



Retail Food Establishment Inspection Report

Establishment Information	
Facility Name BRICKHOUSE, THE	Facility Type Restaurant
Facility ID # ASTS-AFJK3W	Facility Telephone # 608
Facility Address 228 5TH AVE S LA CROSSE , WI 54601	
Licensee Name 228 FIFTH AVENUE SOUTH LLC	Licensee Address 228 5TH AVE S LA CROSSE , WI 54601

Inspection Information		
Inspection Type Routine	Inspection Date March 9, 2018	Total Time Spent

Equipment Temperatures	
Description	Temperature (Fahrenheit)
beer walk in cooler	38
beer bunkers	38,41
bar reach in cooler	41
reach in cooler	39

Food Temperatures	
Description	Temperature (Fahrenheit)
ranch dressing on salad bar cold hold	59

Warewashing Info					
Machine Name	Sanitization Method	Thermo Label	PPM	Sanitizer Name	Sanitizer Type
4 compartment sink 1st floor bar			200	quaternary	
dish machine			50	ammonium chlorine	

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
<p>Total # 10</p> <p>Risk/Intervention - 1A - Certified food manager: duties This is a core item OBSERVATION: There is no approved food manager's certificate posted in the food establishment. CORRECTIVE ACTION(S): Provide & post an original State of Wisconsin, 360/Learn2Serve, Food Safety Professionals, Prometric, ServSave or recertification for small operators food manager's certificate. Correct By: 09-Mar-2018 CODE CITATION: 12-201.11(C) A FOOD ESTABLISHMENT shall post a certificate issued by the DEPARTMENT under this section in a conspicuous place on the premises of the FOOD ESTABLISHMENT.</p> <p>Good Retail Practices - 37 - Contamination prevented during food preparation, storage and display This is a priority item OBSERVATION: The buffet in the customer self-service area is not protected from contamination.</p>

CORRECTIVE ACTION(S): Provide a food shield, food guard, or other effective means to protect food from potential consumer contamination. Correct By: 09-Mar-2018

CODE CITATION: 3-306.11 Except for nuts in the shell and whole, raw fruits and vegetables that are intended for hulling, peeling, or washing by the CONSUMER before consumption, FOOD on display shall be protected from contamination by the use of PACKAGING; counter, service line, or salad bar FOOD guards; display cases; or other effective means. [P]

Risk/Intervention - 20 - Proper cold holding temperatures

This is a priority item

OBSERVATION: Ranch in squeeze bottle on the salad bar is cold held at 59°F.

CORRECTIVE ACTION(S): Discarded all items on the salad bar. Maintain cold potentially hazardous foods at or below 41°F
Correct By: 09-Mar-2018

CODE CITATION: 3-501.16 (A) 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) and in ¶ (C) 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; [P] or

(2) At 5°C (41°F) or less. [P]

(B) EGGS that have not been treated to destroy all viable Salmonellae shall be stored in refrigerated EQUIPMENT that maintains an ambient air temperature of 5°C (41°F) or less. [P]

(C) POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) in a homogenous liquid form may be maintained outside of the temperature control requirements, as specified under ¶ (A) of this section, while contained within specially designed EQUIPMENT that complies with the design and construction requirements as specified under ¶ 4-204.13 (E).

Risk/Intervention - 21 - Proper date marking and disposition

This is a priority foundation item

OBSERVATION: Various dressing and sauces in squeeze bottles and portion cups in reach in cooler and the on the salad bar is improperly date marked.

CORRECTIVE ACTION(S): Discarded all items that exceeded the seven day date mark. Adjust method or procedures so that all ready-to-eat potentially hazardous foods (time/temperature control for safety food), if required, are provided with date marking or an effective method of identifying when a food item has exceeded 7-days. Correct By: 09-Mar-2018

CODE CITATION: 3-501.17 (A) Except when PACKAGING FOOD using a REDUCED OXYGEN PACKAGING method as specified under § 3-502.12, and except as specified in ¶¶ (D), (E), and (G) of this section, refrigerated, READY-TO-EAT, POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETYFOOD) prepared and held in a FOOD ESTABLISHMENT for more than 24 hours shall be clearly marked to indicate the date or day by which the FOOD shall be consumed on the PREMISES, sold, or discarded when held at a temperature and time combination of 5°C (41°F) or less for a maximum of 7 days. The day of preparation shall be counted as Day 1. [Pf]

Note: Any system for internal marking or use to identify when a product should be disposed of is satisfactory.

