



Retail Food Establishment Inspection Report

Establishment Information	
Facility Name AMERICAN LEGION & AUXILIARY	Facility Type Special Organization
Facility ID # HSAT-7QX32H	Facility Telephone # 608 781-6888
Facility Address 148 S LEONARD ST WEST SALEM , WI 54669	
Licensee Name BERG HEMKER OLSON POST #51	Licensee Address P O 40 WEST SALEM , WI 54669

Inspection Information		
Inspection Type Routine	Inspection Date March 15, 2019	Total Time Spent

Equipment Temperatures	
Description	Temperature (Fahrenheit)
Refrigerator - homestyle kitchen	37
Freezer 1 - standup dry storage	FN
Walk in cooler	38

Food Temperatures	
Description	Temperature (Fahrenheit)
Soup cooling 3 hours	85
BLT Salad cooling 3 hours	55

Warewashing Info					
Machine Name	Sanitization Method	Thermo Label	PPM	Sanitizer Name	Sanitizer Type
High temp dish	Heat	Pass 160 degrees			
3 comp sink (bar)	Chemical		0/100		Chlorine Product
3 comp sink (kitchen)	Chemical		NSU		Chlorine Product

Certified Manager		
Name	Certificate #	Certificate Expiration
KAREN L SCHALLER	DOGD-9DYBA2	2/17/2018
ELIZABETH STAFF	DOGD-9DYAGG	2/17/2019

OPERATOR - The violations in operating procedure or physical arrangement indicated below must be corrected by the next routine inspection or by a date specified in this report.

Observed Violations
Total # 8
Risk/Intervention - 02 - Management, food employee, and conditional employee: knowledge, responsibilities and reporting This is a priority item OBSERVATION: Person in charge has not informed or required food employees to report signs, symptoms, or diagnosis of foodborne illness. CORRECTIVE ACTION(S): Inform food employees of the requirements to report signs, symptoms and diagnosis of foodborne illness to the person in charge. Correct By: 22-Mar-2019 CODE CITATION: 2-201.11 (A) The PERMIT/LICENSE HOLDER shall require FOOD EMPLOYEES and CONDITIONAL

EMPLOYEES to report to the PERSON IN CHARGE, information about their health and activities as they relate to diseases that are transmissible through FOOD. A FOOD EMPLOYEE or CONDITIONAL EMPLOYEE shall report the information in a manner that allows the PERSON IN CHARGE to reduce the RISK of foodborne disease transmission, including providing necessary additional information, such as the date of onset of symptoms and an illness, or of a diagnosis without symptoms, if the FOOD EMPLOYEE or CONDITIONAL EMPLOYEE:

(1) Has any of the following symptoms:

- (a) Vomiting, [P]
- (b) Diarrhea, [P]
- (c) Jaundice, [P]
- (d) Sore throat with fever, [P] or
- (e) A lesion containing pus such as a boil or infected wound that is open or draining and is:
 - (i) On the hands or wrists, unless an impermeable cover such as a finger cotor stall protects the lesion and a SINGLE-USE glove is worn over the impermeable cover, [P]
 - (ii) On exposed portions of the arms, unless the lesion is protected by an impermeable cover, [P] or
 - (iii) On other parts of the body, unless the lesion is covered by a dry, durable, tight-fitting bandage; [P]

(2) Has an illness diagnosed by a HEALTH PRACTITIONER due to:

- (a) Norovirus, [P]
- (b) Hepatitis A virus, [P]
- (c) Shigella spp., [P]
- (d) ENTEROHEMORRHAGIC or SHIGA TOXIN-PRODUCING ESCHERICHIA COLI, [P]
- (e) Salmonella Typhi, [P] or
- (f) Salmonella spp. [P]

Note: A complete listing of communicable diseases that can be transmitted through FOOD can be obtained from any local health department.

(3) Had a previous illness, diagnosed by a HEALTH PRACTITIONER, within the past 3 months due to Salmonella Typhi, without having received antibiotic therapy, as determined by a HEALTH PRACTITIONER; [P]

(4) Has been exposed to, or is the suspected source of, a CONFIRMED DISEASE OUTBREAK, because the FOOD EMPLOYEE or CONDITIONAL EMPLOYEE consumed or prepared FOOD implicated in the outbreak, or consumed FOOD at an event prepared by an individual who is infected or ill with:

- (a) Norovirus within the past 48 hours of the last exposure, [P]
- (b) ENTEROHEMORRHAGIC or SHIGA TOXIN-PRODUCING ESCHERICHIA COLI, or Shigella spp. within the past 3 days of the last exposure, [P]
- (c) Salmonella Typhi within the past 14 days of the last exposure, [P] or
- (d) Hepatitis A virus within the past 30 days of the last exposure; [P] or

(5) Has been exposed by attending or working in a setting where there is a CONFIRMED DISEASE OUTBREAK, or living in the same household as, and has knowledge about, an individual who works or attends a setting where there is a CONFIRMED DISEASE OUTBREAK, or living in the same household as, and has knowledge about, an individual diagnosed with an illness caused by:

- (a) Norovirus within the past 48 hours of the last exposure, [P]
- (b) ENTEROHEMORRHAGIC or SHIGA TOXIN-PRODUCING ESCHERICHIA COLI, or Shigella spp. within the past 3 days of the last exposure, [P]
- (c) Salmonella Typhi within the past 14 days of the last exposure, [P] or
- (d) Hepatitis A virus within the past 45 days of the last exposure. [P]

Risk/Intervention - 13 - Food separated and protected

This is a priority item

OBSERVATION: (CORRECTED DURING INSPECTION): There are ready-to-eat produce stored under raw pork in walk in cooler.

