

City Lic # 148  
Exp 11/31/06

AG Lic # I-1871  
Exp 12/31/05

Owner Name: James Joseph D'Phillippo  
Address: 377 Ambur Street, Portland  
Establishment Name: Ediths Variety  
Location: Portland  
MCD # 05170  
ESTAB #  
SANI #  
ROOMS SITES  
SEATS  
DATE  
YR. MO. DAY  
PURPOSE: REGULAR FOLLOW-UP  
ESTAB. TYPE: 1  
Reinspection to be conducted with: 3 days  
Investigation: 4  
New/Other: 5  
DEMERITS: 5 PT (15), 4 PT (20), 2 PT (25), 1 PT (30)

**FOOD SUPPLY AND SOURCE**  
4. [ ] Unlabeled, [ ] Improperly labeled containers of food are being used and/or served. Rule 2.1.A.2. 1 DEMERIT.  
6. [ ] Shellfish not being kept in original container; [ ] seafood products misrepresented. Rules 2.1.B.2 and 2.1.B.3. 1 DEMERIT.  
8. Cooked and/or prepared foods are subjected to cross contamination, from [ ] raw foods or [ ] other sources of contamination. Rules 2.2.A.1, and 2.3.B.5. 2 DEMERITS.  
10. Raw [ ] fruits and/or [ ] vegetables are not washed before being used and/or served. Rule 2.4.B.1. 2 DEMERITS.  
11. Food contact surfaces not [ ] washed, [ ] rinsed, and/or [ ] sanitized after each use and following any kind of operation when contamination may have occurred. Rule 5.1.A.3. 2 DEMERITS.  
12. Food (ice) contact surfaces are improperly [ ] designed, [ ] constructed, [ ] installed, [ ] maintained and/or [ ] located. Rules 4.2.A., 4.2.B., 4.3.A., 4.3.B., 4.3.C., 4.3.D., and 4.3.E. 2 DEMERITS.  
13. Food not protected during storage/display; [ ] food left uncovered, [ ] food improperly stored on floor, [ ] food containers in cold storage double stacked or nested, [ ] sneeze guards absent. Rules 2.2.A.1., 2.4.F.7. 2 DEMERITS.  
14. Institutions: Chest tray[s] [ ] not kept, [ ] not dated, Rule 10.2.1. 1 1/2 pint milk not retained, [ ] in schools: milk not kept at 40°F, or below, Rule 2.1.B.1. 2 DEMERITS.  
15. Storage of [ ] food and/or [ ] beverages in ice or water is prohibited. Rule 2.4.1.2. 2 DEMERITS.  
**FOOD TEMPERATURES**  
16. [ ] Damaged and/or [ ] adulterated perishable food product previously served to the public being reheated. Rule 3.3.A.4. 1 DEMERIT.  
17. Open cans were being used improperly to store food. Rule 2.3.B.7. 1 DEMERIT.  
**PERSONNEL**  
26. No certified food handler/manager. Rule 3.3.B. 1 DEMERIT.  
**FOOD EQUIPMENT AND UTENSILS**  
30. Food/food contact surfaces of equipment [ ] in disrepair (cracks, chips, pits, open seams), [ ] not easily cleanable. Rules 1.1.A., 4.2.A., 4.2.B., and 4.2.C. 2 DEMERITS.  
Single service articles improperly [ ] stored, [ ] dispensed, [ ] handled, [ ] reused. Rules 4.4.A. and 5.2.C. 2 DEMERITS.  
Wiping cloths [ ] dirty, [ ] not stored properly in sanitizing solution. Rule 5.1.B. 1 DEMERIT.

**TOXIC MATERIALS**  
50. [ ] Toxic materials, [ ] personal medications and/or [ ] first-aid supplies were [ ] labeled, [ ] used in food. Rule 7.12. 5 DEMERITS.  
**WATER SUPPLY**  
48. [ ] A copy of the current water analysis was not available at the facility. Further testing may be required. Rule 6.1.E.3. 2 DEMERITS.  
**WASTEWATER DISPOSAL**  
49. [ ] Sewage and other liquid waste were found to be unsewered. Rule 6.1.E.1.  
**PLUMBING**  
56. [ ] Kitchen sink, [ ] utility sink, [ ] grease trap, [ ] drain, [ ] plumbing is improperly sized, [ ] installed and/or maintained. Rules 6.4.F. and 7.8. 2 DEMERITS.  
**TOILET AND HANDWASH FACILITIES**  
58. Toilets rooms [ ] completely enclosed, [ ] equipped with self-closing, light fitting doors, [ ] properly vented, [ ] tissue provided, [ ] covered waste receptacle (ladies). Rules 6.5, 6.6, and 6.7. 2 DEMERITS.  
59. Inadequate number of [ ] male, and/or [ ] female toilets. The number of toilets are: male and female [ ] adequate number.  
**RUBBISH**  
61. [ ] Inadequate, [ ] uncovered containers were being used. Rule 6.9. 2 DEMERITS.  
62. Storage areas were not [ ] clean, [ ] free of litter. Rule 6.9.4. 2 DEMERITS.  
**INSECT, RODENT & ANIMAL CONTROL**  
63. Storage areas are not constructed to be [ ] inaccessible to vermin, [ ] easily cleaned, [ ] refuse bin of questionable safety. Rules 6.9 and 6.10. 2 DEMERITS.  
**CONSTRUCTION OR MAINTENANCE OF PHYSICAL FACILITIES**  
66. Floors, walls, ceilings, [ ] not smooth, [ ] properly constructed, [ ] in disrepair, [ ] dirty surfaces. Rules 7.1.7.6. 1 DEMERIT.  
67. [ ] Lighting [ ] ventilation inadequate, [ ] fixture(s) not shielded, [ ] dirty ventilation hoods, [ ] ductwork, [ ] filters, [ ] exhaust fans. Rules 7.6, 7.8, 7.10. 1 DEMERIT.  
68. [ ] Premises littered, [ ] unnecessary equipment and articles present. Rule 7.11.A.1. 1 DEMERIT.  
69. Improper storage of [ ] cleaning equipment, [ ] linens. Rule 7.11.B. 1 DEMERIT.  
**LOGGING**  
70. The sleeping room(s) are: [ ] inadequately ventilated, unclean, [ ] in disrepair, [ ] underused, [ ] improper bed spacing. Rules 12.9 and 12.11. 1 DEMERIT.  
71. The [ ] Toilets, [ ] lavatories, [ ] showers, were not [ ] clean, [ ] in good repair. Rules 12.3 and 12.9.D. 2 DEMERITS.  
72. [ ] Hand cleansers, [ ] towels, were: [ ] not found, [ ] inadequate. Rule 12.4. 2 DEMERITS.  
73. The carpeting is not [ ] clean, [ ] in good repair. Rule 12.6. 2 DEMERITS.  
74. Drinking glasses not suitably sanitized and packaged. Rule 12.6. 2 DEMERITS.

ITEMS IN GRAY SHADED ARE # AND # DEMERIT ITEMS - CORRECT AS SOON AS POSSIBLE; NOTIFY DEPARTMENT WHEN CORRECTED - 674-8300 X 6703  
67 Garage Filters Removed for Cleaning w/ Exhauster & Galle Operations  
Lynn H. Seignell 874-87  
Inspector

White - License Copy • Yellow - State Copy • Pink - Inspections Copy







CITY OF PORTLAND, MAINE  
FOOD SERVICE HEALTH  
INSPECTION REPORT

382-F-002

Owner Name: **JAMES JOSEPH DIPIHILIPPO** Establishment Name: **Eddies Variety**  
 Address: **377 Auburn ST** Zip Code: **04103** Location: **Portland**

MCD # **05170** ESTAB # **15200000000081** DATE: **1/15/88**

LICENSE ISSUED YES  NO  LICENSE POSTED YES  NO

PURPOSE: REGULAR (1), FOLLOW-UP (2), COMPLAINT (3), INVESTIGATION (4), NEWOTHER (5)  
 ESTAB. TYPE: Reinspection to be conducted within \_\_\_ days of day letter of follow-up

DEMERITS: 5 PT, 4 PT, 2 PT, 1 PT

**FOOD SUPPLY AND SOURCE**

4.  Unlabeled,  Improperly labeled containers of food are being used and/or served. Rule 2.1.A.2. 1 DEMERIT.

6.  Shellfish not being kept in original container;  seafood products misrepresented. Rules 2.1.B.2 and 2.1.B.3. 1 DEMERIT.

**FOOD PREPARATION AND PROTECTION**

8. Cooked and/or prepared foods are subjected to cross contamination, from  raw foods or  other sources of contamination. Rules 2.2.A.1. and 2.3.B.5. 2 DEMERITS

10. Raw  fruits and/or  vegetables are not washed before being used and/or served. Rule 2.4.B.1. 2 DEMERITS.

11. Food contact surfaces not:  washed,  rinsed, and/or  sanitized after each use and following any kind of operation when contamination may have occurred. Rule 5.1.A.3. 2 DEMERITS.

12. Food (ice) contact surfaces are improperly:  designed,  constructed,  installed,  maintained and/or  located. Rules 4.2.A., 4.2.B., 4.3.A., 4.3.B. 2 DEMERITS.

13. Food not protected during storage/display:  food left uncovered,  food improperly stored on floor,  food containers in cold storage double stacked,  grease guards absent. Rules 2.2.A.1., 2.4.F., 2.5. 2 DEMERITS.

14. Institutions; Ghetto tray(s)  not kept,  not dated, Rule 10.2  1/2 and 1/4 not retained,  schools; milk not kept at 40°F, or below. Rule 2.1.B.1. 2 DEMERITS.

15. Storage of  food and/or  beverages in ice or water is prohibited. Rule 2.4.1.2. 2 DEMERITS.

17. Open cans were being used improperly to store food. Rule 2.3.B.7. 1 DEMERIT.

**FOOD TEMPERATURES**

23. Crowded refrigeration: There is less than 1/4 cubic foot of refrigeration per meal. Rule 10.1. 2 DEMERITS.

24. The containers used transporting food are inadequate. Rules 2.4.L.1., and 9.1.A. 1 DEMERIT.

25. Accurate thermometers not available or used to evaluate hot holding, cooking, reheating, and refrigerated storage temperatures. Rules 2.3.C.1. and 2.3.D.2. 1 DEMERIT.