(B) Except as specified in ¶¶ (D) to (F) of this section, refrigerated, READY-TO-EAT, POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL 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 ESTABLISHMENT and, if the FOOD is held for more than 24 hours, to indicate the date or day by which the FOOD shall be consumed on the PREMISES, sold, or discarded, based on the temperature and time combinations specified in ¶ (A) of this section and; [Pf]

(1) The day the original container is opened in the FOOD ESTABLISHMENT shall be counted as Day 1; [Pf] and

(2) The day or date marked by the FOOD ESTABLISHMENT may not exceed a manufacturer's use-by date if the manufacturer determined the use-by date based on FOOD safety. [Pf]

(C) A refrigerated, READY-TO-EAT, POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) ingredient or a portion of a refrigerated, READY-TO-EAT, POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL 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. [Pf]

(D) A date marking system that meets the criteria stated in ¶¶ (A) and (B) of this section may include:

(1) Using a method APPROVED by the REGULATORY AUTHORITY for refrigerated, READY-TO-EAT, POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL 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;

(2) Marking the date or day of preparation, 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 ¶ (A) of this section;

(3) Marking the date or day the original container is opened in a 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 ¶ (B) of this section; or

(4) Using calendar dates, days of the week, color-coded marks, or other effective marking methods, provided that the marking system is disclosed to the REGULATORY AUTHORITY upon request.

(E) Paragraphs (A) and (B) of this section do not apply to individual meal portions served or rePACKAGED for sale from a bulk container upon a CONSUMER'S request.

(F) Paragraph (B) of this section does not apply to the following FOODS prepared and PACKAGED by a FOOD PROCESSING PLANT inspected by a REGULATORY AUTHORITY:

(1) Deli salads, such as ham salad, seafood salad, chicken salad, egg salad, pasta salad, potato salad, and macaroni salad, manufactured in accordance with 21 CFR 110— Current good manufacturing practice in manufacturing, packing, or holding human food;

(2) Hard cheeses containing not more than 39% moisture as defined in 21 CFR 133 — Cheeses and related cheese products, such as cheddar, gruyere, parmesan and reggiano, and romano;

(3) Semi-soft cheeses containing more than 39% moisture, but not more than 50% moisture, as defined in 21 CFR — 133 Cheeses and related cheese products, such as blue, edam, gorgonzola, gouda, and monterey jack and pasteurized process cheese;

(4) Cultured dairy products as defined in 21 CFR 131 — Milk and cream, such as yogurt, sour cream, and buttermilk;

(5) Preserved FISH products, such as pickled herring and dried or salted cod, and other acidified FISH products defined in 21 CFR 114 — Acidified foods;

(6) Shelf stable, dry fermented sausages, such as pepperoni and Genoa salami that are not labeled "Keep Refrigerated" as specified in 9 CFR 317 — Labeling, marking devices, and containers, and which retain the original CASING on the product; and

(7) Shelf stable salt-cured products such as prosciutto and Parma (ham) that are not labeled "Keep Refrigerated" as specified in 9 CFR 317 — Labeling, marking devices, and containers; and

(8) Paragraph (B) of this section does not apply to smoked FISH sold at retail which must comply with the dating, labeling and temperature requirements specified in s.ATCP 70.19, Labeling and Sale of Smoked Fish.(G) Paragraphs (A) and (B) do not apply to cheese curds.

Risk/Intervention - 22 - Time as a public health control: procedures and record

This is a priority foundation item

OBSERVATION: No time as a public health control plan is available for review or processes were observed that indicates a food was not properly prepared before using time as a public health control. food is not being cold held or hot held by mechanical means and is eligible for the Time as a Public Health Control Plan.

CORRECTIVE ACTION(S): Food items out of temperature control shall be discarded and any food improperly prepared that is considered unsafe shall be discarded. Time as a public health control shall not be used until a plan is provided and readily available for review by the regulatory authority. Correct By: 16-Mar-2018

CODE CITATION: 3-501.19 (A) Except as specified under ¶ (E) of this section, if time without temperature control is used as the public health control for a working supply of POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) before cooking, or for READY-TO-EAT POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) that is displayed or held for sale or service:

(1) Written procedures shall be prepared in advance, maintained in the FOOD ESTABLISHMENT and made available to the REGULATORY AUTHORITY upon request that specify: [Pf]

(a) Methods of compliance with Subparagraphs (B) (1) to (4), (C) (1) to (5), or (D)(1) to (5) of this section; [Pf] and

(b) Methods of compliance with § 3-501.14 for FOOD that is prepared, cooked, and refrigerated before time is used as a public health control. [Pf]

Good Retail Practices - 45 - Food and non-food contact surfaces cleanable, properly designed, constructed and used

This is a core item

OBSERVATION: Pizza oven located in bar is not able to be cleaned. The cleanout tray is missing and is accumulating food debris.

