



Time In: 09:40 AM
Time Out: 01:52 PM

### FOOD ESTABLISHMENT INSPECTION REPORT

FACILITY NAME: LUCKY'S MARKET	OWNER: LM FORT COLLINS CO LLC
ADDRESS: 425 S College Ave Fort Collins CO 80524-2901	
DATE: 05/13/2024	INSPECTION TYPE: Routine

#### FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS

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.

Compliance status to be designated as IN, OUT, NA, NO for each numbered item

IN= in compliance    OUT= not in compliance    NO= not observed    NA= not applicable    COS=Corrected on Site    R=Repeat violation

Compliance Status			COS	R
<b>Supervision</b>				
1	IN	Person in charge present, demonstrates knowledge, and performs duties		
2	IN	Certified Food Protection Manager		
<b>Employee Health</b>				
3	IN	Management, food employee and conditional employee; knowledge, responsibilities and reporting		
4	IN	Proper use of restriction and exclusion		
5	IN	Procedures for responding to vomiting and diarrheal events		
<b>Good Hygienic Practices</b>				
6	IN	Proper eating, tasting, drinking, or tobacco use		
7	IN	No discharge from eyes, nose, and mouth		
<b>Preventing Contamination by Hands</b>				
8	IN	Hands clean & properly washed		
9	IN	No bare hand contact with RFE food or a pre-approved alternative procedure properly allowed		
10	IN	Adequate handwashing sinks properly supplied and accessible		
<b>Approved Source</b>				
11	IN	Food obtained from approved source		
12	N/O	Food received at proper temperature		
13	IN	Food in good condition, safe, & unadulterated		
14	N/A	Required records available, shellstock tags, parasite destruction		
<b>Protection from Contamination</b>				
15	IN	Food separated and protected		
16	OUT	Food contact surfaces; cleaned & sanitized	X	
17	IN	Proper disposition of returned, previously served, reconditioned & unsafe food		
<b>Time/Temperature Control for Safety</b>				
18	N/O	Proper cooking time & Temperatures		
19	N/O	Proper reheating procedures for hot holding		
20	IN	Proper cooling time and temperature		
21	IN	Proper hot holding temperatures		
22	OUT	Proper cold holding temperatures	X	
23	OUT	Proper date marking and disposition		
24	OUT	Time as a Public Health Control; procedures & records	X	
<b>Consumer Advisory</b>				
25	N/A	Consumer advisory provided for raw/undercooked food		
<b>Highly Susceptible Populations</b>				
26	N/A	Pasteurized foods used; prohibited foods not offered		
<b>Food/Color Additives and Toxic Substances</b>				
27	N/A	Food Additives: approved & Properly used		
28	OUT	Toxic substances properly identified, stored & used	X	
<b>Conformance with Approved Procedures</b>				
29	OUT	Compliance with variance/ specialized process/ HACCP	X	

GOOD RETAIL PRACTICES				
Good Retail Practices are preventative measures to control the addition of pathogens, chemicals, and physical objects in foods. "OUT" marked in box if numbered item is <b>not</b> in compliance. *Required COS = corrected on site R = repeat violation				
No.	Status	Compliance Check	COS	R
<b>Safe Food and Water</b>				
30	IN	Pasteurized eggs used where required		
31	IN	Water and ice from approved source		
32*	N/A	Variance obtained for specialized processing methods		
<b>Food Temperature Control</b>				
33	IN	Proper cooling methods used; adequate equipment for temperature control		
34*	N/A	Plant food properly cooked for hot holding		
35*	IN	Approved thawing methods used		
36	IN	Thermometer provided and accurate		
<b>Food Identification</b>				
37	IN	Food properly labeled; original container		
<b>Prevention of Food Contamination</b>				
38	IN	Insects, rodents, and animals not present		
39	IN	Contamination prevented during food preparation, storage and display		
40	IN	Personal cleanliness		
41	IN	Wiping cloths; properly used and stored		
42	IN	Washing fruits and vegetables		
<b>Proper Use of Utensils</b>				
43	IN	In-use utensils: properly stored		
44	IN	Utensils, equipment and linens: properly stored, dried, and handled		
45	IN	Single-use/single-service articles: properly stored and used		
46	IN	Gloves used properly		
<b>Utensils, Equipment, and Vending</b>				
47	IN	Food and non-food contact surfaces cleanable, properly designed, constructed, and used		
48	IN	Warewashing facilities: installed, maintained, and used; test strips		
49	IN	Non-food contact surfaces clean		
<b>Physical Facilities</b>				
50	IN	Hot and cold water available; adequate pressure		
51	IN	Plumbing installed; proper backflow devices		
52	IN	Sewage and waste water properly disposed		
53	IN	Toilet facilities; properly constructed, supplied, and cleaned		
54	IN	Garbage and refuse properly disposed; facilities maintained		
55	OUT	Physical facilities installed, maintained, and cleaned		
56	IN	Adequate ventilation and lighting; designated areas used		