**PERSONNEL**

26. No certified food handler/manager. Rules 3.5.

27.

29. Hair restraints not worn by food handlers. Rule 3.3.B. 1 DEMERITS.

**FOOD EQUIPMENT AND UTENSILS**

30. Food/food contact surfaces of equipment:  in disrepair (cracks, chips, pits, open seams),  not easily cleanable. Rules 4.1.A., 4.2.A., and 4.2.B. 2 DEMERITS.

31. Single service articles improperly:  stored,  displayed,  handled,  reused. Rules 4.4.A. and 5.2.C. 2 DEMERITS.

32. Wiping cloths:  dirty,  not stored properly in sanitizing solution. Rule 5.1.B. 1 DEMERIT.

**MANUAL DISHWASHING:**

33. Dishes/utensils not being:  scraped,  soaked,  preflushed. Rule 5.1.C.4. 1 DEMERIT.

34. Dishes/utensils are not being washed in a detergent solution having a temperature of at least 120°F. The measured temperature was  °F. Rule 5.1.C.5. 2 DEMERITS.

**MECHANICAL DISHWASHING:**

38. Hot water sanitization: The wash-water temperature was not at least 140°F. The measured temperature was  °F. Rule 5.1.D.3.b. 2 DEMERITS.

41. Chemical sanitization: The sanitizing solution was not at least 120°F. The measured temperature was  °F. Rule 5.1.D.4.a. 2 DEMERITS.

42. The chemicals sanitizing these water temperature was not at least 120°F. The measured temperature was  °F. Rule 5.1.D.4.b. 2 DEMERITS.

43. No chemical test kit provided. Rule 5.1.D.4.c. 1 DEMERIT.

45. Dish racks not stored in a sanitary manner. Rule 5.1.D.5. 1 DEMERIT.

46. Gauges:  not provided  inoperative. Rules 5.1.D.1. and 5.1.D.2. 1 DEMERIT.

**TOXIC MATERIALS**

48.  A copy of the current water analysis was not available at the facility. Further testing may be required. Rule 6.1.E.3. 2 DEMERITS.

**WATER SUPPLY**

52. (Mobile food units) The water storage tank:  does not have adequate storage,  is not being properly cleaned and sanitized after each day's use. Rule 8.1.C.1. 2 DEMERITS.

**WASTEWATER DISPOSAL**

**PLUMBING**

51.  Kitchen sink,  utility sink,  grease trap,  drain,  plumbing is improperly sized,  installed and/or maintained. Rules 6.4.F. and 7.8. 2 DEMERITS.

**TOILET AND HANDWASH FACILITIES**

58. Toilets rooms:  Completely enclosed,  Equipped with self-closing, tight fitting doors,  properly vented,  tissue provided,  covered waste receptacle (caddies). Rules 6.5, 6.6, and 6.7. 2 DEMERITS.

59. Inadequate number of  male, and/or  female toilets. The number of toilets are:  male and  female. Rule 6.5 1 DEMERIT.

**RUBBISH**

61.  Inadequate,  uncovered containers were being used. Rule 6.9. 2 DEMERITS.

62. Storage areas were not  clean,  free of litter. Rule 6.9.B.4. 2 DEMERITS.

63. Storage areas are not constructed to be:  inaccessible to vermin,  easily cleaned,  refuse bin of questionable safety. Rules 6.9 and 6.10. 2 DEMERITS.

**INSECT, RODENT & ANIMAL CONTROL**

**CONSTRUCTION OR MAINTENANCE OF PHYSICAL FACILITIES**

66. Floors, walls, ceilings,  not smooth,  properly constructed,  in disrepair,  dirty surfaces. Rules 7.1-7.8. 1 DEMERIT.

67.  Lighting,  ventilation inadequate,  fixture(s) not shielded,  dirty ventilation hoods,  ductwork,  filters,  exhaust fans. Rules 7.5, 7.9, 7.10. 1 DEMERIT.

68.  Premises littered,  unnecessary equipment and articles present. Rule 7.11.A.1. 1 DEMERIT.

69. Improper storage of  cleaning equipment,  linens. Rule 7.11.B. 1 DEMERIT.

**LODGING**

70. The sleeping room(s) are:  inadequately ventilated, unclean,  in disrepair,  undersized,  improper bed spacing. Rules 12.9 and 12.11. 1 DEMERIT.

71. The  Toilets,  lavatories,  showers, were not:  clean,  in good repair. Rules 12.3. and 12.9.D. 2 DEMERITS.

72.  Hand cleansers,  towels, were:  not found,  inadequate. Rule 12.4 2 DEMERITS.

73. The carpeting is not:  clean,  in good repair. Rule 12.9.C. 1 DEMERIT.

74. Drinking glasses not suitably sanitized and packaged. Rule 12.6. 2 DEMERITS.

ITEMS IN GRAY SHADED AREAS ARE 4 AND 5 DEMERIT ITEMS - CORRECT AS SOON AS POSSIBLE; NOTIFY DEPARTMENT WHEN CORRECTED - 674-6300 X 8703

*Kim Carroll 874-8708*  
 Inspection Officer  
*James Diphilippo*  
 Establishment Representative



CITY OF PORTLAND, MAINE  
FOOD SERVICE HEALTH  
INSPECTION REPORT

382-F-2  
Send to state

Owner Name: James DiPhilips Establishment Name: Eddie's Variety  
 Address: 377 Auburn St. Zip Code: 04103 Location: Portland

MCD # 05170 ESTAB # 34052 SALES # \_\_\_\_\_ ROOMS \_\_\_\_\_ SEATS \_\_\_\_\_  
 YR. MO. DAY DATE: 99 08 31 PURPOSE: REGULAR ESTAB. TYPE: 217

LICENSE ISSUED YES  NO  LICENSE POSTED YES  NO   
**Agriculture License**

REINSPECTION TO BE CONDUCTED WITHIN \_\_\_\_\_ DAYS FOLLOWING DAY LETTER OF \_\_\_\_\_

DEMERITS: 5 PT 2, 4 PT 1, 3 PT 1, 2 PT 2, 1 PT 0 (Total: 6)

**FOOD SUPPLY AND SOURCE**

1. Spoiled and/or adulterated foods are being used. 1 DEMERIT.

2. Unpasteurized milk, cream, or other products, or unapproved products being used and/or served. Rule 2.1.A. 2 DEMERITS.

3. Spoiled food, or food of unapproved source on premises, being used and/or served. Rule 2.1.A.2. 1 DEMERIT.

4. Unlabeled, or improperly labeled containers of food are being used and/or served. Rule 2.1.A.2. 1 DEMERIT.

5. Canned goods found:  leaking,  with severe dents,  in rusty condition, and/or  swollen. Rule 2.1.B.1. 2 DEMERITS.

6. Shellfish not being kept in original container; seafood products misrepresented. Rule 2.1.B.2 and 2.1.B.3. 1 DEMERIT.

7. Meat and/or meat products not properly stored. Rule 2.1.A.2. 2 DEMERITS.

**FOOD PREPARATION AND PROTECTION**

10. Cooked and/or prepared foods are subjected to cross contamination, from raw foods or other sources of contamination. Rules 2.2.A.1. and 2.3.B.5. 2 DEMERITS.

11. Employees have bare hands and contact with prepared food products without thorough washing of hands. Rule 2.2.A.3. 2 DEMERITS.

12. Raw fruits and/or vegetables are not washed before being used and/or served. Rule 2.4.B.1. 2 DEMERITS.

13. Food contact surfaces not:  washed,  rinsed, and/or  sanitized after each use and following any kind of operation when contamination may have occurred. Rule 5.1.A.3. 2 DEMERITS.

14. Food (ice) contact surfaces are improper:  designed,  constructed,  installed,  maintained and/or  located. Rules 4.2.A., 4.2.B., 4.3.A., 4.3.B. 2 DEMERITS.

15. Food not protected during storage/display:  food left uncovered,  food improperly stored on floor,  food containers in cold storage double stacked, or  sneeze guards absent. Rules 2.2.A.1., 2.4.F. 2 DEMERITS.

16. In institutions:  ghost tray(s) not kept,  not dated,  not dated,  1/2 pint milk not retained,  schools: milk not kept at 40°F, or below. Rule 2.1.B.1. 2 DEMERITS.

17. Storage of:  food and/or  beverages in ice or water is prohibited. Rule 2.4.1.2. 2 DEMERITS.

18. Potentially hazardous food products previously served to the public are being reused. Rule 2.4.1.1. 2 DEMERITS.

19. Open cans were being used improperly to store food. Rule 2.3.B.7. 1 DEMERIT.

**PERSONNEL**

26. No certified food handler/manager. Rules 3.5.

27. Personnel with communicable diseases,  boils,  infected wounds,  respiratory or other infectious infections, are preparing and serving food. Rule 3.1.A. 2 DEMERITS.

28. Personnel with visibly soiled hands, or jewelry when preparing and serving food, with poor hygiene practices,  talking,  sneezing, or  coughing in food preparation and/or serving areas. Rules 3.2.A., 3.2.B., and 3.2.C. 2 DEMERITS.

29. Hair restraints not worn by food handlers. Rule 3.3.B. 1 DEMERIT.

**FOOD EQUIPMENT AND UTENSILS**

30. Food/non food contact surfaces of equipment:  in disrepair (cracks, chips, pits, open seams),  not easily cleanable. Rules 4.1.A., 4.2.A., and 4.2.B. 2 DEMERITS.

31. Single service articles improperly:  stored,  dispensed,  handled,  reused. Rules 4.4.A. and 5.2.C. 2 DEMERITS.

32. Wiping cloths:  dirty,  not stored properly in sanitizing solutions. Rule 5.1.B. 1 DEMERIT.

**MANUAL DISHWASHING:**

33. Dishware/utensils not being:  scraped,  soaked,  preflushed. Rule 5.1.C.4. 1 DEMERIT.

34. Dishware/utensils are not being washed in a detergent solution having a temperature of at least 120°F. The measured temperature was \_\_\_\_\_ °F. Rule 5.1.C.5. 2 DEMERITS.

35. Dishware/utensils are not being sanitized by immersion for 30 seconds in clean hot water with a temperature of at least 180°F. The measured temperature was \_\_\_\_\_ °F. Rule 5.1.C.6. 2 DEMERITS.

