



# TENNESSEE DEPARTMENT OF HEALTH FOOD SERVICE ESTABLISHMENT INSPECTION REPORT

SCORE

89

Establishment Name Burger Theory Type of Establishment ☒ Farmer's Market Food Unit ☐ Permanent ☐ Mobile  
Address 75 Belinda Pkwy ☐ Temporary ☐ Seasonal  
City Mount Juliet Time in 08:50 AM AM / PM Time out 09:50 AM AM / PM  
Inspection Date 02/20/2024 Establishment # 605313632 Embargoed 0  
Purpose of Inspection ☒ Routine ☐ Follow-up ☐ Complaint ☐ Preliminary ☐ Consultation/Other  
Risk Category ☐ 1 ☒ 2 ☐ 3 ☐ 4 Follow-up Required ☒ Yes ☐ No Number of Seats 50

**Risk Factors are food preparation practices and employee behaviors most commonly reported to the Centers for Disease Control and Prevention as contributing factors in foodborne illness outbreaks. Public Health interventions are control measures to prevent illness or injury.**

## FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS

(Mark designated compliance status (IN, OUT, NA, NO) for each numbered item. For items marked OUT, mark COS or R for each item as applicable. Deduct points for category or subcategory.)

IN=In compliance					OUT=not in compliance					NA=not applicable					NO=not observed					COS=corrected on-site during inspection					R=repeat (violation of the same code provision)																				
Compliance Status															COS	R	WT	Compliance Status															COS	R	WT										
IN	OUT	NA	NO															IN	OUT	NA	NO																								
<b>Supervision</b>																																													
1	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Person in charge present, demonstrates knowledge, and performs duties.											<input type="radio"/>	<input type="radio"/>	5	16	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	Proper cooking time and temperatures											<input type="radio"/>	<input type="radio"/>	5								
<b>Employee Health</b>																																													
2	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Management and food employee awareness, reporting											<input type="radio"/>	<input type="radio"/>	5	17	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	Proper reheating procedures for hot holding											<input type="radio"/>	<input type="radio"/>									
3	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Proper use of restriction and exclusion											<input type="radio"/>	<input type="radio"/>		<b>Cooling and Holding, Date Marking, and Time as a Public Health Control</b>																										
<b>Good Hygienic Practices</b>																																													
4	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Proper eating, tasting, drinking, or tobacco use											<input type="radio"/>	<input type="radio"/>	5	18	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	Proper cooling time and temperature											<input type="radio"/>	<input type="radio"/>									
5	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	No discharge from eyes, nose, and mouth											<input type="radio"/>	<input type="radio"/>		19	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	Proper hot holding temperatures											<input type="radio"/>	<input type="radio"/>									
<b>Preventing Contamination by Hands</b>																																													
6	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Hands clean and properly washed											<input type="radio"/>	<input type="radio"/>	5	20	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	Proper cold holding temperatures											<input type="radio"/>	<input type="radio"/>	5							
7	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	No bare hand contact with ready-to-eat foods or approved alternate procedures followed											<input type="radio"/>	<input type="radio"/>		21	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Proper date marking and disposition											<input type="radio"/>	<input type="radio"/>								
8	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Handwashing sinks properly supplied and accessible											<input type="radio"/>	<input type="radio"/>	2	22	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Time as a public health control: procedures and records											<input type="radio"/>	<input type="radio"/>								
<b>Approved Source</b>																																													
9	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Food obtained from approved source											<input type="radio"/>	<input type="radio"/>		<b>Consumer Advisory</b>																										
10	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	Food received at proper temperature											<input type="radio"/>	<input type="radio"/>	5	23	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Consumer advisory provided for raw and undercooked food											<input type="radio"/>	<input type="radio"/>	4							
11	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Food in good condition, safe, and unadulterated											<input type="radio"/>	<input type="radio"/>		<b>Highly Susceptible Populations</b>																										
12	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	Required records available: shell stock tags, parasite destruction											<input type="radio"/>	<input type="radio"/>		24	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Pasteurized foods used; prohibited foods not offered											<input type="radio"/>	<input type="radio"/>	5							
<b>Protection from Contamination</b>																																													
13	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Food separated and protected											<input type="radio"/>	<input type="radio"/>	4	<b>Chemicals</b>																										
14	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Food-contact surfaces: cleaned and sanitized											<input type="radio"/>	<input type="radio"/>	5	25	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Food additives: approved and properly used											<input type="radio"/>	<input type="radio"/>	5							
15	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Proper disposition of unsafe food, returned food not re-served											<input type="radio"/>	<input type="radio"/>	2	26	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Toxic substances properly identified, stored, used											<input type="radio"/>	<input type="radio"/>								
<b>Compliance with Approved Procedures</b>																																													
27 <input type="radio"/> <input type="radio"/> <input checked="" type="radio"/> <input type="radio"/> Compliance with variance, specialized process, and HACCP plan <input type="radio"/> <input type="radio"/> <input type="radio"/> 5																																													