CORRECTIVE ACTION(S): Reorganize storage so that ready-to-eat foods are stored above raw animal food and raw vegetables. Discard ready-to-eat foods that show evidence of contamination. Correct By: 15-Mar-2019

CODE CITATION: 3-302.11 (A) FOOD shall be protected from cross contamination by:

- (1) Except as specified in (1) (c) below, 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 vegetables, [P] and
 - (b) Cooked READY-TO-EAT FOOD; [P]
 - (c) Frozen, commercially processed and packaged raw animal FOOD may be stored or displayed with or above frozen, commercially processed and PACKAGED, READY-TO-EAT FOOD.

Risk/Intervention - 18 - Proper cooling time and temperature

This is a priority item

OBSERVATION: (CORRECTED DURING INSPECTION): Soup in walk in cooler is not cooling properly and is at [85°F]

after 3 hours

BLT salad in walk in cooler is not cooling properly and is at 55 after 3 hours.

CORRECTIVE ACTION(S): Discard soup.

Adjust method or procedures to cool foods from 135°F to 70°F in the first 2-hours and from 70°F to 41°F in an additional 4-hours or if prepared or received at ambient temperatures cool to 41°F in 4-hours.

CODE CITATION: 3-501.14 (A) 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); [P] and
 - (2) Within a total of 6 hours from 57°C (135°F) to 5°C (41°F) or less. [P]
- (B) POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) shall be cooled within 4 hours to 5°C (41°F) or less, if
- (1) Prepared from ingredients at ambient temperature, such as reconstituted FOODS and canned tuna. [P]
 - (2) Cheese curds received as specified in ¶ 3-202.11 (G), which are intended to be sold at temperatures of 5°C (41°F) or less. [P]
- (C) Except as specified in ¶ (D) of this section, a POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) received in compliance with LAWS allowing a temperature above 5°C (41°F) during shipment from the supplier as specified in ¶ 3-202.11 (B), shall be cooled within 4 hours to 5°C (41°F) or less. [P]
- (D) Raw EGGS shall be received as specified under ¶ 3-202.11 (C) and immediately placed in refrigerated EQUIPMENT that maintains an ambient air temperature of 5°C (41°F) or less. [P]

Good Retail Practices - 31 - Proper cooling methods used adequate equipment for temperature control

This is a priority foundation item

OBSERVATION: (CORRECTED DURING INSPECTION): Improper cooling methods are observed for soup in walk in cooler. Product was covered and not in ice bath.

CORRECTIVE ACTION(S): Adjust methods or procedures to facilitate cooling as described in 3-501.15. Correct By: 15-Mar-2019

CODE CITATION: 3-501.15 (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:

- (1) Placing the FOOD in shallow pans; [Pf]
- (2) Separating the FOOD into smaller or thinner portions; [Pf]
- (3) Using rapid cooling EQUIPMENT; [Pf]
- (4) Stirring the FOOD in a container placed in an ice water bath; [Pf]
- (5) Using containers that facilitate heat transfer; [Pf]
- (6) Adding ice as an ingredient; or [Pf]
- (7) Other effective methods. [Pf]

Good Retail Practices - 31 - Proper cooling methods used adequate equipment for temperature control

This is a core item

OBSERVATION: (CORRECTED DURING INSPECTION): Soup and BLT salad in walk in cooler is not in a container that facilitates heat transfer or is tightly wrapped or covered.

CORRECTIVE ACTION(S): Provide containers that facilitate heat transfer, such as metal pans, and loosely cover food items during the cooling process so that heat is allowed to escape.

CODE CITATION: 3-501.15 (B) When placed in cooling or cold holding EQUIPMENT, FOOD containers in which FOOD is being cooled shall be:

- (1) Arranged in the EQUIPMENT to provide maximum heat transfer through the container walls; and
- (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.

Risk/Intervention - 23 - Consumer advisory provided for raw or undercooked foods

This is a priority foundation item

OBSERVATION: No consumer advisory provided for undercooked hamburger.