36. Dishware/utensils are not being sanitized by immersion for 30 seconds in a chemical solution containing 200 ppm chlorine sanitizer and at a temperature of at least 180°F. Rule 5.1.D.1. 2 DEMERITS.

37. No chemical test kit provided. Rule 5.1.D.1.b. 1 DEMERIT.

**MECHANICAL DISHWASHING:**

38. Hot water sanitization: The wash-water temperature was not at least 140°F. The measured temperature was \_\_\_\_\_ °F. Rule 5.1.D.3.b. 2 DEMERITS.

39. The final sanitization rinse water temperature was not at least 180°F. The measured temperature was \_\_\_\_\_ °F. Rule 5.1.D.3.c. 2 DEMERITS.

40. Sustained 180°F water temperature was not maintained for 30 seconds. Rule 5.1.D.3.d. 2 DEMERITS.

41. Chemical sanitization: The sanitization temperature was not at least 120°F. The measured temperature was \_\_\_\_\_ °F. Rule 5.1.D.3.e. 2 DEMERITS.

42. The chemical sanitizing solution was not tested for proper concentration. Rule 5.1.D.3.f. 2 DEMERITS.

43. No chemical test kit provided. Rule 5.1.D.3.g. 1 DEMERIT.

44. Dish racks not stored in a sanitary manner. Rule 5.1.D.6. 1 DEMERIT.

45. Gauges:  not provided,  inoperative. Rules 5.1.D.1. and 5.1.D.2. 1 DEMERIT.

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**TOXIC MATERIALS**

48. A copy of the current water analysis was not available at the facility. Further testing may be required. Rule 6.1.E.3. 2 DEMERITS.

49. Pesticides and other toxic materials were found to be in use. Rule 6.1.E.1. 2 DEMERITS.

50. The use of toxic materials was not in accordance with the restricted chemical material use plan. Rule 6.1.E.2. 2 DEMERITS.

51. Toxic materials were not stored in accordance with the restricted chemical material use plan. Rule 6.1.E.1. 2 DEMERITS.

52. (Mobile food units) The water storage tank:  does not have adequate storage,  is not being properly cleaned and sanitized after each day's use. Rule 6.1.C.1. 2 DEMERITS.

**WASTEWATER DISPOSAL**

53. The subsurface disposal system was found to be surface. Rule 6.1.E.3. 2 DEMERITS.

54. Wastewater was being improperly discharged onto the ground. Rule 6.1.E.3. 2 DEMERITS.

55. The subsurface disposal system was found to be surface. Rule 6.1.E.3. 2 DEMERITS.

**PLUMBING**

56. Kitchen sink,  utility sink,  grease trap,  drain,  plumbing is improperly sized,  installed and/or maintained. Rules 6.4.F. and 7.6. 2 DEMERITS.

57. A cross-connection, without backflow device, exists between the drinking and the waste water systems at this:  faucet hose,  hot water heater,  water closets,  other. Rule 6.4.C. 2 DEMERITS.

**TOILET AND HANDWASH FACILITIES**

58. Toilet rooms:  Completely enclosed,  Equipped with self-closing, tight fitting doors,  properly ventilated,  tissue provided,  covered waste receptacle (ladies). Rules 6.5, 6.6, and 6.7. 2 DEMERITS.

59. Inadequate number of:  male, and/or  female toilets. The number of toilets are: \_\_\_\_\_ male and \_\_\_\_\_ female. Rule 6.5. 1 DEMERIT.

60. Handwashing facilities:  clean,  adequate number,  accessible,  future maintenance plan,  hot water,  soap,  paper towels, and drying devices not provided. Rule 6.6. 2 DEMERITS.

**RUBBISH**

61. Inadequate,  uncovered containers were being used. Rule 6.9. 2 DEMERITS.

62. Storage areas were not:  clean,  free of litter. Rule 6.9.B.4. 2 DEMERITS.

63. Storage areas are not constructed to be:  inaccessible to vermin,  easily cleaned,  refuse bin of questionable safety. Rules 6.9 and 6.10. 2 DEMERITS.

**INSECT, RODENT & ANIMAL CONTROL**

64. Insect, rodent, or animal infestation:  roaches,  flies,  mice,  other than dust mites or spider webs. Rule 7.1. 2 DEMERITS.

65. Food service facilities: The only pest control:  bait stations,  flytraps,  traps were not adequately screened. Rule 7.1.D. 4 DEMERITS.

**CONSTRUCTION OR MAINTENANCE OF PHYSICAL FACILITIES**

66. Floors, walls, ceilings:  not smooth,  properly constructed,  in disrepair,  dirty surfaces. Rules 7.1-7.6. 1 DEMERIT.

67. Lighting:  ventilation inadequate,  fixture(s) not shielded,  dirty ventilation hoods,  ductwork,  filters,  exhaust fans. Rules 7.8, 7.9, 7.10. 1 DEMERIT.

68. Premises littered,  unnecessary equipment and articles present. Rule 7.11.A.1. 1 DEMERIT.

69. Improper storage of:  cleaning equipment,  linens. Rule 7.11.B. 1 DEMERIT.

**LODGING**

70. The sleeping room(s) are:  inadequately ventilated,  unclean,  in disrepair,  undersized,  improper bed spacing. Rules 12.9 and 12.11. 1 DEMERIT.

71. The:  Toilets,  lavatories,  showers, were not:  clean,  in good repair. Rules 12.3 and 12.9.D. 2 DEMERITS.

72. Hand cleansers,  towels, were:  not found,  inadequate. Rule 12.4. 2 DEMERITS.

73. The carpeting is not:  clean,  in good repair. Rule 12.9.C. 1 DEMERIT.

74. Drinking glasses not suitably sanitized and packaged. Rule 12.6. 2 DEMERITS.

75. Gas Appliances:  hot water heaters,  water heaters,  boilers,  furnaces,  air conditioning units,  space heaters,  gas stoves,  gas water heaters,  equipped with an automatic shut-off device. Rule 12.11. 4 DEMERITS.

76.  Fire extinguishers,  fire alarm,  fire escape,  fire extinguisher,  fire alarm,  fire escape,  fire extinguisher,  fire alarm,  fire escape,  fire extinguisher. Rule 11. 2 DEMERITS.

ITEMS IN GRAY SHADED AREAS ARE 4 AND 5 DEMERIT ITEMS - CORRECT AS SOON AS POSSIBLE; NOTIFY DEPARTMENT WHEN CORRECTED - 874-8300 X 8703

Inspector: James M. M...  
 Code Enforcement Officer: James M. M...  
 Establishment Representative: James M. M...



