

|  |                   |                                      |   |   |                       |             |
|--|-------------------|--------------------------------------|---|---|-----------------------|-------------|
| Date: 10/04/2023   | Time in: 08:45 AM | Time out: 10:45 AM                   | Permit #: 16F-700056-1                      | Est. Type: Process 2 Foods - Smith County                           | Risk Category: Medium | Page 1 of 7 |
| Purpose of Inspection: <input checked="" type="checkbox"/> 1-Routine |                   | <input type="checkbox"/> 2-Follow-up | <input type="checkbox"/> 3-Complaint - I.R. | <input type="checkbox"/> 4-Other Routine                            |                       | <b>19</b>   |
| Establishment Name: DONUT PALACE                                     |                   | Contact/Owner Name: DONUT PALACE     |   | Number of Repeat Violations: 1                                      |                       |             |
| Physical Address: 7001 N 271 Hwy Suite:                              |                   | City/County: Tyler                   |   | Number of Violations COS: 0   |                       |             |
|  |                   | Zip Code: 75708                      | Phone: (903) 533-1026                       | Follow-up: 10/11/2023   |                       |             |
|  |                   |                                      |   | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |                       |             |

**Compliance Status:** OUT = not in compliance IN = in compliance NO = not observed NA = not applicable COS = corrected on site R = repeat violation  
 Mark an 'X' in appropriate box for COS. Mark an 'X' for Repeat Column shown as R.

**Priority Items (3 Points) Violations Require Immediate Corrective Action Not to Exceed 3 Days**

| Compliance Status   |    |    |    |     |  | R | Compliance Status                        |    |    |    |     |     | R |  |  |  |
|---|----|----|----|-----|--|---|--|----|----|----|-----|-----|---|--|--|--|
| OUT   | IN | NO | NA | COS |  |   | OUT                                      | IN | NO | NA | COS |     |   |  |  |  |
| <b>Time &amp; Temperature for Food Safety</b><br>(F = degrees Fahrenheit) |    |    |    |     |  |   | <b>Employee Health</b>                   |    |    |    |     |     |   |  |  |  |
| NO  |    |    |    |     |  |   | 12.                                      |    |    |    |     | 12. |   |  |  |  |
| OUT   |    |    |    |     |  |   | 13.                                      |    |    |    |     | 13. |   |  |  |  |
| NO  |    |    |    |     |  |   | <b>Preventing Contamination by Hands</b> |    |    |    |     |     |   |  |  |  |
| NO  |    |    |    |     |  |   | 14.                                      |    |    |    |     | 14. |   |  |  |  |
| NO  |    |    |    |     |  |   | 15.                                      |    |    |    |     | 15. |   |  |  |  |
| OUT   |    |    |    |     |  |   | <b>Highly Susceptible Population</b>     |    |    |    |     |     |   |  |  |  |
|   |    |    |    |     |  |   | 16.                                      |    |    |    |     | 16. |   |  |  |  |
|   |    |    |    |     |  |   | <b>Chemicals</b>                         |    |    |    |     |     |   |  |  |  |
| IN  |    |    |    |     |  |   | 17.                                      |    |    |    |     | 17. |   |  |  |  |
| IN  |    |    |    |     |  |   | 18.                                      |    |    |    |     | 18. |   |  |  |  |
|   |    |    |    |     |  |   | <b>Water / Plumbing</b>                  |    |    |    |     |     |   |  |  |  |
| IN  |    |    |    |     |  |   | 19.                                      |    |    |    |     | 19. |   |  |  |  |
| IN  |    |    |    |     |  |   | 20.                                      |    |    |    |     | 20. |   |  |  |  |

