> Consultation <input type="checkbox"/> Other <i>specify</i>		Follow-up date (if required) <b>12/11/09</b>	Sample date/result (if required) <b>/ /</b>

**Chapter 3717-1 OAC Violation Checked**

**Management and Personnel**

<input type="checkbox"/> 2.1 Employee health
<input type="checkbox"/> 2.2 Personal cleanliness
<input type="checkbox"/> 2.3 Hygienic practices
<input type="checkbox"/> 2.4 Supervision

**Food**

<input type="checkbox"/> 3.0 Safe, unadulterated and honestly presented
<input type="checkbox"/> 3.1 Sources, specification and original containers
<input checked="" type="checkbox"/> 3.2 Protection from contamination after receiving
<input type="checkbox"/> 3.3 Destruction of organisms
<input checked="" type="checkbox"/> 3.4 Limitation of growth of organisms
<input type="checkbox"/> 3.5 Identity, presentation, on premise labeling
<input type="checkbox"/> 3.6 Discarding or reconditioning unsafe, adulterated
<input type="checkbox"/> 3.7 Special requirements for highly susceptible populations

**Equipment, Utensils, Linens and between Utensils, Linens**

<input type="checkbox"/> 4.0 Materials for construction and repair
<input checked="" type="checkbox"/> 4.1 Design and construction
<input type="checkbox"/> 4.2 Numbers and capacities
<input type="checkbox"/> 4.3 Location and installation

<input checked="" type="checkbox"/> 4.4 Maintenance and operation
<input type="checkbox"/> 4.5 Cleaning of equipment and utensils
<input type="checkbox"/> 4.6 Sanitizing of equipment and utensils
<input type="checkbox"/> 4.7 Laundering
<input type="checkbox"/> 4.8 Protection of clean items

**Water, Plumbing, and Waste**

<input type="checkbox"/> 5.0 Water
<input type="checkbox"/> 5.1 Plumbing system
<input type="checkbox"/> 5.2 Mobile water tanks
<input type="checkbox"/> 5.3 Sewage, other liquid waste and rainwater
<input type="checkbox"/> 5.4 Refuse, recyclables, and returnables

**Physical Facilities**

<input type="checkbox"/> 6.0 Materials for construction and repair
<input type="checkbox"/> 6.1 Design, construction and installation
<input type="checkbox"/> 6.2 Numbers and capacities
<input type="checkbox"/> 6.3 Location and placement
<input type="checkbox"/> 6.4 Maintenance and operation

**Poisonous or Toxic Materials**

<input type="checkbox"/> 7.0 Labeling and identification
<input type="checkbox"/> 7.1 Operational supplies and applications
<input type="checkbox"/> 7.2 Storage and display separation

**Special Requirements**

<input type="checkbox"/> 8.0 Fresh juice production
<input type="checkbox"/> 8.1 Heat treatment dispensing freezers
<input type="checkbox"/> 8.2 Custom processing
<input type="checkbox"/> 8.3 Bulk water machine criteria
<input type="checkbox"/> 8.4 Acidified white rice preparation criteria
<input type="checkbox"/> 9.0 Facility layout and equipment specifications
<input type="checkbox"/> 20 Existing facilities and equipment

**901:3-4 OAC RFE Only**

<input type="checkbox"/> 12 Articles - Cease use
<input type="checkbox"/> 13 Records
<input type="checkbox"/> 14 Food sample collected
<input type="checkbox"/> 15 Embargo of food/Voluntary destruction

**3701-21 OAC FSO Only**

<input type="checkbox"/> 27 Embargo of food, reference back to 901:3-4-15
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**Violations/Comments**

AT TIME OF INSPECTION:

HAMBURGER MEAT WAS OBSERVED "THAWING" IN STANDING HOT WATER. THIS THAWING METHOD REQUIRES THAT THE WATER BE CONTANTLY FLOWING. OTHER THAWING TECHNIQUES INVOLVE STORING THE FOOD IN THE COOLER.

3717-1-03.4 Food: Limitation of Growth of Organisms of Public Health Concern

(C) Thawing - temperature and time control.