CITY OF PORTLAND, MAINE  
FOOD SERVICE HEALTH  
INSPECTION REPORT

382-F-2

|  |                       |  |                |                     |   |   |                          |   |   |
|--|-----------------------|--|----------------|---------------------|---|---|--------------------------|---|---|
| Owner Name<br><b>JAMES DIPHILLIPS</b>  |                       | Establishment Name<br><b>EDDIE'S VARIETY</b> |                |                     |   |   |                          |   |   |
| Address<br><b>377 AUBURN ST.</b>   |                       | Zip Code<br><b>04108</b>                     |                |                     |   |   |                          |   |   |
| City<br><b>PORTLAND</b>  |                       | State<br><b>ME</b>                           |                |                     |   |   |                          |   |   |
| MCD #<br><b>05170</b>  | ESTAB #<br><b>---</b> | SAN #<br><b>---</b>                          | ROOMS<br>SITES | SEATS<br><b>---</b> | DATE<br>YR. MO. DAY<br><b>9 00 9 50</b> | PURPOSE<br>REGULAR<br>RENEWAL<br>NEWOTHER | ESTAB. TYPE<br><b>27</b> | Reinspection to be conducted<br>within ____ days<br>follow-up day letter of | DEMERTS<br>5 PT<br>4 PT<br>2 PT<br>1 PT |
| LICENCE ISSUED YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>   |                       |  |                |                     |   |   |                          |   |   |
| LICENCE POSTED YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>   |                       |  |                |                     |   |   |                          |   |   |
| <b>AGRICULTURE LICENSE</b>   |                       |  |                |                     |   |   |                          |   |   |
| <b>FOOD SUPPLY AND SOURCE</b>  |                       |  |                |                     |   |   |                          |   |   |
| 4. Unlabeled, improperly labeled containers of food are being used and/or served. Rule 2.1.A.2. 1 DEMERIT.   |                       |  |                |                     |   |   |                          |   |   |
| 6. Shellfish not being kept in original container; seafood products misrepresented. Rules 2.1.B.2 and 2.1.B.3. 1 DEMERIT.  |                       |  |                |                     |   |   |                          |   |   |
| <b>FOOD PREPARATION AND PROTECTION</b>   |                       |  |                |                     |   |   |                          |   |   |
| 8. Cooked and/or prepared foods are subjected to cross contamination, from raw foods or other source of contamination. Rules 2.2.A.1. and 2.3.B.5. 2 DEMERTS   |                       |  |                |                     |   |   |                          |   |   |
| 10. Raw fruits and/or vegetables are not washed before being used and/or served. Rule 2.4.B.1. 2 DEMERTS.  |                       |  |                |                     |   |   |                          |   |   |
| 11. Food contact surfaces not washed, rinsed, and/or sanitized after each use and following any kind of operation when contamination may have occurred.  |                       |  |                |                     |   |   |                          |   |   |
| 12. Food (or) contact surfaces are improperly designed, constructed, installed, maintained and/or located. Rules 4.2.A, 4.2.B, 4.3.A, 4.3.B. 2 DEMERTS.  |                       |  |                |                     |   |   |                          |   |   |
| 13. Food not protected during storage/display; food left uncovered; food improperly stored on floor; food containers in cold storage double stacked or nested; sneeze guards absent. Rules 2.2.A.1., 2.4.F.7. 2 DEMERTS. |                       |  |                |                     |   |   |                          |   |   |
| 14. Institutions; Ghost tray(s) not kept, not dated, Rule 10.2; 1/2 pint milk not retained; schools; milk not kept at 40°F, or below. Rule 2.1.B.1. 2 DEMERTS.   |                       |  |                |                     |   |   |                          |   |   |
| 15. Storage of food and/or beverages in ice or water is prohibited. Rule 2.4.1.2. 2 DEMERTS.   |                       |  |                |                     |   |   |                          |   |   |
| 17. Open cans were being used improperly to store food. Rule 2.3.B.7. 1 DEMERIT.   |                       |  |                |                     |   |   |                          |   |   |
| <b>FOOD TEMPERATURES</b>   |                       |  |                |                     |   |   |                          |   |   |
| 23. Crowded refrigeration: There is less than 1/4 cubic foot of refrigeration per meal. Rule 10.1. 2 DEMERTS.  |                       |  |                |                     |   |   |                          |   |   |
| 24. The containers used transporting food are inadequate. Rules 2.4.L.1., and 9.1.A. 1 DEMERIT.  |                       |  |                |                     |   |   |                          |   |   |
| 25. Accurate thermometers not available or failed to evaluate hot holding, cooling, reheating, and refrigerated storage temperatures. Rules 2.3.C.1. and 2.3.D.2. 1 DEMERIT.   |                       |  |                |                     |   |   |                          |   |   |
| <b>PERSONNEL</b>   |                       |  |                |                     |   |   |                          |   |   |
| 26. No certified food handler/manager. Rules 3.5.  |                       |  |                |                     |   |   |                          |   |   |
| 29. Hair restraints not worn by food handlers. Rule 3.3.B. 1 DEMERTS.  |                       |  |                |                     |   |   |                          |   |   |
| <b>FOOD EQUIPMENT AND UTENSILS</b>   |                       |  |                |                     |   |   |                          |   |   |
| 30. Food/non food contact surface of equipment in disrepair (cracks, chips, pits, open seams); not easily cleanable. Rules 4.1.A., 4.2.A., and 4.2.B. 2 DEMERTS.   |                       |  |                |                     |   |   |                          |   |   |
| 31. Single service articles improperly stored, dispensed, handled, reused. Rules 4.4.A. and 5.2.C. 2 DEMERTS. <b>ON FLOOR IN DISMANT</b>   |                       |  |                |                     |   |   |                          |   |   |
| 32. Wiping cloths: dirty; not stored properly in sanitizing solutions. Rule 5.1.B. 1 DEMERIT.  |                       |  |                |                     |   |   |                          |   |   |
| <b>MANUAL DISHWASHING</b>  |                       |  |                |                     |   |   |                          |   |   |
| 33. Dishes/utensils not being: scraped, soaked, preflushed. Rule 5.1.C.4. 1 DEMERIT.   |                       |  |                |                     |   |   |                          |   |   |
| 34. Dishes/utensils are not being washed in a detergent solution having a temperature of at least 120°F. The measured temperature was ____°F. Rule 5.1.C.5. 2 DEMERTS.   |                       |  |                |                     |   |   |                          |   |   |
| 37. No chemical test kit provided. Rule 5.1.C.4.B. 1 DEMERIT.  |                       |  |                |                     |   |   |                          |   |   |
| <b>MECHANICAL DISHWASHING</b>  |                       |  |                |                     |   |   |                          |   |   |
| 38. Hot water sanitization: The wash-water temperature was not at least 140°F. The measured temperature was ____°F. Rule 5.1.D.3.B. 2 DEMERTS.   |                       |  |                |                     |   |   |                          |   |   |
| 41. Chemical sanitization: The sanitizing solution was not at least 100°F. The measured temperature was ____°F. Rule 5.1.D.3.C. 2 DEMERTS.   |                       |  |                |                     |   |   |                          |   |   |
| 44. No chemical test kit provided. Rule 5.1.D.3.C. 2 DEMERTS.  |                       |  |                |                     |   |   |                          |   |   |
| 45. Dish racks not stored in a sanitary manner. Rule 5.1.D.3.F. 2 DEMERTS.   |                       |  |                |                     |   |   |                          |   |   |
| 46. Gauges: not provided; inoperative. Rules 5.1.D.1. and 5.1.D.2. 2 DEMERTS.  |                       |  |                |                     |   |   |                          |   |   |
| <b>TOXIC MATERIALS</b>   |                       |  |                |                     |   |   |                          |   |   |
| <b>WATER SUPPLY</b>  |                       |  |                |                     |   |   |                          |   |   |
| 48. A copy of the current water analysis was not available at the facility. Further testing may be required. Rule 6.1.E.3. 2 DEMERTS.  |                       |  |                |                     |   |   |                          |   |   |
| 52. (Mobile food units) The water storage tank does not have adequate storage, is not being properly cleaned and sanitized after each day's use. Rule 6.1.C.1. 2 DEMERTS.  |                       |  |                |                     |   |   |                          |   |   |
| <b>WASTEWATER DISPOSAL</b>   |                       |  |                |                     |   |   |                          |   |   |
| <b>PLUMBING</b>  |                       |  |                |                     |   |   |                          |   |   |
| 56. Kitchen sink; utility sink; grease trap; drain; plumbing; is improperly installed; not installed and/or maintained. Rules 6.4.F. and 7.9. 2 DEMERTS.   |                       |  |                |                     |   |   |                          |   |   |
| 57. A kitchen sink, utility sink, or grease trap is not properly installed and the waste disposal is not properly maintained. Rule 6.4.C. 2 DEMERTS.   |                       |  |                |                     |   |   |                          |   |   |
| <b>TOILET AND HANDWASH FACILITIES</b>  |                       |  |                |                     |   |   |                          |   |   |
| 58. Toilet rooms: Completely enclosed; Equipped with self-closing, tight fitting doors; properly vented; tissue provided; covered waste receptacle (lids). Rules 6.5, 6.6, and 6.7. 2 DEMERTS.                           |                       |  |                |                     |   |   |                          |   |   |
| 59. Inadequate number of male and/or female toilets. The number of toilets are: male and female. Rule 6.5. 1 DEMERIT.  |                       |  |                |                     |   |   |                          |   |   |
| 60. Toilet rooms: not properly cleaned and sanitized. Rule 6.5. 2 DEMERTS.   |                       |  |                |                     |   |   |                          |   |   |
| <b>RUBBISH</b>   |                       |  |                |                     |   |   |                          |   |   |
| 61. Inadequate, uncovered containers were being used. Rule 6.9. 2 DEMERTS.   |                       |  |                |                     |   |   |                          |   |   |
| 62. Storage areas were not clean, free of litter. Rule 6.9.B.4. 2 DEMERTS.   |                       |  |                |                     |   |   |                          |   |   |
| 63. Storage areas are not constructed to be inaccessible to vermin; easily cleaned; refuse bin of questionable safety. Rules 6.9 and 6.10. 2 DEMERTS.  |                       |  |                |                     |   |   |                          |   |   |
| <b>INSECT, RODENT &amp; ANIMAL CONTROL</b>   |                       |  |                |                     |   |   |                          |   |   |
| 64. Insect, rodent, or animal control: not properly maintained. Rule 6.10.D. 2 DEMERTS.  |                       |  |                |                     |   |   |                          |   |   |
| <b>CONSTRUCTION OR MAINTENANCE OF PHYSICAL FACILITIES</b>  |                       |  |                |                     |   |   |                          |   |   |
| 66. Floors, walls, ceilings; not smooth; properly constructed; in disrepair; dirty surfaces. Rules 7.1-7.6. 1 DEMERIT.   |                       |  |                |                     |   |   |                          |   |   |
| 67. Lighting; ventilation inadequate; fixture(s) not shielded; dirty ventilation hoods; ductwork; filters; exhaust fans. Rules 7.6, 7.9, 7.10. 1 DEMERIT.  |                       |  |                |                     |   |   |                          |   |   |
| 68. Premises littered; unnecessary equipment and articles present. Rule 7.11.A.1. 1 DEMERIT.   |                       |  |                |                     |   |   |                          |   |   |
| 69. Improper storage of cleaning equipment; linens. Rule 7.11.B. 1 DEMERIT.  |                       |  |                |                     |   |   |                          |   |   |
| <b>LODGING</b>   |                       |  |                |                     |   |   |                          |   |   |
| 70. The sleeping room(s) are: inadequately ventilated, unclean, in disrepair, underlaid; improper bed spacing. Rules 12.9 and 12.11. 1 DEMERIT.  |                       |  |                |                     |   |   |                          |   |   |
| 71. The toilet, lavatory, showers, were not clean, in good repair. Rules 12.3 and 12.3.D. 2 DEMERTS.   |                       |  |                |                     |   |   |                          |   |   |
| 72. Hand cleansers, towels, were not found; inadequate. Rule 12.4. 2 DEMERTS.  |                       |  |                |                     |   |   |                          |   |   |
| 73. The carpeting is not clean, in good repair. Rule 12.8.C. 1 DEMERIT.  |                       |  |                |                     |   |   |                          |   |   |
| 74. Drinking glasses not suitably sanitized and packaged. Rule 12.6. 2 DEMERTS.  |                       |  |                |                     |   |   |                          |   |   |

96

ITEMS IN GRAY SHADED ARE 4 AND 5 DEMERTS ITEMS - CORRECT AS SOON AS POSSIBLE. NOTIFY DEPARTMENT WHEN CORRECTED - 874-6300 X 8703  
**12 - Metal Bristled Basting Brush**

*James Diphilips*  
Establishment Representative

White - License Copy • Yellow - State Copy • Pink - Inspectors Copy



CITY OF PORTLAND, MAINE  
FOOD SERVICE HEALTH  
INSPECTION REPORT

382-F-2

Owner Name: James D. Philippis Establishment Name: Eddie's Variety  
 Address: 377 Auburn Street Zip Code: 04101 Location: Portland  
 MCD #: 05170 ESTAB #: --- DATE: 9/20/21 PURPOSE: REGULAR  
 LICENSE ISSUED: YES  NO  ESTAB. TYPE: 27 Reinspection to be conducted within 5 days  
 LICENSE POSTED: YES  NO  COMPLAINT: --- follow-up: ---  
 NEWOTHER: --- follow-up: ---

Agriculture license

10  
4  
2  
22

**FOOD SUPPLY AND SOURCE**

1. Spoiled and/or adulterated foods are being used and/or served. Rule 2.1.A.1. 5 DEMERITS.

2. Unpasteurized milk, milk products, cracked eggs, unpasteurized egg products being used and/or served. Rule 2.1.B.4. 3 DEMERITS.