Inspection Result: Re-Inspection Required

PASS: 0-49 points

RE-INSPECTION REQUIRED: 50-109 points

CLOSED: 110+ points

<https://inspections.myhealthdepartment.com/larimer-county-health>

**Observations:**

**16. Food contact surfaces; cleaned and sanitized:**

**Observation:** Person in charge stated they wipe down the slicer with sanitizer throughout the day but it only goes through the full wash, rinse and sanitizer process at the end of the day.

->In use equipment and utensils such as cutting boards, slicers, knives, and tongs, held at room temperature, must be washed in a detergent solution, rinsed and then sanitized (50-200 ppm chlorine/150-400 ppm quaternary ammonia) at least once every 4 hours to prevent accumulation of food residue and the growth of microorganisms. Set up a schedule to ensure equipment and utensils are pulled to clean and sanitize every 4 hours. **(Corrected on Site)**

**This is a Priority item** 4-602.11(A)(1)-(5) - Equipment Food-Contact Surfaces and Utensils-Frequency (P)

**22. Proper cold holding temperatures:**

**Observation:** East reach in produce cooler was not properly cold holding foods at the time of the inspection. Temperatures of TCS foods out of the acceptable range measured from 42-53F.

->Adjust/repair refrigeration equipment to maintain foods at less than 41 F.

->Cold hold foods below 41 F to prevent the growth of microorganisms.

->Do not use refrigeration unit to store potentially hazardous foods until it has been adjusted/repared to hold less than 41 F.

TCS foods that measured at 46F and above for greater than 4 hours were discarded. See Voluntary Condemnation Agreement.

->TCS foods that measured between 42-45F for 3 days or less were relocated to a functional cooler.

\*A work order for the cooler was placed at the time of the inspection and person in charge stated they would be there later today. **(Corrected on Site)**

**This is a Priority item** 3-501.16 (A)(2) - TCS Food, Cold Holding (P)

**23. Proper date marking and disposition:**

**Observation:** Multiple cheeses were observed with greater than 7 day datemarking.

->Proper date marking is day of preparation (Day 1) + 6 additional days = 7 day total hold time.

->Ready-to-eat foods that are held refrigerated for more than 24 hours must be clearly marked with the date the product packaging is opened or the date the product is made. These foods must be consumed, sold, served or discarded within 7 days to control exposure to *Listeria monocytogenes* bacteria.

\*All cheeses observed were within the 7 day period, please relabel cheeses.

**This is a Priority Foundation item** 3-501.17 - Ready-To-Eat TCS Food, Date Marking (Pf)

**24. Time as a Public Health Control; procedures and records:**

**Observation:** Establishment uses Time as A Control for their pizzas. Written procedures were provided but pizza was not marked with the time it was taken out of temperature control or a discard time.

->Foods must be marked with the time they are removed from temperature control or the time the product is to be discarded. Foods must be served or discarded within 4 hours.