**Good Retail Practices are preventive measures to control the introduction of pathogens, chemicals, and physical objects into foods.**

GOOD RETAIL PRACTICES															GOOD RETAIL PRACTICES																								
OUT=not in compliance										COS=corrected on-site during inspection					R=repeat (violation of the same code provision)																								
Compliance Status															COS	R	WT	Compliance Status															COS	R	WT				
OUT																		OUT																					
<b>Safe Food and Water</b>																																							
28	<input type="radio"/>	Pasteurized eggs used where required														<input type="radio"/>	<input type="radio"/>	1	45	<input checked="" type="radio"/>	Food and nonfood-contact surfaces cleanable, properly designed, constructed, and used														<input type="radio"/>	<input type="radio"/>	1		
29	<input type="radio"/>	Water and ice from approved source														<input type="radio"/>	<input type="radio"/>	2	46	<input type="radio"/>	Warewashing facilities, installed, maintained, used, test strips														<input type="radio"/>	<input type="radio"/>	1		
30	<input type="radio"/>	Variance obtained for specialized processing methods														<input type="radio"/>	<input type="radio"/>	1	47	<input checked="" type="radio"/>	Nonfood-contact surfaces clean														<input type="radio"/>	<input type="radio"/>	1		
<b>Food Temperature Control</b>																																							
31	<input type="radio"/>	Proper cooling methods used; adequate equipment for temperature control														<input type="radio"/>	<input type="radio"/>	2	<b>Physical Facilities</b>																				
32	<input type="radio"/>	Plant food properly cooked for hot holding														<input type="radio"/>	<input type="radio"/>	1	48	<input type="radio"/>	Hot and cold water available; adequate pressure														<input type="radio"/>	<input type="radio"/>	2		
33	<input type="radio"/>	Approved thawing methods used														<input type="radio"/>	<input type="radio"/>	1	49	<input type="radio"/>	Plumbing installed; proper backflow devices														<input type="radio"/>	<input type="radio"/>	2		
34	<input type="radio"/>	Thermometers provided and accurate														<input type="radio"/>	<input type="radio"/>	1	50	<input type="radio"/>	Sewage and waste water properly disposed														<input type="radio"/>	<input type="radio"/>	2		
<b>Food Identification</b>																				51	<input type="radio"/>	Toilet facilities: properly constructed, supplied, cleaned														<input type="radio"/>	<input type="radio"/>	1	
35	<input type="radio"/>	Food properly labeled; original container; required records available														<input type="radio"/>	<input type="radio"/>	1	52	<input type="radio"/>	Garbage/refuse properly disposed; facilities maintained														<input type="radio"/>	<input type="radio"/>	1		
<b>Prevention of Food Contamination</b>																				53	<input type="radio"/>	Physical facilities installed, maintained, and clean														<input type="radio"/>	<input type="radio"/>	1	
36	<input type="radio"/>	Insects, rodents, and animals not present														<input type="radio"/>	<input type="radio"/>	2	54	<input type="radio"/>	Adequate ventilation and lighting; designated areas used														<input type="radio"/>	<input type="radio"/>	1		
37	<input type="radio"/>	Contamination prevented during food preparation, storage & display														<input type="radio"/>	<input type="radio"/>	1	<b>Administrative Items</b>																				
38	<input type="radio"/>	Personal cleanliness														<input type="radio"/>	<input type="radio"/>	1	55	<input type="radio"/>	Current permit posted														<input type="radio"/>	<input type="radio"/>	0		
39	<input type="radio"/>	Wiping cloths: properly used and stored														<input type="radio"/>	<input type="radio"/>	1	56	<input type="radio"/>	Most recent inspection posted														<input type="radio"/>	<input type="radio"/>			
40	<input type="radio"/>	Washing fruits and vegetables														<input type="radio"/>	<input type="radio"/>	1	<b>Compliance Status</b>																				
<b>Proper Use of Utensils</b>																				<b>Non-Smokers Protection Act</b>																			
41	<input type="radio"/>	In-use utensils; properly stored														<input type="radio"/>	<input type="radio"/>	1	57	<input checked="" type="radio"/>	Compliance with TN Non-Smoker Protection Act														<input type="radio"/>	<input type="radio"/>	0		
42	<input type="radio"/>	Utensils, equipment and linens; properly stored, dried, handled														<input type="radio"/>	<input type="radio"/>	1	58	<input type="radio"/>	Tobacco products offered for sale														<input type="radio"/>	<input type="radio"/>			
43	<input type="radio"/>	Single-use/single-service articles; properly stored, used														<input type="radio"/>	<input type="radio"/>	1	59	<input type="radio"/>	If tobacco products are sold, NSPA survey completed														<input type="radio"/>	<input type="radio"/>			
44	<input type="radio"/>	Gloves used properly														<input type="radio"/>	<input type="radio"/>	1																					