Except as specified in paragraph (C)(4) of this rule, time/temperature controlled for safety food shall be thawed:

(1) Under refrigeration that maintains the food temperature at forty-one degrees Fahrenheit (five degrees Celsius) or less; or

(2) Completely submerged under running water:

(a) At a water temperature of seventy degrees Fahrenheit (twenty-one degrees Celsius) or below,

(b) With sufficient water velocity to agitate and float off loose particles in an overflow, and

(c) For a period of time that does not allow thawed portions of ready-to-eat food to rise above forty-one degrees Fahrenheit (five degrees Celsius), or

(d) For a period of time that does not allow thawed portions of a raw animal food requiring cooking as specified under paragraph (A)(1)(a), (A)(1)(b), (A)(1)(c) or (A)(2) of rule 3717-1-03.3 of the Administrative Code to be above

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forty-one degrees Fahrenheit (five degrees Celsius), for more than four hours including:

- (i) The time the food is exposed to the running water and the time needed for preparation for cooking, or
  - (ii) The time it takes under refrigeration to lower the food temperature to forty-one degrees Fahrenheit (five degrees Celsius);
- (3) As part of a cooking process if the food that is frozen is:
- (a) Cooked as specified under paragraph (A)(1)(a), (A)(1)(b), (A)(1)(c) or (A)(2) of rule 3717-1-03.3 of the Administrative Code or paragraph (B) of rule 3717-1-03.3 of the Administrative Code, or
  - (b) Thawed in a microwave oven and immediately transferred to conventional cooking equipment, with no interruption in the process; or
- (4) Using any procedure if a portion of frozen ready-to-eat food is thawed and prepared for immediate service in response to an individual consumer's order.

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**\*\*CRITICAL VIOLATION\*\***

**FOODS IN THE REACH IN REFRIDGERATOR WERE NOT DATE LABELED. ONCE THE FOOD IS OPENED FROM IT'S ORIGINAL PACKAGING IT NEEDS TO BE USED WITHIN 7 DAYS.**

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 and held at a temperature of forty-one degrees Fahrenheit (five degrees Celsius) or less for more than twenty-four hours, shall be clearly marked to indicate the date or day, that is a maximum of seven days, by which the food shall be consumed on the premises, sold, or discarded. The day of preparation shall be counted as day one.

(2) Except as specified in paragraphs (G)(4) to (G)(6) 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 held at a temperature of forty-one degrees Fahrenheit (five degrees Celsius) or less for more than twenty-four hours, to indicate the date or day, that is a maximum of seven days, by which the food shall be consumed on the premises, sold, or discarded, 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

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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) 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 CFR 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 CFR 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 CFR 133, such as blue, edam, gorgonzola, gouda, and monterey jack;

(d) Cultured dairy products as defined in 21 CFR 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 CFR 114;

(f) Shelf stable, dry fermented sausages, such as pepperoni and Genoa salami that are not labeled "Keep Refrigerated" as specified in 9 CFR 317, and which retain the original casing on the product; and

(g) Shelf stable salt-cured products such as prosciutto and Parma (ham) that are not labeled "Keep Refrigerated" as specified in 9 CFR 317.

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REPEAT VIOLATION:

FOOD IS BEING KEPT IN A PEPSI COOLER. THE COOLER STATES THAT IT IS ONLY FOR BOTTLED/ PACKAGED PRODUCTS ONLY. THE FOOD NEEDS TO BE MOVED AND PUT INTO A COMMERCIAL GRADE REFRIGERATOR.

3717-1-04.1 Equipment, Utensils, and Linens: Design and Construction

(KK) Food equipment - certification and classification.

(1) Except as provided in paragraph (KK)(2) of this rule, food equipment that is acceptable for use in a food service operation or retail food establishment shall be approved by a recognized food equipment testing agency.

(2) The Ohio department of agriculture, the Ohio department of health, or the licensor may approve the use of food equipment, other than vending machines and bulk water machines, that have not been approved by a recognized testing agency if the equipment demonstrates compliance with this chapter.

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THE SEALS ON THE REACH IN COOLER ARE RIPPED. THESE NEED TO BE REPLACED/REPAIRED IMMEDIATELY. RIPPED SEALS CAN CAUSE THE COOLER TO NOT KEEP PROPER TEMPERATURE.

