



Time In: 01:45 PM

Time Out: 03:30 PM

FOOD ESTABLISHMENT INSPECTION REPORT

FACILITY NAME: SILVER MINE SUBS		OWNER: SMS OPERATIONS INC
ADDRESS: 4619 S Mason St Ste C3 Fort Collins CO 80525-3742		
DATE: 04/03/2024		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
Supervision		
1	IN	Person in charge present, demonstrates knowledge, and performs duties
2	N/A	Certified Food Protection Manager
Employee Health		
3	OUT	Management, food employee and conditional employee; knowledge, responsibilities and reporting
4	IN	Proper use of restriction and exclusion
5	OUT	Procedures for responding to vomiting and diarrheal events
Good Hygienic Practices		
6	IN	Proper eating, tasting, drinking, or tobacco use
7	IN	No discharge from eyes, nose, and mouth
Preventing Contamination by Hands		
8	IN	Hands clean & properly washed
9	IN	No bare hand contact with RFE food or a pre-approved alternative procedure properly allowed
10	OUT	Adequate handwashing sinks properly supplied and accessible
Approved Source		
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
Protection from Contamination		
15	N/A	Food separated and protected
16	IN	Food contact surfaces; cleaned & sanitized
17	IN	Proper disposition of returned, previously served, reconditioned & unsafe food
Time/Temperature Control for Safety		
18	N/A	Proper cooking time & Temperatures
19	IN	Proper reheating procedures for hot holding
20	IN	Proper cooling time and temperature
21	OUT	Proper hot holding temperatures
22	OUT	Proper cold holding temperatures
23	OUT	Proper date marking and disposition
24	N/A	Time as a Public Health Control; procedures & records
Consumer Advisory		
25	N/A	Consumer advisory provided for raw/undercooked food
Highly Susceptible Populations		
26	N/A	Pasteurized foods used; prohibited foods not offered
Food/Color Additives and Toxic Substances		
27	N/A	Food Additives: approved & Properly used
28	IN	Toxic substances properly identified, stored & used
Conformance with Approved Procedures		
29	N/A	Compliance with variance/ specialized process/ HACCP

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 not in compliance. *Required COS = corrected on site R = repeat violation				
No.	Status	Compliance Check	COS	R
Safe Food and Water				
30	IN	Pasteurized eggs used where required		
31	IN	Water and ice from approved source		
32*	N/A	Variance obtained for specialized processing methods		
Food Temperature Control				
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		
Food Identification				
37	OUT	Food properly labeled; original container		
Prevention of Food Contamination				
38	OUT	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		
Proper Use of Utensils				
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		
Utensils, Equipment, and Vending				
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		
Physical Facilities				
50	IN	Hot and cold water available; adequate pressure		
51	OUT	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	IN	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:

3. Management, food employee and conditional employee; knowledge, responsibilities and reporting:

Observation: Staff stated they have a verbal illness policy. When asked, staff could not fully provide what symptoms exclude a sick employee from working or list the required reportable diseases.

-Establishment should develop a written sick employee policy. The policy should address the employee requirement to report to management that they are ill, when to exclude a food employee who is sick, when the food employee can return to work, and how the excluded food employee is to be managed upon return.

-For a sample Employee Illness Policy Contract please visit: https://www.larimer.org/sites/default/files/uploads/2017/Employee_Illness_Policy_Contract.pdf

-For a sample Employee Illness Policy Contract in Spanish please visit: https://www.larimer.org/sites/default/files/uploads/2017/Employee_Illness_Policy_Contract_Spanish.pdf

Correct by 04/10/2024

This is a Priority item 2-201.11 (A), and (C) - Responsibility of Permit Holder, Person in Charge, and Conditional Employees (P)

5. Procedures for responding to vomiting and diarrheal events:

Observation: When asked, staff stated they indicated they would use sanitizer-strength bleach on high hazard bodily fluid spills. A written procedure could not be provided.

-Food establishment must be able to demonstrate procedures for employees to follow when responding to vomiting or diarrheal events that involve the discharge of vomitus or fecal matter onto surfaces in the food establishment.

-For a printable guidance document regarding Clean-up Procedures for Vomit/Fecal Events, please visit:

<https://www.larimer.org/sites/default/files/uploads/2017/lcdhe-vomit-diarrheal-guidance.pdf>

Correct by 04/10/2024

This is a Priority Foundation item 2-501.11 - Clean-up of Vomiting and Diarrheal Events (Pf)

10. Adequate handwashing sinks properly supplied and accessible:

Observation: The water at the handwashing sink to the left of the deli slicer was found with the water turned off. Staff stated they had turned it off due to a significant faucet leak, which staff demonstrated by turning the water back on. Staff stated they are installing a new faucet later this week.

-Water was turned back on for the handwashing sink. Hot and cold water must be supplied and accessible to all handwashing sinks at all times.

Soap was not provided at the handwashing sink to the right of the bread oven.