3. Canned foods from an unapproved source on premises, being used and/or served. Rule 2.1.A.3. 4 DEMERITS.

4. Unlabeled, or improperly labeled containers of food are being used and/or served. Rule 2.1.A.2. 1 DEMERIT.

5. Canned goods found:  leaking,  with severe dents,  in rusty condition, and/or  swollen. Rule 2.1.A.3. 4 DEMERITS.

6. Shellfish not being kept in original container; seafood products misrepresented. Rules 2.1.B.2 and 2.1.B.3. 1 DEMERIT.

7. Meat and/or meat products not USDA approved. Rule 2.1.A.2. 5 DEMERITS.

**FOOD PREPARATION AND PROTECTION**

8. Cooked and/or prepared foods are subjected to cross contamination, from raw foods or other sources of contamination. Rules 2.2.A.1. and 2.3.B.5. 2 DEMERITS.

9. Employees handle raw and cooked or prepared food products without thorough hand-washing in between. Rules 2.2.A.1. and 2.3.B.5. 8 DEMERITS.

10. Raw fruits and/or vegetables are not washed before being used and/or served. Rule 2.4.B.1. 2 DEMERITS.

11. Food contact surfaces not:  washed,  rinsed, and/or  sanitized after each use and following any kind of operation when contamination may have occurred. Rule 5.1.A.3. 2 DEMERITS.

12. Food (ice) contact surfaces are improperly:  designed,  constructed,  installed,  maintained and/or  located. Rules 4.2.A., 4.2.B., 4.3.A., 4.3.B. 2 DEMERITS.

13. Food not protected during storage/display:  food left uncovered,  food improperly stored on floor,  food containers in cold storage double stacked or nested,  sneeze guards absent. Rules 2.2.A.1., 2.4.F.7. 2 DEMERITS.

14. Institutions: Ghee tray(s)  not kept,  not dated, Rule 10.2  1/2 pint milk not retained,  schools: milk not kept at 40°F, or below. Rule 2.1.B.1. 2 DEMERITS.

15. Storage of food and/or beverages in ice or water is prohibited. Rule 2.4.1.2. 2 DEMERITS.

16. Unwrapped and/or potentially hazardous food products previously served to the public were being reused. Rule 2.4.1.1. 5 DEMERITS.

17. Open cans were being used improperly to store food. Rule 2.3.B.7. 1 DEMERIT.

**FOOD TEMPERATURES**

18. Potentially hazardous food(s) not being:  reheated,  cooked long enough to be adequately heated to set parts. Rule 2.4.G.3. 5 DEMERITS.

19. Potentially hazardous foods requiring refrigeration are not being rapidly cooled to 40°F or below. The measured temperature was: --- °F. Rule 2.3.C.3. 5 DEMERITS.

20. Frozen food not being kept at 0°F, or below:  improper thawing. The measured temperature was: --- °F. Rule 2.3.C.4. 5 DEMERITS.

21. Potentially hazardous hot food(s) not being stored at 140°F or above. The measured temperature was: --- °F. Rules 2.4.G.1., 2.4.H.1.b. 5 DEMERITS.

22. Potentially hazardous cold food(s) not being stored at 45°F or below. The measured temperature was: --- °F. Rules 2.4.G.1., and 2.4.H.1.b. 5 DEMERITS.

23. Crowded refrigeration: There is less than 1/4 cubic foot of refrigeration per meal. Rule 10.1. 2 DEMERITS.

24. The containers used transporting food are inadequate. Rules 2.4.L.1., and 9.1.A. 1 DEMERIT.

Accurate thermometers not available or used to evaluate hot holding, cooking, reheating, and refrigerated storage temperatures. Rules 2.3.C.1. and 2.3.D.2. 1 DEMERIT.

**PERSONNEL**

26. No certified food handler/manager. Rules 3.5.

27. Personnel with:  communicable disease(s),  boils,  infected wound(s),  respiratory tract,  non-healing infection, are preparing and serving food. Rule 3.1.A. 5 DEMERITS.

28. Personnel:  with dirty hands and/or  smoking when preparing and serving food,  with poor hygiene practices,  eating, drinking, in food preparation and/or dish-washing areas. Rules 3.2.A., 3.2.B., and 3.4.A. 4 DEMERITS.

29. Hair restraints not worn by food handlers. Rule 3.3.B. 1 DEMERIT.

**FOOD EQUIPMENT AND UTENSILS**

30. Food/non food contact surfaces of equipment:  in disrepair (cracks, chips, pits, open seams),  not easily cleanable. Rules 4.1.A., 4.2.A., and 4.2.B. 2 DEMERITS.

31. Single service articles improperly:  stored,  dispensed,  handled,  reused. Rules 4.4.A. and 5.2.C. 2 DEMERITS.

32. Wiping cloths:  dirty,  not stored properly in sanitizing solutions. Rule 5.1.B. 1 DEMERIT.

**MANUAL DISHWASHING:**

33. Dishes/utensils not being:  scraped,  soaked,  preflushed. Rule 5.1.C.4. 1 DEMERIT.

34. Dishes/utensils are not being washed in a detergent solution having a temperature of at least 120°F. The measured temperature was: --- °F. Rule 5.1.C.5. 2 DEMERITS.

35. Dishes/utensils are not being sanitized by immersion for 30 seconds in clean hot water with a temperature of at least 170°F. The measured temperature was: --- °F. Rule 5.1.C.5.a. 4 DEMERITS.

36. Dishes/utensils are not being sanitized by immersion for one minute in a clean chlorine solution containing 50 ppm chlorine minimum and at a temperature of at least 130°F. The measured temperature was: --- °F. Rule 5.1.C.5.b. 4 DEMERITS.

37. No chemical test kit provided. Rule 5.1.D.4.b. 1 DEMERIT.

**MECHANICAL DISHWASHING:**

38. Hot water sanitization: The wash-water temperature was not at least 140°F. The measured temperature was: --- °F. Rule 5.1.D.3.b. 2 DEMERITS.

39. The final sanitization rinse water temperature was not at least 180°F. The measured temperature was: --- °F. Rule 5.1.D.3.b. 4 DEMERITS.

40. Sustained 180°F hot water temperature was not maintained for 30 seconds. Rule 5.1.D.3.a. 3 DEMERITS.

41. Chemical sanitization: The wash-water temperature was not at least 120°F. The measured temperature was: --- °F. Rule 5.1.D.4.a.(1). 3 DEMERITS.

42. Sanitizing chemicals not automatically dispensed. Rule 5.1.D.4.a.(2). 3 DEMERITS.

43. The chemical sanitizing rinse water temperature was not at least 150°F. The measured temperature was: --- °F. Rule 5.1.D.4.a.(3). 3 DEMERITS.

44. No chemical test kit provided. Rule 5.1.D.4.b. 1 DEMERIT.

45. Dish racks not stored in a sanitary manner. Rule 5.1.D.6. 1 DEMERIT.

46. Gauge:  not provided,  inoperative. Rules 5.1.D.1. and 5.1.D.2. 1 DEMERIT.

White - Licensee Copy • Yellow - State Copy • Pink - Inspectors Copy

**TOXIC MATERIALS**

49. Toxic materials, including medications and/or pesticides, are being stored:  improperly stored,  labeled,  used in food. Rule 7.12. 2 DEMERITS.

Oil sink

**WATER SUPPLY**

48. A copy of the current water analysis was not available at the facility. Further testing may be required. Rule 6.1.E.3. 2 DEMERITS.

49. Water tested and found to be unsatisfactory. Rule 6.1.A.1. 5 DEMERITS.

50. The free chlorine was less than 0.25 ppm. The measured chlorine residual was: --- ppm. Rule 6.1.A.2. 5 DEMERITS.

51. Hot and cold water (under pressure) was not provided to the sinks,  dishwashers, or  lavatories. Rule 6.1.D.1. 5 DEMERITS.

52. (Mobile food units) The water storage tank:  does not have adequate storage,  is not being properly cleaned and sanitized after each day's use. Rule 6.1.C.1. 2 DEMERITS.

**WASTEWATER DISPOSAL**

53. The subsurface disposal system was found to be surfacing. Rule 6.2.A. 4 DEMERITS.

54. Wastewater was being improperly discharged onto the ground. Rule 6.2.A. 4 DEMERITS.

55. (Mobile food units)  waste water storage tank does not have adequate storage. Rule 6.1.C.2. 4 DEMERITS.

Fabric Hose

**PLUMBING**

57. A cross-connection, without backflow device, exists between the drinking and the waste-water systems at the:  faucet hose,  hot water heater,  water closets,  other. Rule 6.4.C. 5 DEMERITS.

**TOILET AND HANDWASH FACILITIES**

Toilets rooms:  Completely enclosed,  Equipped with self-closing, light fitting doors,  properly vented,  tissue provided,  covered waste receptacle (ladies). Rules 6.5, 6.6, and 6.7. 2 DEMERITS.

59. Inadequate number of:  male, and/or  female toilets. The number of toilets are:  male and  female. Rule 6.5. 1 DEMERIT.

60. Handwash lavatories:  adequate number,  accessible,  fixtures maintained,  hand cleansing soap,  sanitary towel/hand drying device not provided  common towel. Rules 6.3. and 6.8. 4 DEMERITS.

**RUBBISH**

61.  Inadequate,  uncovered containers were being used. Rule 6.9. 2 DEMERITS.

62. Storage areas were not:  clean,  free of litter. Rule 6.9.4. 2 DEMERITS.

63. Storage areas are not constructed to be:  inaccessible to vermin,  easily cleaned,  refuse bin of questionable safety. Rules 6.9 and 6.10. 2 DEMERITS.

**INSECT, RODENT & ANIMAL CONTROL**

64.  flies,  rodents,  roaches,  live animals (other than security or guide dogs) were found on the premises. Rule 6.10. and 7.12.C. 4 DEMERITS.

65. Food service facilities: The outer  doors,  windows,  skylights,  transoms were not adequately screened. Rule 6.10.D. 4 DEMERITS.

**CONSTRUCTION OR MAINTENANCE OF PHYSICAL FACILITIES**

66. Floors, walls, ceilings,  not smooth,  properly constructed,  in disrepair,  dirty surfaces. Rules 7.1-7.6. 1 DEMERIT. sealed doors

67.  Lighting  ventilation inadequate,  fixture(s) not shielded,  dirty ventilation hoods,  ductwork,  filters,  exhaust fans. Rules 7.6, 7.9, 7.10. 1 DEMERIT.