Failure to correct any violations of risk factor items within ten (10) days may result in suspension of your food service establishment permit. Repeated violation of an identical risk factor may result in revocation of your food service establishment permit. Items identified as constituting imminent health hazards shall be corrected immediately or operations shall cease. You are required to post the food service establishment permit in a conspicuous manner and post the most recent inspection report in a conspicuous manner. You have the right to request a hearing regarding this report by filing a written request with the Commissioner within ten (10) days of the date of this report. T.C.A. sections 68-14-703, 68-14-706, 68-14-708, 68-14-709, 68-14-711, 68-14-715, 68-14-716, 4-5-329.

Signature of Person In Charge [Signature] Date 02/20/2024 Signature of Environmental Health Specialist [Signature] Date 02/20/2024

\*\*\*\* Additional food safety information can be found on our website, <http://tn.gov/health/article/eh-foodservice> \*\*\*\*

**TENNESSEE DEPARTMENT OF HEALTH  
DIVISION OF ENVIRONMENTAL HEALTH  
FOOD INSPECTION DATA**



<b>Establishment Information</b>	
Establishment Name:	Burger Theory
Establishment Number #:	605313632

<b>NSPA Survey – To be completed if #57 is "No"</b>	
Age-restricted venue does not affirmatively restrict access to its buildings or facilities at all times to persons who are twenty-one (21) years of age or older.	
Age-restricted venue does not require each person attempting to gain entry to submit acceptable form of identification.	
"No Smoking" signs or the International "Non-Smoking" symbol are not conspicuously posted at every entrance.	
Garage type doors in non-enclosed areas are not completely open.	
Tents or awnings with removable sides or vents in non-enclosed areas are not completely removed or open.	
Smoke from non-enclosed areas is infiltrating into areas where smoking is prohibited.	
Smoking observed where smoking is prohibited by the Act.	