**(Corrected on Site)**

**This is a Priority Foundation item** 3-501.19(A),(B)(3),(C)(2) and (3) - Time as a Public Health Control, Written Procedures and Identification (Pf)

**28. Toxic substances properly identified, stored, and used:**

**Observation:** Chemicals were stored over single use items in the chemical storage area in the employee only back area.

->Store chemicals and other toxics below and away from food, food preparation areas, clean dishes, equipment and utensils, warewashing areas, and single use items to prevent possible contamination. **(Corrected on Site)**

**This is a Priority item** 7-201.11 - Separation-Storage (P)

**29. Compliance with variance/ specialized process/ HACCP:**

**Observation:** Establishment is conducting reduced oxygen packaging without a HACCP and keeping the product for greater than 48 hours. Items that are reduced oxygen packaged include smoked salmon, deli meat chunks, raw animal proteins such as beef and chicken, and ready to eat animal proteins such as smoked chicken.

->A HACCP plan is required for conducting Reduced Oxygen Packaging (ROP). A copy of the plan must be kept on site and available for review at the time of inspection.

->An approved HACCP plan must be developed.

\*Discontinue reduced oxygen packaging items until a HACCP plan has been approved by our department.

\*Products were evaluated and all reduced oxygen packaged fish was discarded. Frozen ROP products were removed from the packed and repacked in non air tight containers. TCS products that were ROPed greater than 48 hours prior were discarded. See Voluntary Condemnation Agreement.

Establishment is conducted processes that require a variance in addition to the HACCP. These processes are ROPing fish that is refrigerated, and ROPing ready to eat meats such as ham and chicken.

->A variance is required for conducting specialized processing methods. **(Corrected on Site)**

**This is a Priority Foundation item** 3-502.11 - Variance Requirement (Pf) **This is a Priority item** 3-502.12 (A), (B)(4), (C), (D)(2)(b)-(e), and (E)(1) - Reduced Oxygen Packaging, Criteria (P) **This is a Priority Foundation item** 3-502.12 (B)(1)-(3), (5)-(6), (D)(1),(2)(a), (f)-(h), (3)-(4), and (E)(2)-(4) - Reduced Oxygen Packaging, Criteria (Pf) **This is a Core item** 8-201.13 - When a HACCP Plan is Required (C)

**55. Physical facilities installed, maintained, and clean:**

**Observation:** Vents above the grill in the kitchen observed soiled and in need of cleaning.

->Clean vents at a frequency to stop the accumulation of grease buildup. **Correct by 05/20/2024**

**This is a Core item** 6-501.12 - Cleaning, Frequency and Restrictions (C)

**General Comments:**

A routine inspection was conducted with the following noted:

Multiple Certified Food Protection Managers are employed.  
Preventative pest contracts are in place. No observance of pests.  
Sanitizers in the correct concentrations.



Establishment Name: LUCKY'S MARKET	Address: 425 S College Ave Fort Collins CO 80524-2901
Date: 05/13/2024	Owner: LM FORT COLLINS CO LLC

## NOTIFICATION OF POTENTIAL FINES AND CLOSURE

Your facility has failed to meet basic food safety standards during inspections. Failure to improve the outcome of future inspections in accordance with state law may result in the immediate closure of your facility.

Under statutory requirements, if you do not improve the conditions, your license may be suspended for up to three days. Should this happen, you will not be allowed to re-open until correction of the public health concerns have been noted and you have received approval to reopen from the department.

**Recommended Action:**

- Take immediate steps to address inspection violations.
- Implement the active management of all food safety risk factors to ensure code compliance.
- Schedule a meeting with the department to discuss the violations and how to ensure these violations are corrected on a long-term basis.

In addition to the path that you are on for potential license suspension and closure, you may also be subject to a civil penalty of up to \$1000.00.

You are hereby notified of the grievance process available pursuant to section 25-4-1609.5 of the Colorado Revised Statutes. If you have any questions concerning this action, please contact CDPHE retail food safety staff at 303-692-3645, option 1.