68.  Premises littered,  unnecessary equipment and articles present. Rule 7.11.A.1. 1 DEMERIT.

69. Improper storage of  cleaning equipment,  linens. Rule 7.11.B. 1 DEMERIT.

**LODGING**

70. The sleeping room(s) are:  inadequately ventilated, unclean,  in disrepair,  undersized,  improper bed spacing. Rules 12.9 and 12.11. 1 DEMERIT.

71. The  Toilets,  lavatories,  showers, were not:  clean,  in good repair. Rules 12.3 and 12.9.D. 2 DEMERITS.

72.  Hand cleansers,  towels, were:  not found,  inadequate. Rule 12.4. 2 DEMERITS.

73. The carpeting is not:  clean,  in good repair. Rule 12.9.C. 1 DEMERIT.

74. Drinking glasses not suitably sanitized and packaged. Rule 12.8. 2 DEMERITS.

75. Gas Appliances:  Hot water heaters,  water heaters,  clothes dryers,  floor furnaces found in sleeping rooms were not:  adequately vented,  equipped with automatic pilots,  equipped with an automatic control valve. Rule 12.10. 4 DEMERITS.

50.  Life safety code violations. Explain: Need open egress covered

ITEMS IN GRAY SHADED AREAS ARE 4 AND 5 DEMERIT ITEMS - CORRECT AS SOON AS POSSIBLE; NOTIFY DEPARTMENT WHEN CORRECTED - 874-8300 X 8703

76 - Fire Ext. downstairs - needs tag

James D. Philippis  
Cop. Enforcement Officer  
Establishment Representative





CITY OF PORTLAND, MAINE
FOOD SERVICE HEALTH
INSPECTION REPORT

302-F-2
send to state

Owner Name: James D. Philips
Establishment Name: Eddie's
Address: 377 Auburn St.
Zip Code: 04103
Location: Portland
MCD #: 05170
ESTAB #: 34052
SANI #: 55
ROOMS: 5
SEATS: 11
DATE: 9/9/02
PURPOSE: REGULAR
ESTAB. TYPE: 27
REINSPECTION TO BE CONDUCTED WITHIN: 30 days
DEMERITS: 5 PT (1), 4 PT (1), 2 PT (3), 1 PT (1)
LICENSE ISSUED: YES
LICENSE POSTED: YES
FOOD SUPPLY AND SOURCE: 103 Cooked and/or prepared foods are subjected to cross contamination...
FOOD PREPARATION AND PROTECTION: 13 Food contact surfaces are improperly designed...
FOOD TEMPERATURES: 18 Potentially hazardous food(s) not being cooled long enough...
PERSONNEL: 26 No certified food handler/manager...
DISHWASHING: 33 Dish/utensils not being: scraped, soaked, preflushed...
MECHANICAL DISHWASHING: 37 No chemical test kit provided...
TOXIC MATERIALS: 47 Toxic materials...
WATER SUPPLY: 48 A copy of the current water analysis was not available...
WASTEWATER DISPOSAL: 54 Wastewater disposal system...
PLUMBING: 56 Kitchen sink, utility sink, grease trap, drain, plumbing...
TOILET AND HANDWASH FACILITIES: 58 Toilets rooms: completely enclosed, equipped with self-closing...
RUBBISH: 61 Inadequate, uncovered containers were being used...
INSECT, RODENT & ANIMAL CONTROL: 64 Insects, rodents, birds, animals...
CONSTRUCTION OR MAINTENANCE OF PHYSICAL FACILITIES: 66 Floors, walls, ceilings, not smooth, properly constructed...
LODGING: 70 The sleeping room(s) are: inadequately ventilated, unclean, disrepair...

White - Licensee Copy • Yellow - State Copy • Pink - Inspectors Copy

Handwritten notes:
8 - Raw foods above fresh
13 - open container missed
17 - open can storage w/ food
31 - single service stored on floor
45 - check door open

Handwritten signatures:
Inspector: [Signature]
Establishment Representative: [Signature]



DO NOT SEND TO STATE

CITY OF PORTLAND, MAINE FOOD SERVICE HEALTH INSPECTION REPORT

382-F-2

90

Owner Name: James DiPhillipo  
 Establishment Name: Eddies Variety  
 Address: 377 Auburn St  
 Zip Code: 04103  
 Location: Portland

MCD #: 05170  
 ESTAB #: [ ]  
 SANI #: 56  
 ROOMS: [ ]  
 SITES: [ ]  
 SEATS: [ ]  
 DATE: 08/21/00  
 YR: 00  
 MO: 08  
 DAY: 21

PURPOSE: REGULAR FOLLOW-UP  
 COMPLAINT: [ ]  
 INVESTIGATION: [ ]  
 NEW/OTHER: [ ]

ESTAB. TYPE: 01  
 Reinspection to be conducted within: 30 days  
 follow-up day letter of: [ ]

DEMERITS: 5 PT, 4 PT, 2 PT, 1 PT

**FOOD SUPPLY AND SOURCE**

4. [ ] Unlabeled, [ ] Improperly labeled containers of food are being used and/or served. Rule 2.1.4.2. 1 DEMERIT.

6. [ ] Shellfish not being kept in original container; [ ] seafood products misrepresented. Rules 2.1.8.2 and 2.1.8.3. 1 DEMERIT.

**FOOD PREPARATION AND PROTECTION**

8. Cooked and/or prepared foods are subjected to cross contamination, from [ ] raw foods or [ ] other sources of contamination. Rules 2.2.A.1. and 2.3.B.5. 2 DEMERITS.

10. Raw [ ] fruits and/or [ ] vegetables are not washed before being used and/or served. Rule 2.4.B.1. 2 DEMERITS.

11. Food contact surfaces not [ ] washed, [ ] rinsed, and/or [ ] sanitized after each use and following any kind of operation when contamination may have occurred. Rule 5.1.A.3. 2 DEMERITS.

12. Food (hot) contact surfaces are improperly: [ ] designed, [ ] constructed, [ ] installed, [ ] maintained and/or [ ] located. Rules 4.2.A., 4.2.B., 4.3.A., 4.3.B. 2 DEMERITS.

13. Food not protected during storage/display: [ ] food left uncovered, [ ] food improperly stored on floor, [ ] food containers in cold storage double stacked or piled, [ ] sneeze guards absent. Rules 2.2.A.1., 2.4.F.7. 2 DEMERITS.

14. Institutions: (Hot tray(s) [ ] not kept, [ ] not dated, Rule 10.2 [ ] 1/2 pint milk not retained, [ ] schools: milk not kept at 40°F. or below. Rule 2.1.B.1. 2 DEMERITS.

15. Storage of [ ] food and/or [ ] beverages in ice or water is prohibited. Rule 2.4.1.2. 2 DEMERITS.

17. Open cans were being used improperly to store food. Rule 2.3.B.7. 1 DEMERIT.

**FOOD TEMPERATURES**

23. Crowded refrigeration: There is less than 1/4 cubic foot of refrigeration per meal. Rule 10.1. 2 DEMERITS.

24. The containers used transporting food are inadequate. Rules 2.4.L.1., and 9.1.A. 1 DEMERIT.

25. Accurate thermometers not available or used to evaluate hot holding, cooking, reheating, and refrigerated storage temperatures. Rules 2.3.C.1. and 2.3.D.2. 1 DEMERIT.

**PERSONNEL**

26. No certified food handler/manager. Rules 3.5.

29. Hair restraints not worn by food handlers. Rule 3.3.B. 1 DEMERITS.

**FOOD EQUIPMENT AND UTENSILS**

30. Food/non food contact surfaces of equipment: [ ] in disrepair (cracks, chips, pits, open seams), [ ] not easily cleanable. Rules 4.1.A., 4.2.A., and 4.2.B. 2 DEMERITS.

31. Single service articles improperly: [ ] stored, [ ] dispensed, [ ] handled, [ ] reused. Rules 4.4.A. and 5.2.C. 2 DEMERITS.

32. Wiping cloths: [ ] dirty, [ ] not stored properly in sanitizing solutions Rule 5.1.B. 1 DEMERIT.

**MANUAL DISHWASHING**

33. Dishes/utensils not being: [ ] scraped, [ ] soaked, [ ] preflushed. Rule 5.1.C.4. 1 DEMERIT.

34. Dishes/utensils are not being washed in a detergent solution having a temperature of at least 120°F. The measured temperature was [ ] °F. Rule 5.1.C.5. 2 DEMERITS.

**MECHANICAL DISHWASHING**

37. No chemical test kit provided. Rule 5.1.D.A.B. 1 DEMERIT.

38. Hot water sanitization: The wash-water temperature was not at least 140°F. The measured temperature was [ ] °F. Rule 5.1.D.3.b. 2 DEMERITS.

39. The final sanitization temperature was [ ] °F. Rule 5.1.D.4.a.(1). 2 DEMERITS.

40. Sanitizing solution: The sanitizing solution temperature was [ ] °F. Rule 5.1.D.4.a.(2). 2 DEMERITS.

41. Chemical sanitizers: The wash-water temperature was not at least 120°F. The measured temperature was [ ] °F. Rule 5.1.D.4.a.(1). 2 DEMERITS.

42. Sanitizing solution: The sanitizing solution temperature was [ ] °F. Rule 5.1.D.4.a.(2). 2 DEMERITS.

44. No chemical test kit provided. Rule 5.1.D.6. 1 DEMERIT.

45. Dish racks not stored in a sanitary manner. Rule 5.1.D.6. 1 DEMERIT.

46. Gauges: [ ] not provided [ ] inoperative. Rules 5.1.D.1. and 5.1.D.2. 1 DEMERIT.

**TOXIC MATERIALS**

48. [ ] A copy of the current water analysis was not available at the facility. Further testing may be required. Rule 6.1.E.3. 2 DEMERITS.

**WATER SUPPLY**

51. [ ] The water storage tank [ ] does not have adequate storage, [ ] is not being properly cleaned and sanitized after each day's use. Rule 8.1.C.1. 2 DEMERITS.

**WASTEWATER DISPOSAL**

52. [ ] The kitchen sink, [ ] utility sink, [ ] grease trap, [ ] drain, [ ] plumbing: is improperly sized, [ ] installed and/or maintained. Rules 8.4.F. and 7.8. 2 DEMERITS.