<b>Warewashing Info</b>			
<b>Machine Name</b>	<b>Sanitizer Type</b>	<b>PPM</b>	<b>Temperature ( Fahrenheit)</b>
3 comp sink Hobart	QA Heat	200	170

<b>Equipment Temperature</b>	
<b>Description</b>	<b>Temperature ( Fahrenheit)</b>
Turbo air	43
Wic	35
Wif	12
Turbo air ric oven	37

<b>Food Temperature</b>		
<b>Description</b>	<b>State of Food</b>	<b>Temperature ( Fahrenheit)</b>
Pico	Cold Holding	37
Diced tomatoes	Cold Holding	52
Sliced tomatoes	Cold Holding	39
Diced chicken	Cold Holding	41
Chicken wings	Cold Holding	41
Pulled pork	Cold Holding	41
Chicken raw	Cold Holding	41
Shredded cheese	Cold Holding	51
Ham	Cold Holding	51

### Observed Violations

Total # 5

Repeated # 0

13: Shell eggs stored over container of hard boiled eggs and fruit pie filling.  
Moved during inspection

20: Pan of items for omelettes stored out at room temp during breakfast. All items temped at 51°-52°. Thrown out during inspection. Discussed either creating a tphc policy to use or storing in ice.

21: All pans in ric with dates are marked 2/9 or 2\10. Other containers and pans not date marked made 2/19.

45: Severely grooved cutting board on ric. Small metal pans being used as scoops in floor and panko bread crumbs

47: Storage shelves dirty in kitchen and in reach in coolers. Shelf under tea and coffee dirty

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DIVISION OF ENVIRONMENTAL HEALTH  
FOOD INSPECTION DATA



**Establishment Information**

Establishment Name: Burger Theory

Establishment Number : 605313632

**Comments/Other Observations**

- 1: (IN): ANSI Certified Manager present.
- 2: Discussed policy with pic
- 3: (IN) There are no food workers observed working with specific reportable symptoms or illnesses.
- 4: (IN) Employee isn't drinking, eating, or using tobacco in a food preparation area.
- 5: (IN) No employees exhibiting persistent coughing, sneezing, runny nose, or watery eyes.
- 6: Employee washed hands after handling dirty dishes
- 7: (IN) Employees are observed using suitable utensils or gloves to prevent bare hand (or arm) contact with ready-to-eat foods.
- 8: (IN): All handsinks are properly equipped and conveniently located for food employee use.
- 9: See source info
- 10: (NO): No food received during inspection.
- 11: (IN) All food was in good, sound condition at time of inspection.
- 12: (NA) Shell stock not used and parasite destruction not required at this establishment.
- 14: (IN) All food contact surfaces of equipment and utensils cleaned and sanitized using approved methods.
- 15: (IN) No unsafe, returned or previously served food served.
- 16: No food was cooked during inspection
- 17: (NO) No TCS foods reheated during inspection.
- 18: No food being cooled during inspection
- 19: (NO) TCS food is not being held hot during inspection.
- 22: (NA) No food held under time as a public health control.
- 23: Statement on menu
- 24: (NA) A highly susceptible population is not served.
- 25: (NA) Establishment does not use any additives or sulfites on the premises.
- 26: (IN) All poisonous or toxic items are properly identified, stored, and used.
- 27: (NA) Establishment is not required to have a variance or HACCP plan, performs no special processes.
- 57:
- 58:

\*\*\*See page at the end of this document for any violations that could not be displayed in this space.

**Additional Comments**

***See last page for additional comments.***

\*\*\*See page at the end of this document for any extra Additional Comments that could not be displayed in this space.



**Establishment Information**

Establishment Name: Burger Theory

Establishment Number : 605313632

**Comments/Other Observations (cont'd)****Additional Comments (cont'd)*****See last page for additional comments.***

**Establishment Information**

Establishment Name: Burger Theory

Establishment Number #: 605313632

**Sources**

Source Type:	Food	Source:	US Foods, What Chefs Want
Source Type:	Water	Source:	City
Source Type:		Source:	
Source Type:		Source:	
Source Type:		Source:	

**Additional Comments**