3717-1-04.4 Equipment, Utensils, and Linens: Maintenance and Operation

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[Comment: For publication dates of the CFR referenced in this rule, see paragraph (B)(15)(b) of rule 3717-1-01 of the Administrative Code.]

(A) Equipment - good repair and proper adjustment.

(1) Equipment shall be maintained in a state of repair and condition that meets the requirements specified under rule 3717-1-04 of the Administrative Code and rule 3717-1-04.1 of the Administrative Code.

(2) Equipment components such as doors, seals, hinges, fasteners, and kick plates shall be kept intact, tight, and adjusted in accordance with manufacturer's specifications.

(3) Cutting or piercing parts of can openers shall be kept sharp to minimize the creation of metal fragments that can contaminate food when the container is opened.

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\*CRITICAL VIOLATION\*

EGGS ARE BEING STORED ABOVE READY TO EAT FOODS. EGGS ARE CONSIDERED A RAW MEAT PRODUCT AND ARE TO BE STORED ON THE BOTTOM. IF THE EGGS CRACK/BREAK, THEY WILL CONTAMINATE ALL FOODS BELOW THEM.

3717-1-03.2 Food: Protection from Contamination after Receiving

(C) Packaged and unpackaged food - preventing contamination by separation, packaging, and segregation.

Food shall be protected from cross contamination by:

(1) Separating raw animal foods during storage, preparation, holding, and display from:

(a) Raw ready-to-eat food including other raw animal food such as fish for sushi or molluscan shellfish, or other raw ready-to-eat food such as fruits and vegetables, and

(b) Cooked ready-to-eat food;

(2) Except when combined as ingredients, separating types of raw animal foods from each other such as beef, fish, lamb, pork, and poultry during storage, preparation, holding, and display by:

(a) Using separate equipment for each type, or

(b) Arranging each type of food in equipment so that cross contamination of one type with another is prevented, and

(c) Preparing each type of food at different times or in separate areas;

(3) Cleaning equipment and utensils as specified under paragraph (B)(1) of rule 3717-1-04.5 of the Administrative Code and sanitizing as specified under paragraph (C) of rule 3717-1-04.6 of the Administrative Code;

(4) Cleaning hermetically sealed containers of food of visible soil before opening;

(5) Protecting food containers that are received packaged together in a case or overwrap from cuts when the case or overwrap is opened;

(6) Storing damaged, spoiled, or recalled food being held in the food service operation or retail food establishment as specified under paragraph (D) of rule 3717-1-06.3 of the Administrative Code;

(7) Separating fruits and vegetables, before they are washed as specified under paragraph (G) of this rule from ready-to-eat food; and

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(8) Storing the food in packages, covered containers, or wrappings. This provision does not apply to:

(a) Whole, uncut, raw fruits and vegetables and nuts in the shell, that require peeling or hulling before consumption;

(b) Primal cuts, quarters, or sides of raw meat or slab bacon that are hung on clean, sanitized hooks or placed on clean, sanitized racks;

(c) Whole, uncut, processed meats such as country hams, and smoked or cured sausages that are placed on clean, sanitized racks;

(d) Food being cooled as specified under paragraph (E)(2)(b) of rule 3717-1-03.4 of the Administrative Code; or

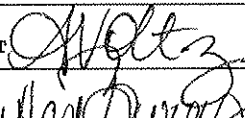
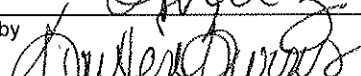
(e) Shellstock.

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NOTES:

A COVERED TRASH CAN HAS BEEN PUT IN THE EMPLOYEE RESTROOM. VIOLATION CORRECTED FROM LAST INSPECTION.

COLD HOLDING TEMPERATURES WERE ALL BELOW 41°F  
MILK- 40° / BEER-31° / MEAT-39° / SLICED TOMATOES- 39° / SLICED MUSHROOMS- 41°

HANDWASHING SINK EQUIPPED WITH HOT WATER, SOAP, AND PAPER TOWELS.  
NOZZLES ON POP DISPENSOR CLEAN.  
SANITIZER TABLETS AND TEST STRIPS AVAILABLE.

Inspected by ASHLEY VOLTZ SIT 	R.S./SIT # 92474	Licensors Huron County General Health District
Received by 	Title	Phone 1-440-839-0200

As per HEA 5302/12/08 CHC Software, Inc.

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