CORRECTIVE ACTION(S): Provide a consumer advisory for animal foods served in a raw or undercooked condition. Correct By: 15-Apr-2019

CODE CITATION: 3-603.11 (A) Except as specified in ¶ 3-401.11 (C) and Subparagraph 3-401.11 (D) (4) and under ¶ 3-801.11 (C), if an animal FOOD such as beef, EGGS, FISH, lamb, pork, POULTRY, or shellfish is served or sold raw, undercooked, or without otherwise being processed to eliminate pathogens, either in READY-TO-EAT form or as an ingredient in another READY-TO-EAT FOOD, the PERMIT HOLDER shall inform CONSUMERS of the significantly increased RISK of consuming such FOODS by way of a DISCLOSURE and REMINDER, as specified in ¶¶ (B) and (C) of this section, using brochures, deli case or menu advisories, label statements, table tents, placards, or other effective written means. [Pf]

(B) DISCLOSURE shall include:

- (1) A description of the animal-derived FOODS, such as “oysters on the half shell(raw oysters),” and “raw-EGG Caesar salad,”

and “hamburgers (can be cooked to order);” [Pf] or

(2) Identification of the animal-derived FOODS by asterisking them to a footnote that states that the items are served raw or undercooked, or contain (or may contain) raw or undercooked ingredients. [Pf]

(C) REMINDER shall include asterisking the animal-derived FOODS requiring DISCLOSURE to a footnote that states:

(1) Regarding the safety of these items, written information is available upon request; [Pf]

(2) Whether dining out or preparing FOOD at home, consuming raw or undercooked MEATS, POULTRY, seafood, shellfish, or EGGS may increase your RISK of foodborne illness; [Pf] or

(3) Whether dining out or preparing FOOD at home, consuming raw or undercooked MEATS, POULTRY, seafood, shellfish, or EGGS may increase your RISK of foodborne illness, especially if you have certain medical conditions. [Pf]

Risk/Intervention - 14 - Food-contact surfaces: cleaned and sanitized

This is a priority item

OBSERVATION: (CORRECTED DURING INSPECTION): The 3 compartment bar sink is not being used according to EPA registered label use instructions and is at less than 10 chlorine PPM.

CORRECTIVE ACTION(S): Provide training to employees on proper use and concentration of sanitizer or repair or adjust warewashing equipment to provide proper sanitizer concentration. Use up scented bleach and start using unscented. Correct By: 22-Mar-2019

CODE CITATION: 4-501.114 A chemical SANITIZER used in a SANITIZING solution for a manual or mechanical operation at contact times specified under ¶ 4-703.11 (C) shall meet the criteria specified in § 7-204.11 SANITIZERS, Criteria, shall be used in accordance with the EPA-registered label use instructions, and shall be used as follows: [P]

(A) A chlorine solution shall have a minimum temperature based on the concentration and pH of the solution as listed in the following chart; [P]

Concentration Range Minimum Temperature mg/L
pH 10 or less °C (°F) pH 8 or less °C (°F)

25-49 49 (120) 49 (120)

50-99 38 (100) 24 (75)

100 13 (55) 13 (55)

(B) An iodine solution shall have a:

(1) Minimum temperature of 20°C (68°F), [P]

(2) pH of 5.0 or less or a pH no higher than the level for which the manufacturer specifies the solution is effective, [P] and

(3) Concentration between 12.5 mg/L and 25 mg/L; [P]

(C) A quaternary ammonium compound solution shall: [P]

(1) Have a minimum temperature of 24°C (75°F), [P]

(2) Have a concentration as specified under § 7-204.11 and as indicated by the manufacturer’s use directions included in the labeling, [P] and

(3) Be used only in water with 500 mg/L hardness or less or in water having a hardness no greater than specified by the EPA-registered label use instructions; [P]

(D) If another solution of a chemical specified under ¶¶ (A) to (C) of this section is used, the PERMIT/LICENSE HOLDER shall demonstrate to the DEPARTMENT that the solution achieves SANITIZATION and the use of the solution shall be APPROVED; [P] or

(E) If a chemical SANITIZER other than chlorine, iodine, or a quaternary ammonium compound is used, it shall be applied in accordance with the EPA-registered label use instructions and be approved by the DEPARTMENT. [P]

Risk/Intervention - 26 - Toxic substances properly identified, stored and used

This is a priority item

OBSERVATION: Scented Chlorine product (bleach) used in the food establishment is not approved.

CORRECTIVE ACTION(S): Sanitizer shall meet the requirements under 40 CFR 180.940. Should not be scented Correct By: 15-Mar-2019

CODE CITATION: 7-204.11 (B) Chemical SANITIZERS and other chemical antimicrobials applied to FOOD-CONTACT SURFACES shall meet the requirements specified in 40 CFR 180.940 — Tolerance exemptions for active and inert ingredients for use in antimicrobial formulations (food-contact surface sanitizing solutions). [P]

Comments:

Need air gap for ice machine when moved to the new location. Plans for a new kitchen in works, we will send plan review information. Doug was present.
Elizabeth's ServSafe expires 1/20/24
Discussed employee reporting of symptoms of illness.
Discussed cooling methods for cooling from 135 degrees and from ambient.
Discussed the condition of the kitchen, not being up to code and will not be able to obtain a renewal permit in the near future.
The restaurant will be invoiced to upgrade to a high complexity restaurant.

Any operator aggrieved by an order of this department under this chapter may request a hearing as provided in ch.227 statute, if state licensed, or a local ordinance if licensed by an agent health department.

Person in Charge

Sanitarian



Elizabeth A Staff



**Amanda Ramos
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