**PLUMBING**

58. Toilets rooms: [ ] Completely enclosed, [ ] Equipped with self-closing, light fitting doors, [ ] properly vented, [ ] tissue provided, [ ] covered waste receptacle (ladies). Rules 6.5, 6.6, and 6.7. 2 DEMERITS.

59. Inadequate number of [ ] male and/or [ ] female toilets. The number of toilets are: [ ] male and [ ] female. Rule 6.5 1 DEMERIT.

**TOILET AND HANDWASH FACILITIES**

61. [ ] Inadequate, [ ] uncovered containers were being used. Rule 6.9. 2 DEMERITS.

62. Storage areas were not [ ] clean, [ ] free of litter. Rule 6.9.B.4. 2 DEMERITS.

63. Storage areas are not constructed to be: [ ] inaccessible to vermin, [ ] easily cleaned, [ ] refuse bin of questionable safety. Rules 6.9 and 6.10. 2 DEMERITS.

**RUBBISH**

66. Floors, walls, ceilings, [ ] not smooth, [ ] properly constructed, [ ] in disrepair, [ ] dirty surfaces. Rules 7.1.1-7.6. 1 DEMERIT.

67. [ ] Lighting [ ] ventilation inadequate, [ ] fixture(s) not shielded, [ ] dirty ventilation hoods, [ ] ductwork, [ ] filters, [ ] exhaust fans. Rules 7.6, 7.9, 7.10. 1 DEMERIT.

68. [ ] Premises littered, [ ] unnecessary equipment and articles present. Rule 7.11.A.1. 1 DEMERIT.

69. Improper storage of [ ] cleaning equipment, [ ] linens. Rule 7.11.B. 1 DEMERIT.

**CONSTRUCTION OR MAINTENANCE OF PHYSICAL FACILITIES**

70. The sleeping room(s) are: [ ] inadequately ventilated, unclear, [ ] in disrepair, [ ] underused; [ ] improper bed spacing. Rules 12.9 and 12.11. 1 DEMERIT.

71. The [ ] Toilets, [ ] lavatories, [ ] showers, were not: [ ] clean, [ ] in good repair. Rules 12.3. and 12.9.D. 2 DEMERITS.

72. [ ] Hand cleansers, [ ] towels, were: [ ] not found, [ ] inadequate. Rule 12.4 2 DEMERITS.

73. The carpeting is not: [ ] clean, [ ] in good repair. Rule 12.9.C. 1 DEMERIT.

74. Drinking glasses not suitably sanitized and packaged. Rule 12.6. 2 DEMERITS.

**LODGING**

75. [ ] Items in gray shaded areas are 4 and 5 demerits items - correct as soon as possible; notify department when corrected - 874-8300 X 8703

419 - Temps of prepared meals/vegs for sandwiches at 52°F

Thomas M. Markley  
 Code Enforcement Officer  
 James DiPhillipo  
 Establishment Representative





Owner Name: **Eddie's Variety** Establishment Name: **SARVE**  
 Address: **377 Auburn St.** Zip Code: **04102** Location: **PORTLAND**

MCD #: **05170** ESTAB #: **39052** SANI #: **59** ROOMS: **1** SEATS: **1** DATE: **02/08/27**  
 LICENSE ISSUED: YES  NO  LICENSE POSTED: YES  NO   
 PURPOSE: REGULAR  FOLLOW-UP  COMPLAINT  INVESTIGATION  NEW/OTHER   
 ESTAB. TYPE: **01** Reinspection to be conducted within **30** days after letter of follow-up  
 DEMERITS: 5 PT **1**, 4 PT **2**, 3 PT **2**, 2 PT **2**, 1 PT **1**

**FOOD SUPPLY AND SOURCE**

4.  Unlabeled,  improperly labeled containers of food are being used and/or served. Rule 2.1.A.2. 1 DEMERIT.  
 6.  Shellfish not being kept in original container;  seafood products misrepresented. Rules 2.1.B.2 and 2.1.B.3. 1 DEMERIT.

**FOOD PREPARATION AND PROTECTION**

8. Cooked and/or prepared foods are subjected to cross contamination, from  raw foods or  other sources of contamination. Rules 2.2.A.1. and 2.3.B.5. 2 DEMERITS.  
 10. Raw  fruits and/or  vegetables are not washed before being used and/or served. Rule 2.4.B.1. 2 DEMERITS.  
 11. Food contact surfaces not  washed,  rinsed, and/or  sanitized after each use and following any kind of operation when contamination may have occurred. Rule 5.1.A.3. 2 DEMERITS.  
 12. Food (ice) contact surfaces are improperly:  designed,  constructed,  installed,  maintained and/or  located. Rules 4.2.A., 4.2.B., 4.3.A., 4.3.B. 2 DEMERITS.  
 13. Food not protected during storage/display:  food left uncovered,  food improperly stored on floor,  sneeze guards absent. Rules 2.2.A.1., 2.4.F.7. 2 DEMERITS. **ONIONS**  
 14. Institutions: Ghost tray(a)  not kept,  not dated. Rule 10.2  1/2 pint milk not retained,  schools: milk not kept at 40°F. or below. Rule 2.1.B.1. 2 DEMERITS.  
 15. Storage of  food and/or  beverages in ice or water is prohibited. Rule 2.4.1.2. 2 DEMERITS.

**FOOD TEMPERATURES**

23. Crowded refrigeration: There is less than 1/4 cubic foot of refrigeration per meal. Rule 10.1. 2 DEMERITS. **SALAD**  
 24. The containers used transporting food are inadequate. Rules 2.4.L.1., and 9.1.A. 1 DEMERIT.  
 25. Accurate thermometers not available or used to evaluate hot holding, cooking, reheating, and refrigerated storage temperatures. Rules 2.3.C.1. and 2.3.D.2. 1 DEMERIT.

**PERSONNEL**

26. No certified food handler/manager. Rules 3.5.  
 29. Hair restraints not worn by food handlers. Rule 3.3.B. 1 DEMERITS.

**FOOD EQUIPMENT AND UTENSILS**

30. Food/non food contact surfaces of equipment:  in disrepair (cracks, chips, pits, open seams),  not easily cleanable. Rules 4.1.A., 4.2.A., and 4.2.B. 2 DEMERITS.  
 31. Single service articles improperly:  stored,  dispensed,  handled,  reused. Rules 4.4.A. and 5.2.C. 2 DEMERITS.  
 32. Wiping cloths:  dirty,  not stored properly in sanitizing solutions Rule 5.1.B. 1 DEMERIT.

**DISHWASHING**

MANUAL DISHWASHING:  
 33. Dishes/utensils not being:  scraped,  soaked,  preflushed. Rule 5.1.C.4. 1 DEMERIT.  
 34. Dishes/utensils are not being washed in a detergent solution having a temperature of at least 120°F. The measured temperature was  °F. Rule 5.1.C.5. 2 DEMERITS.

**MECHANICAL DISHWASHING:**

36. Hot water sanitization: The wash-water temperature was not at least 140°F. The measured temperature was  °F. Rule 5.1.D.3.b. 2 DEMERITS.  
 41. Chemical sanitizers: The wash-water temperature was not at least 120°F. The measured temperature was  °F. Rule 5.1.D.4.c.(1). 2 DEMERITS.  
 42. Sanitizing chemicals not automatically dispensed. Rule 5.1.D.4.c.(2). 2 DEMERITS.  
 43. The chemicals sanitizing these water temperature was not at least 130°F. The measured temperature was  °F. Rule 5.1.D.4.c.(3). 2 DEMERITS.  
 44. No chemical test kit provided. Rule 5.1.D.4.b. 1 DEMERIT.  
 45. Dish racks not stored in a sanitary manner. Rule 5.1.D.6. 1 DEMERIT.  
 46. Gauges:  not provided  inoperative. Rules 5.1.D.1. and 5.1.D.2. 1 DEMERIT.

**TOXIC MATERIALS**

48.  A copy of the current water analysis was not available at the facility. Further testing may be required. Rule 6.1.E.3. 2 DEMERITS.

**WATER SUPPLY**

52. (Mobile food units) The water storage tank:  does not have adequate storage,  is not being properly cleaned and sanitized after each day's use. Rule 8.1.C.1. 2 DEMERITS.

**WASTEWATER DISPOSAL**

Rule 8.1.C.2. 2 DEMERITS.

**PLUMBING**

56.  Kitchen sink,  utility sink,  grease trap,  drain,  plumbing; is improperly sized,  installed and/or maintained. Rules 6.4.F. and 7.8. 2 DEMERITS.  
 57.  Plumbing: is not properly installed and/or maintained. Rule 6.4.C. 2 DEMERITS.

**TOILET AND HANDWASH FACILITIES**

58. Toilets rooms:  Completely enclosed,  Equipped with self-closing, tight fitting doors,  properly vented,  tissue provided,  covered waste receptacle (ladies). Rules 6.5. 6.6. and 6.7. 2 DEMERITS.  
 59. Inadequate number of  male, and/or  female toilets. The number of toilets are: male and  female. Rule 6.5 1 DEMERIT.

**RUBBISH**

61.  Inadequate,  uncovered containers were being used. Rule 6.9. 2 DEMERITS.  
 62. Storage areas were not  clean,  free of litter. Rule 6.6.B.4. 2 DEMERITS.  
 63. Storage areas are not constructed to be:  inaccessible to vermin,  easily cleaned,  refuse bin of questionable safety. Rules 6.9 and 6.10. 2 DEMERITS.

**INSECT, RODENT & ANIMAL CONTROL**

Rule 7.11.A.1. 1 DEMERIT.

**CONSTRUCTION OR MAINTENANCE OF PHYSICAL FACILITIES**

66. Floors, walls, ceilings,  not smooth,  properly constructed,  in disrepair,  dirty surfaces. Rules 7.1-7.6. 1 DEMERIT.  
 67.  Lighting  ventilation inadequate,  fixture(s) not shielded,  dirty ventilation hoods,  ductwork,  filters,  exhaust fans. Rules 7.6, 7.9, 7.10. 1 DEMERIT.  
 68.  Premises cluttered,  unnecessary equipment and articles present. Rule 7.11.A.1. 1 DEMERIT.  
 69. Improper storage of  cleaning equipment,  linens. Rule 7.11.B. 1 DEMERIT.