**Priority Foundation Items (2 Points) Violations Require Corrective Action within 10 days**

| Compliance Status                             |    |    |    |     |  | R | Compliance Status                                     |    |    |    |     |     | R |  |  |  |
|---|----|----|----|-----|--|---|---|----|----|----|-----|-----|---|--|--|--|
| OUT   | IN | NO | NA | COS |  |   | OUT   | IN | NO | NA | COS |     |   |  |  |  |
| <b>Demonstration of Knowledge / Personnel</b> |    |    |    |     |  |   | <b>Food Temperature Control / Identification</b>      |    |    |    |     |     |   |  |  |  |
| OUT   |    |    |    |     |  |   | 27.   |    |    |    |     | 27. |   |  |  |  |
| OUT   |    |    |    |     |  |   | 28.   |    |    |    |     | 28. |   |  |  |  |
|   |    |    |    |     |  |   | 29.   |    |    |    |     | 29. |   |  |  |  |
|   |    |    |    |     |  |   | <b>Permit Requirement, Prerequisite for Operation</b> |    |    |    |     |     |   |  |  |  |
| IN  |    |    |    |     |  |   | 30.   |    |    |    |     | 30. |   |  |  |  |
| NA  |    |    |    |     |  |   | <b>Utensils, Equipment, and Vending</b>               |    |    |    |     |     |   |  |  |  |
|   |    |    |    |     |  |   | 31.   |    |    |    |     | 31. |   |  |  |  |
| IN  |    |    |    |     |  |   | 32.   |    |    |    |     | 32. |   |  |  |  |
| IN  |    |    |    |     |  |   | 33.   |    |    |    |     | 33. |   |  |  |  |

**Core Items (1 Point) Violations Require Corrective Action Not to Exceed 90 Days or Next Inspection, Whichever Comes First**

| Compliance Status                       |    |    |    |     |  | R | Compliance Status          |    |    |    |     |     | R |  |  |  |
|---|----|----|----|-----|--|---|----------------------------|----|----|----|-----|-----|---|--|--|--|
| OUT                                     | IN | NO | NA | COS |  |   | OUT                        | IN | NO | NA | COS |     |   |  |  |  |
| <b>Prevention of Food Contamination</b> |    |    |    |     |  |   | <b>Food Identification</b> |    |    |    |     |     |   |  |  |  |
| IN                                      |    |    |    |     |  |   | 41.                        |    |    |    |     | 41. |   |  |  |  |
| IN                                      |    |    |    |     |  |   | <b>Physical Facilities</b> |    |    |    |     |     |   |  |  |  |
| OUT                                     |    |    |    |     |  |   | 42.                        |    |    |    |     | 42. |   |  |  |  |
| OUT                                     |    |    |    |     |  |   | 43.                        |    |    |    |     | 43. |   |  |  |  |
| OUT                                     |    |    |    |     |  |   | 44.                        |    |    |    |     | 44. |   |  |  |  |
| IN                                      |    |    |    |     |  |   | 45.                        |    |    |    |     | 45. |   |  |  |  |
| IN                                      |    |    |    |     |  |   | 46.                        |    |    |    |     | 46. |   |  |  |  |
| IN                                      |    |    |    |     |  |   | 47.                        |    |    |    |     | 47. |   |  |  |  |

|                           |                               |                                      |
|---------------------------|-------------------------------|--------------------------------------|
| Received by: (signature)  | Printed Name: Maria Luviano   | Title: Person In Charge / Owner      |
| Inspected by: (signature) | Printed Name: Jonathan Barena | Employee                             |
|                           |                               | Business Email: SSREYOUN81@GMAIL.COM |

## Corrective Actions to Ensure Safe Food

### Item No.

#### 1 Cooling

- TCS \* food cooled from 135° F to 70° F more than 2 hours OR 135° F to 41° F (45° F) more than 6 hours; OR prepared food cooled to 41° F (45° F) more than 4 hours:

*Action: Voluntary destruction, rapid reheating of cooked foods if less than 4 hours*

#### 2 Cold Hold

- TCS food held above 41° F (45° F) more than 4 hours:

*Action: Voluntary destruction*

- TCS food held above 41° F (45° F) less than 4 hours:

*Action: Rapid cool (e.g. ice bath)*

#### 3 Hot Hold

- TCS food held below 135° F more than 4 hours:

*Action: Voluntary destruction*

- TCS food held below 135° F less than 4 hours:

*Action: Rapid reheat to 165° F or more*

#### 4 Cooking

- TCS food undercooked:

*Action: Re-cook to proper temperature*

#### 5 Rapid Reheating

- TCS food improperly reheated:

*Action: Reheat rapidly to 165° F*

#### 7 Approved Source / Sound Condition

- Foods from unapproved sources/unsound condition:

*Action: Voluntary destruction*

#### 9 Cross-Contamination of Raw / Cooked Foods

- Ready-To-Eat food contaminated by raw TCS food:

*Action: Voluntary destruction of ready-to-eat foods*

#### 14 Handwashing

- Food employees observed not washing hands:

*Action: Instruct employees to wash hands as specified in the Rules.*

#### 15 Proper Handling of Ready-to-Eat Foods

- Employee did not properly wash and sanitize hands before touching ready-to-eat food with bare hands:

*Action: Voluntary destruction*

#### 19, 23 Water Supply

- Facility does not have water for washing hands, preparing food, or cleaning equipment / utensils:

*Action: Voluntary suspension of food preparation*

\* Time / Temperature Control for Safety (TCS) Food

|                                     |                                     |                            |                                |
|-------------------------------------|-------------------------------------|----------------------------|--------------------------------|
| Establishment Name:<br>DONUT PALACE | Physical Address:<br>7001 N 271 Hwy | City / State:<br>Tyler, TX | Permit Number:<br>16F-700056-1 |
|-------------------------------------|-------------------------------------|----------------------------|--------------------------------|

| TEMPERATURE OBSERVATIONS     |       |                          |      |                            |      |
|------------------------------|-------|--------------------------|------|----------------------------|------|
| Item / Location              | Temp  | Item / Location          | Temp | Item / Location            | Temp |
| Sausage Patties / Prep Table | 73 F  | Cooked Eggs / Prep Table | 72 F | Sliced Cheese / Prep Table | 71 F |
| Cooked Kolaches / Rack       | 100 F | Raw Kolaches / Cooler    | 48 F | /                          | /    |
| /                            | /     | /                        | /    | /                          | /    |
| /                            | /     | /                        | /    | /                          | /    |
| /                            | /     | /                        | /    | /                          | /    |
| /                            | /     | /                        | /    | /                          | /    |
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| /                            | /     | /                        | /    | /                          | /    |
| /                            | /     | /                        | /    | /                          | /    |

**OBSERVATIONS AND CORRECTIVE ACTIONS**

AN INSPECTION OF YOUR ESTABLISHMENT HAS BEEN MADE. YOUR ATTENTION IS DIRECTED TO THE CONDITIONS OBSERVED AND NOTED BELOW WITH THE CORRESPONDING ITEM NUMBER:

2. Proper Cold Holding temperature(41°F/45°F)  
2.1 - 25 TAC §228.75(f)(1)(B) - Cold Hold (41°F/45°F or below) - This is a Priority Item item  
Observation: Observed cooked eggs, sliced cheese, and breakfast sausage left out on the prep table to make breakfast sandwiches. They were all recorded around 70F. Observed raw kolaches inside reach in cooler recorded at 50F.  
Corrective Action: Shall maintain TCS food at 41°F at all times except during preparation, cooking, or cooling or when time as public health control is being used. Food shall be rapidly chilled to 41°F < 4 hours and shall discard if >4 hours.



6. Time as a Public Health Control; Right to Discard  
6.5 - 25 TAC §228.75(h)(1)(B) - Right to discard if container does not bear a date or day - This is a Priority Item item  
Observation: Observed multiple Time/ Temperature Control for Safety (TCS) Ready to Eat (RTE) food items in display cabinet with missing or inadequate time markings. Must have a time stamp that does not exceed 4 hours. Time stamp starts once the product exceeds 41F or drops below 135F.  
Corrective Action: Discarded ready to eat TCS food(s) with no date or inadequate date. Must have a time stamp that does not exceed 4 hours. Time stamp starts once the product exceeds 41F or drops below 135F.  
(Repeat)

14. Hands Cleaned and Properly Washed/ Gloves Used Properly  
14.5 - 25 TAC §228.38(d) - When to wash - This is a Priority Item item  
Observation: Observed food handler hands and arms not being washed when required. Food Handler is continuing to handle RTE and TCS foods without washing hands in between task.  
Corrective Action: Shall properly wash hands and arms when required by 25 TAC §228.38 (d).