CORRECTIVE ACTION(S): Provide equipment that is designed and constructed to be easily cleanable and free from unnecessary ledges, projections and crevices. Correct By: 16-Mar-2018

CODE CITATION: 4-202.16 NonFOOD-CONTACT SURFACES shall be free of unnecessary ledges, projections, and crevices, and designed and constructed to allow easy cleaning and to facilitate maintenance.

Good Retail Practices - 49 - Plumbing installed proper backflow devices

This is a priority item

OBSERVATION: Plumbing system not provided with an air gap or backflow prevention at mop sink.

CORRECTIVE ACTION(S): Provide air gap or backflow prevention device. Plumbing systems shall be provided with backflow prevention at each point of use in the food establishment. Correct By: 16-Mar-2018

CODE CITATION: 5-203.14 A PLUMBING SYSTEM shall be installed to preclude backflow of a solid, liquid, or gas contaminant into the water supply system at each point of use at the FOOD ESTABLISHMENT, including on a hose bibb if a hose is attached or on a hose bibb if a hose is not attached and backflow prevention as required by the State Uniform Plumbing Code, chs. SPS 381 to 387, as enforced by the Wisconsin department of safety and professional services, by:

(A) Providing an air gap as specified under § 5-202.13; [P] or

(B) Installing an APPROVED backflow prevention device as specified under § 5-202.14. [P]

Note: Contact the Safety and Building Division at the department of safety and professional services, P.O. Box 2509, Madison,

Risk/Intervention - 08 - Adequate handwashing facilities supplied and accessible

This is a priority foundation item

OBSERVATION: Handwashing sink in dish washing area is not being used as a hand sink.

CORRECTIVE ACTION(S): Relocate handwashing sink to facilitate handwashing by food employees. Correct By: 09-Mar-2018

CODE CITATION: 5-204.11 A HANDWASHING SINK shall be located:

- (A) To allow convenient use by EMPLOYEES in FOOD preparation, FOOD dispensing, and WAREWASHING areas; [Pf] and
- (B) In, or immediately adjacent to, toilet rooms. [Pf]

Good Retail Practices - 53 - Physical facilities installed, maintained and clean

This is a core item

OBSERVATION: Temporary floor jack in kitchen is not cleanable.

CORRECTIVE ACTION(S): Repair area or replace with approved materials. Walls, floors and ceilings shall be smooth, durable and easily cleanable. If located in areas subject to moisture they shall also be non-absorbent. Correct By: 09-Apr-2018

CODE CITATION: 6-101.11 (A) Except as specified in ¶ (B) of this section, materials for indoor floor, wall, and ceiling surfaces under conditions of normal use shall be:

- (1) SMOOTH, durable, and EASILY CLEANABLE for areas where FOOD ESTABLISHMENT operations are conducted;
- (2) Closely woven and EASILY CLEANABLE carpet for carpeted areas; and
- (3) Nonabsorbent for areas subject to moisture such as FOOD preparation areas, walk-in refrigerators, WAREWASHING areas, toilet rooms, MOBILE FOOD ESTABLISHMENT SERVICE BASE, and areas subject to flushing or spray cleaning methods.

(B) In a TEMPORARY FOOD ESTABLISHMENT:

- (1) If graded to drain, a floor may be concrete, machine-laid asphalt, or dirt or gravel if it is covered with mats, removable platforms, duckboards, or other APPROVED materials that are effectively treated to control dust and mud; and
- (2) Walls and ceilings may be constructed of a material that protects the interior from the weather and windblown dust and debris.

Good Retail Practices - 55 - Compliance with DATCP 75 and Stat. 97

This is a core item

OBSERVATION: Current license is not posted in establishment.

CORRECTIVE ACTION(S): Post license in public view. Correct By: 16-Mar-2018

CODE CITATION: ATCP 75.03 (1) License required. Except as provided under sub. (9), no person may operate a retail food establishment without a valid license issued by the department or an agent municipality or county. Licenses expire on June 30 annually. Each retail food establishment shall have a separate license, which shall be prominently displayed in the retail food establishment. A license is not transferable between persons or establishments.

Comments:

[Menu review and risk assessment conducted.](#)

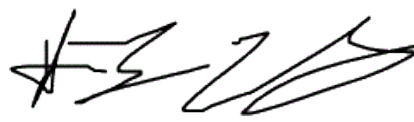
Any operator aggrieved by an order of this department under this chapter may request a hearing as provided in ch.227 statute, if state licensed, or a local ordinance if licensed by an agent health department.

Person in Charge

Sanitarian



JOSEPH STENBERG



Aron Newberry
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