**LODGING**

70. The sleeping room(s) are:  inadequately ventilated, unclean,  in disrepair,  undersized,  improper bed spacing. Rules 12.9 and 12.11. 1 DEMERIT.  
 71. The  Toilets,  lavatories,  showers, were not:  clean,  in good repair. Rules 12.3. and 12.9.D. 2 DEMERITS.  
 72.  Hand cleansers,  towels, were:  not found,  inadequate. Rule 12.4 2 DEMERITS.  
 73. The carpeting is not:  clean,  in good repair. Rule 12.9.C. 1 DEMERIT.  
 74. Drinking glasses not suitably sanitized and packaged. Rule 12.6. 2 DEMERITS.

ITEMS IN GRAY SHADED AREAS ARE 4 AND 5 DEMERITS ITEMS - CORRECT AS SOON AS POSSIBLE; NOTIFY DEPARTMENT WHEN CORRECTED - 874-8300 X 8703

17-ONIONS stored on floor  
 22-keep cases more  
 30-Cannot use wood handle BRUSHES  
 67-Shield lights in prep storage area  
 Also storage

Code Enforcement Officer: **Jon Keck**  
 Establishment Representative: **Frank [Signature]**



**CITY OF PORTLAND  
BILLING NOTICE**

March 2, 2000

James Diphillips  
377 Auburn Street  
Portland, Maine 04103

RE: Eddie's Variety  
CBL: 382-F-002

Dear Sir/Madam:

The City Council passed the following amendment on May 17, 1999:  
**Sec 11-37. Inspection Performance Requirements.**

All licensed Food Service Establishments shall be inspected annually on forms approved by the State of Maine Dept. of Health Engineering. Establishments which obtain a score between 79 and 84 may be inspected monthly until the establishment has achieved the score of 85 or above. Establishments with a score of 78 or less may be reinspected within 10 days of the original unsatisfactory score. Establishments that score below 78 on two consecutive inspections shall be referred to the City Clerk for action pursuant to Chapter 15; provided, however, the foregoing shall not be construed to be a limitation on the authority of the City to refer violations to the City Clerk for action pursuant to Chapter 15.

Reinspection fee for FSE .....\$75.00 per Re-inspection

Since that date, the City of Portland Inspection Services Team has inspected the above Food Service Establishment on the following dates with the following results:

8/31/99-82      11/2/99-89

Based on this standard your establishment has been reinspected 1 time. You now owe the City of Portland \$ 75.00 in reinspection fees. Failure to pay the reinspection fee will cause this office to notify the City Clerk for action pursuant to Chapter 15. Please feel free to contact me at 874-8700, if you wish to discuss this.

Sincerely,  
*Mike Nugent*  
Mike Nugent  
Manager of Inspection Services





City of Portland, Maine  
 382 - F - 113165  
 City Lic # 148 Exp 11/3/15  
 don't send to state

NO TO STATE  
 Owner Name: James DiPhillippo  
 Establishment Name: Eddie's Variety  
 Address: 377 Anderson St  
 Zip Code: Portland  
 Location: Portland

|        |         |        |             |       |          |                   |             |  |                               |
|--------|---------|--------|-------------|-------|----------|-------------------|-------------|--|-------------------------------|
| MCD #  | ESTAB # | SANI # | ROOMS SITES | SEATS | DATE     | PURPOSE           | ESTAB. TYPE | Reinspection to be conducted within days | DEMERITS                      |
| 051170 |         |        |             |       | 07/10/05 | REGULAR FOLLOW-UP | 210         | 90                                       | 5 FT 34<br>4 FT 10<br>2 FT 10 |

**FOOD SUPPLY AND SOURCE**

4. Unlabeled, improperly labeled containers of food are being used and/or served. Rule 2.1.A.2. 1 DEMERIT.

6. Shellfish not being kept in original container; seafood products misrepresented. Rules 2.1.B.2 and 2.1.B.3. 1 DEMERIT.

**FOOD PREPARATION AND PROTECTION**

10. Raw fruits and/or vegetables are not washed before being used and/or served. Rule 2.4.B.1. 2 DEMERITS.

12. Food (or) contact surfaces are improperly designed, constructed, installed, maintained and/or located. Rules 4.2.A., 4.2.B., 4.3.A., 4.3.B. 2 DEMERITS.

13. Food not protected during storage/display; food left uncovered; food improperly stored on floor; food containers in cold storage double stacked or sneeze guards absent. Rules 2.2.A.1., 2.4.F.7. 2 DEMERITS.

14. Institutions: Food trays not kept at 40°F or below. Rule 2.1.B.1. 2 DEMERITS.

**FOOD TEMPERATURES**

23. Crowded refrigeration: There is less than 1/4 cubic foot of refrigeration per meal. Rule 10.1. 2 DEMERITS.

24. The containers used transporting food are inadequate. Rules 2.4.L.1., and 9.1.A. 1 DEMERIT.

25. Accurate thermometers not available or used to evaluate hot holding, cooking, reheating, and refrigerated storage temperatures. Rules 2.3.C.1. and 2.3.D.2. 1 DEMERIT.

**PERSONNEL**

26. No certified food handler/manager. Rules 3.5.

29. Hair restraints not worn by food handlers. Rule 3.3.B. 1 DEMERIT.

**FOOD EQUIPMENT AND UTENSILS**

30. Food/non food contact surfaces of equipment in disrepair (cracks, chips, pits, open seams), not easily cleanable. Rules 4.1.A., 4.2.A., and 4.2.B. 2 DEMERITS.

31. Single service articles improperly stored, dispensed, handled, reused. Rules 4.4.A. and 5.2.C. 2 DEMERIT.

32. Wiping cloths: dirty, not stored properly in sanitizing solution. Rule 5.1.B. 1 DEMERIT.

**MANUAL DISHWASHING:**

33. Dishes/utensils not being scraped, soaked, preflushed. Rule 5.1.C.4. 1 DEMERIT.

34. Dishes/utensils are not being washed in a detergent solution having a temperature of at least 120°F. The measured temperature was [ ] °F. Rule 5.1.C.5. 2 DEMERITS.

**MECHANICAL DISHWASHING:**

37. No chemical test kit provided. Rule 5.1.D.4.b. 1 DEMERIT.

38. Hot water sanitization: The wash-water temperature was not at least 140°F. The measured temperature was [ ] °F. Rule 5.1.D.3.b. 2 DEMERITS.

41. Chemical sanitizers: The wash-water temperature was not at least 120°F. The measured temperature was [ ] °F. Rule 5.1.D.4.c.(1). 2 DEMERITS.

42. Sanitizing chemicals not automatically dispensed. Rule 5.1.D.4.c.(2). 2 DEMERITS.

43. The chemicals sanitizing rinse water temperature was not at least 130°F. The measured temperature was [ ] °F. Rule 5.1.D.4.c.(3). 2 DEMERITS.

44. No chemical test kit provided. Rule 5.1.D.4.b. 1 DEMERIT.

45. Dish racks not stored in a sanitary manner. Rule 5.1.D.6. 1 DEMERIT.

46. Gauges: not provided [ ] inoperative. Rules 5.1.D.1. and 5.1.D.2. 1 DEMERIT.

**TOXIC MATERIALS**

47. Pesticides, herbicides, or other toxic substances are being used in the food service area. Rule 6.1.E.3. 2 DEMERITS.

**WATER SUPPLY**

48. A copy of the current water analysis was not available at the facility. Further testing may be required. Rule 6.1.E.3. 2 DEMERITS.

**WASTEWATER DISPOSAL**

52. (Mobile food units) The water storage tank: does not have adequate storage, is not being properly cleaned and sanitized after each day's use. Rule 6.1.C.1. 2 DEMERITS.

**PLUMBING**

56. Kitchen sink, utility sink, grease trap, drain, plumbing: is improperly sized, installed and/or maintained. Rules 6.4.F. and 7.8. 2 DEMERITS.

**TOILET AND HANDWASH FACILITIES**

58. Toilet rooms: Completely enclosed, equipped with self-closing, tight fitting doors, properly vented, tissue provided, covered waste receptacle (ladies).

59. Inadequate number of male and/or female toilets. The number of toilets are: male and female. Rule 6.5. 1 DEMERIT.

**RUBBISH**

61. Inadequate, uncovered containers were being used. Rule 6.9. 2 DEMERITS.

62. Storage areas were not clean, free of litter. Rules 6.9.B.4. 2 DEMERITS.

63. Storage areas are not constructed to be inaccessible to vermin, easily cleaned, refuse bin of questionable safety. Rules 6.9 and 6.10. 2 DEMERITS.

**INSECT, RODENT & ANIMAL CONTROL**

64. Insect, rodent, or animal control measures are not being used. Rule 6.11. 1 DEMERIT.

**CONSTRUCTION OR MAINTENANCE OF PHYSICAL FACILITIES**

66. Floors, walls, ceilings, not smooth, properly constructed, in disrepair, dirty surfaces. Rules 7.1-7.6. 1 DEMERIT.

67. Lighting, ventilation inadequate, fixture(s) not shielded, dirty ventilation hoods, ductwork, filters, exhaust fans. Rules 7.6, 7.9, 7.10. 1 DEMERIT.

68. Premises littered, unnecessary equipment and articles present. Rule 7.11.A.1. 1 DEMERIT.

69. Improper storage of cleaning equipment, linens. Rule 7.11. 1 DEMERIT.

**LODGING**

70. The sleeping room(s) are: inadequately ventilated, unclean, in disrepair, undersized, improper bed spacing. Rules 12.9 and 12.11. 1 DEMERIT.

71. The toilets, lavatories, showers, were not clean, in good repair. Rules 12.3 and 12.9.D. 2 DEMERITS.

72. Hand cleansers, towels, were not found, inadequate. Rule 12.4. 2 DEMERITS.

73. The carpeting is not clean, in good repair. Rule 12.9.C. 1 DEMERIT.

74. Drinking glasses not suitably sanitized and packaged. Rule 12.6. 2 DEMERITS.

ITEMS IN GRAY SHADED AREAS ARE 4 AND 5 DEMERITS ITEMS - CORRECT AS SOON AS POSSIBLE; NOTIFY DEPARTMENT WHEN CORRECTED - 874-8300 X 8703

Inspector: Kevin W. [Signature] 874-8705  
 Establishment Representative: James DiPhillippo

White - License Copy • Yellow - State Copy • Pink - Inspectors Copy