21. Person in Charge Present, Demonstration of Knowledge, vomit/diarrheal clean up plan  
21.1 - 25 TAC §228.31(a) - Person in Charge present at establishment during all hours of operation - This is a Priority Foundation Item item  
Observation: Failure to provide a a certified food manger during time of inspection.  
Corrective Action: A certified food manager must be present during all hours of operation.

22. Food Handler/No Unauthorized Persons/ Personnel  
22.1 - 25 TAC §228.33(d) - Food Handler Training criteria - This is a Priority Foundation Item item  
Observation: Failure of food employees to complete an accredited food handler training course.  
Corrective Action: All food employees shall successfully complete an accredited food handler training course, within 60 days of employment.

31. Adequate Hand Washing Facilities (HWS): Accessible and Properly Supplied  
31.11 - 25 TAC §228.175(b) - Hand washing cleanser, availability - This is a Priority Foundation Item item

|  |                                  |  |
|--|----------------------------------|--|
| Received by:<br>(signature)   | Printed Name:<br>Maria Luviano   | Title: Person In Charge / Owner<br>Employee                                      |
| Inspected by:<br>(signature)  | Printed Name:<br>Jonathan Barena | Samples: # Collected<br>Yes <input type="checkbox"/> No <input type="checkbox"/> |

**OBSERVATIONS AND CORRECTIVE ACTIONS CONT'D**

31. Adequate Hand Washing Facilities (HWS): Accessible and Properly Supplied

31.11 - 25 TAC §228.175(b) - Hand washing cleanser, availability - This is a Priority Foundation Item item

Observation: Observed no dispensed liquid hand soap at the handsink in either back of house or front of house.

Corrective Action: Shall provide dispensed liquid hand soap at all handsinks at all times.

31. Adequate Hand Washing Facilities (HWS): Accessible and Properly Supplied

§228.175(e) - Handwashing signage

Observation: Failure to provide handwash signs to handsinks.

31. Adequate Hand Washing Facilities (HWS): Accessible and Properly Supplied

31.4 - 25 TAC §228.149(a) - HWS-accessible; not used for other purposes - This is a Priority Foundation Item item

Observation: Observed handsink located in the back of house access blocked.

Corrective Action: Shall only use handsink for handwashing and be accessible at all times.

36. Wiping Cloths; Properly Used and Stored

36.3 - 25 TAC §228.68(d)(2)(A) - Cloths in-use for wiping between uses stored - This is a Core Item item

Observation: Observed cloths in use for wiping counters and other equipment surfaces not stored in chemical sanitizer solution between uses. These cloths are stored directly on prep tables.

Corrective Action: Shall store wiping cloths in chemical sanitizer solution at a concentration specified under 25 TAC §228.11 between uses.

37. Environmental Contamination

37.3 - 25 TAC §228.69(a)(1)(C) - Storing the food at least 15 cm (6 inches) above the floor - This is a Core Item item

Observation: Observed bag of flour stored directly on the floor.

Corrective Action: Shall store food at least 15 cm (6 inches) above the floor.

37. Environmental Contamination

37.1 - 25 TAC §228.69(a)(1)(A) - Store food-clean/dry location to protect from contamination - This is a Core Item item

Observation: Observed food not stored in a clean/dry location protected from contamination. Observed Boxes of precooked bacon covered/accumulated with ice build up in upright reach in freezer.

Corrective Action: Shall store food in a clean, dry location to protect from contamination.

42. Non-Food Contact Surfaces Clean

42.5 - 25 TAC §228.114(c) - Nonfood-contact surfaces deep cleaned - This is a Core Item item

Observation: Observed glaze machine and oven with accumulated soil and debris. Must clean and sanitize to sight and touch.

Corrective Action: Shall clean nonfood contact surfaces of equipment at a frequency necessary to preclude accumulation of soil residues. Shall deep clean.