-Soap was restocked upon request. Provide dispensed hand towels and hand soap at handwashing sinks at all times so workers can properly wash their hands. **Correct by 04/10/2024 (Corrected on Site)**

This is a Priority Foundation item 5-205.11 - Using a Handwashing Sink-Operation and Maintenance (Pf) **This is a Priority Foundation item** 6-301.11 - Handwashing Cleanser, Availability (Pf)

21. Proper hot holding temperatures:

Observation: In the hot holding counter, Philly meat was found improperly hot holding at 122F. Staff stated they had put the product into hot holding roughly 30 minutes prior.

-Product was reheated to 165F to then be hot held at or above 135F. Ensure hot holding food products are uniformly reheated in the microwave to reach 165F prior to being placed into hot holding. Ensure product is stirred during the reheating process. **(Corrected on Site)**

This is a Priority item 3-501.16 (A)(1) - TCS Food, Hot Holding (P)

22. Proper cold holding temperatures:

Observation: In the top portion of the left make-table cooler, a 1/3 pan of sliced tomatoes was found improperly cold holding at 60F. Staff stated they had recently sliced the tomatoes roughly 20 minutes prior. Specialist took 2 temperatures of the product, one at 2:00 and another at 2:15. No change in temperature was observed and was found at 60F.

-Tomatoes were moved to the walk-in cooler to cool back down to 41F. Foods that rise above 41 F during preparation must be actively cooled to less than 41 F in shallow pans or on sheet pans in 4 hours. Do not place products in deep, covered containers if they have risen above 41 F during preparation. Make-table coolers are not designed to cool products; they are designed to keep products cold. Utilize your walk-in cooler to cool prepped products effectively.

(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: In the walk-in cooler, prepped coleslaw and thawed pre-cooked meatballs were found without preparation date markings. Staff stated the meatballs had been moved into the walk-in cooler yesterday and that the coleslaw was prepped earlier today. Staff stated the products rarely last longer than 4 days.

-Appropriate day-dot stickers were added to the products. 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. Proper date marking is day of preparation (Day 1) + 6 additional days = 7 day total hold time. **(Corrected on Site)**

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

37. Food properly labeled; original container:

Observation: The major 9 food allergens were not clearly marked on individual menu items on the establishment's menu board.

-Ensure individual menu items are marked as containing or made with any of the major 9 food allergens: wheat, milk, eggs, peanuts, tree nuts, fish, crustacean fish, soy, and sesame.

Correct by 05/15/2024

This is a Core item 3-602.12(C) - Major Food Allergens as an Ingredient in Unpackaged Food (C)

38. Insects, rodents and animals not present:

Observation: Both the interior and exterior floor sweeps to the establishment's backdoor were found in disrepair. Staff stated they are planning on installing new floor sweeps later this week. They are waiting on their interior floor sweep to come in.

-Provide tight fitting door sweeps or thresholds on outside doors to help prevent the entry of rodents and other pests into the building. Repair as needed. **Correct by 04/10/2024**

This is a Core item 6-202.15 - Outer Openings, Protected (C)

51. Plumbing installed; proper backflow devices:

Observation: The 3-compartment sink was found with its water turned off due to the faucet having a significant leak. Staff stated they are working on installing a new faucet some time next week.

-Specialist verified that hot and cold water are present at the 3-compartment sink when the water is turned on. Ensure the faucet is repaired. **Correct by 04/10/2024**

This is a Core item 5-205.15(B) - System Maintained in Good Repair, Leakage (C)

General Comments:

A routine retail food inspection was conducted and the following was noted:

- Appropriate handwashing and glove-use by staff was observed
- Staff are washing, rinsing, and sanitizing in-use food utensils every 4 hours
- Employee beverages were found stored away from food preparation areas

On March 16th, 2024 the Colorado Food Code adopted the FDA 2022 Food Code. Below is a list of the top 5 changes to the current code.

1. Certified Food Protection Manager (CFPM)

Currently, most food establishments must have a CFPM. Beginning March 1st, 2025 the person in charge must be a CFPM at most food establishments. A CFPM may not be required during all hours of operation. Examples include, but are not limited to: low risk preparation prior to the establishment opening (bakeries) or an establishment that has operation times where drinks or low risk foods are served but the kitchen is closed (bars).

2. Clean Up of Vomiting and Diarrheal Events

Written procedures for cleaning up vomiting and diarrheal events will be required. Previously, a procedure was required but did not need to be written.

3. Allergen Food Labeling

Retail food establishments shall notify customers of major food allergens used as ingredients. Notification can be either physical or electronic means such as; brochures , deli case or menu notifications, label statements, table tents, placards, or other effective written means. The nine major food allergens are Milk, Eggs, Fish, Crustacean Shellfish, Tree Nuts, Wheat, Peanuts, Soy, and Sesame.

4. Storage of Packaged and Unpackaged Food

Raw animal food shall be stored separately from unwashed fruits and vegetables. This change codifies the industry standard of not storing unwashed fruits and vegetables below raw animal proteins.

5. Manufacturer Cooking Instructions

Commercially packaged food that has cooking instructions must be prepared according to those instructions unless the manufacturer states it can be consumed without further cooking. These foods were not processed to control for pathogens, so they may not be offered as ready to eat unless the cooking instructions are followed.



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Date: 04/03/2024	Owner: SMS OPERATIONS INC

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.