45. Physical Facilities Installed, Maintained, and Clean

45.14 - 25 TAC §228.186(b) - Cleaning, frequency and RESTRICTIONS. - This is a Core Item item

Observation: Observed physical facilities unclean and walls with accumulated debris. Must thoroughly deep clean facility to sight and touch.

Corrective Action: Shall clean physical facilities as often as necessary to keep clean. Except for cleaning that is necessary due to a spill or other accident cleaning shall be done during periods when the least amount of food is exposed such as after closing.

45. Physical Facilities Installed, Maintained, and Clean

45.35 - 25 TAC §228.173(f)(4) - Walls, ceiling durable materials - This is a Core Item item

Observation: Observed walls or ceilings with unapproved materials inside restroom. Multiple ceiling tiles are damaged and must be replaced immediately.

**OBSERVATIONS AND CORRECTIVE ACTIONS CONT'D**

Corrective Action: Shall provide walls/ceilings to be covered with durable waterproof materials, light in color and use waterproof materials extending from the top of the coved base(wall/floor or toe-kick/floor junctures) to at least 3 feet above the backsplash.

45. Physical Facilities Installed, Maintained, and Clean

45.45 - 25 TAC §228.183(a) - Areas for employees--location - This is a Core Item item

Observation: Failure to designate areas for employees to eat, drink, and use tobacco. Observed personal drink stored where it may contaminate a commercial food item.

Corrective Action: Shall designate areas for employees to eat, drink, and use tobacco so that food, equipment, linens, and single-service and single-use articles are protected from contamination.

**OBSERVATIONS AND CORRECTIVE ACTIONS CONT'D**

12) 12.11 - 25 TAC §228.35(f) - A food employee shall comply with exclusion/RESTRICTION

Comments: Must have a written Food Employee Health Policy onsite. Corrective Actions: A food employee shall comply with an exclusion as specified under §25 TAC §228.36(1)-(3) and (4)

20) 20.1 - 25 TAC §228.146(g) - Grease Traps

Comments: Must send latest grease trap service to inspector no longer than 7 days.

26) 26.7 - 25 TAC §228.79(a)(2)(E) - Allergen Labeling

Comments: Observed inadequate/missing allergen labeling. Especially if selling eggs, wheat, and dairy.

Corrective Actions: Shall provide allergen labelin as specified in 25 TAC §228.79(a)(2)(e).

34)34.1 - 25 TAC §228.186(k)(1)-(6) - Pest Control effective measures, observed/suspected pests

Comments: Must send latest pest control to inspector no longer than 7 days.

44) 44.23 - 25 TAC §228.152(n)(1)(B) - Covering receptacles after filled

Comments: Must cover waste receptacles (Dumpster) after use located outdoors.

- Before a food establishment moves equipment, changes concept of food production / menu, operates a temporary food event outside, remodels, changes ownership NET Health shall be notified to determine necessary action.
- Imminent Hazard = a food establishment shall voluntary close and report to NET Health when an imminent hazard is present.
  - No electricity
  - Surfacing waste water / sewage
  - No refrigeration
  - No potable water
  - No hot water
  - Infestation of rodents or insects
- When an employee is diagnosed with one of the following illnesses
  - Shigella
  - Eschericia coli (E. coli)
  - Hepatitis A
  - Norovirus
  - Salmonella

**Repeat Violations**

Violations shall be corrected as soon as possible and shall be prevented in daily operations. When violations are repeated on consecutive inspections an establishment can be subject to administrative penalties.

**Signage**

- Employee Hand Washing Signs at hand sinks
- Posted Visible to Public
  - Most Recent Inspection
  - Valid Food Establishment Permit
  - CFM certificates with NET Health Registration Card
  - Consumer Advisory – undercooked animal protein posted visible to public

**Documentation – Common documents that need to be kept onsite are:**

- Employee Health Policy.
- Food Workers Cards / Registrations / Certified Food Manager Certificates for all Employees.
- Invoice/Receipts
- Other Inspections (Fire Marshal, Third Party, Pest Control, Onsite Waste Water)
- Service Reports (Pest Treatment, Maintenance )
- HACCP Monitoring Records / Temperature Logs.
- Contamination Event Policy – Vomit and Diarrheal Cleanup.