

CITY OF PORTLAND, MAINE  
FOOD SERVICE HEALTH  
INSPECTION REPORT

429-H-30

85

Owner Name: Nicholas Poulos  
Establishment Name: Espan's Cuban Concha  
Address: 40 Berkeley St. Portland  
Zip Code: 04103  
Location: 5 VERANDA STREET

MCD #: 05170 ESTAB #: 6063  
SANI #: 59 ROOMS SITES: 32 SEATS: 9  
DATE: 03/12/03  
PURPOSE: REGULAR (1), FOLLOW-UP (2), COMPLAINT (3), INVESTIGATION (4), NEW/OTHER (5)  
ESTAB. TYPE: CI  
REINSPECTION: 30 days  
DEMERITS: 15 (5 PT, 4 PT, 2 PT, 1 PT)

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. Rules 2.1.B.4. 5 DEMERITS.
- 3. Canned foods from an unapproved source on premises, being used and/or served. Rule 2.1.A.3. 5 DEMERITS.
- 4. Unlabeled, 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.1. 5 DEMERITS.
- 6. Shellfish not being kept in original container; seafood products misrepresented. Rules 2.1.B.2 and 2.1.B.3. 1 DEMERITS.
- 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. 5 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 2.4.A.1., 2.4.F.7. 2 DEMERITS.
- 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 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.J.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 all parts Rule 2.4.G.3. 5 DEMERITS.
- 19. Prepared potentially hazardous foods requiring refrigeration are not being rapidly cooled to 45° or below. The measured temperature was 68°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 17°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 140°F. Rules 2.4.G.1., 2.4.H.1.a. 5 DEMERITS.
- 22. Potentially hazardous cold food(s) not being stored at 45°F or below. The measured temperature was 77°F. Rules 2.4.G.1., and 2.4.H.1.b. 5 DEMERITS. BUTTER
- 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. Personnel with: communicable disease(s), boils, infected wound(s), respiratory or gastrointestinal 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 hygienic practice, eating, drinking, in food preparation and/or dish-washing areas. Rules 3.2.A., 3.2.B., and 3.4.A. 5 DEMERITS.
- 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.
- 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 120°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 170°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 residual was 100 ppm and the measured temperature was 130°F. Rule 5.1.C.5.b. 4 DEMERITS.
- 37. No chemical test kit provided. Rule 5.1.D.4.b. 1 DEMERIT.

DISHWASHING

MANUAL DISHWASHING:

- 38. Hot water sanitization: The wash-water temperature was not at least 140°F. The measured temperature was 140°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 180°F. Rule 5.1.D.3.b. 4 DEMERITS.
- 40. Sustained 165°F hot water dishwashing machine. Rule 5.1.D.3.a. 4 DEMERITS.
- 41. Chemical sanitizers: The wash-water temperature was not at least 120°F. The measured temperature was 120°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 130°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.

MECHANICAL DISHWASHING:

- 38. Hot water sanitization: The wash-water temperature was not at least 140°F. The measured temperature was 140°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 180°F. Rule 5.1.D.3.b. 4 DEMERITS.
- 40. Sustained 165°F hot water dishwashing machine. Rule 5.1.D.3.a. 4 DEMERITS.
- 41. Chemical sanitizers: The wash-water temperature was not at least 120°F. The measured temperature was 120°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 130°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. Toxic materials, personal medications and/or first-aid supplies were: improperly stored, 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.
- 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 0 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 8.1.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 8.1.C.2. 4 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. 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

- 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: 1 male and 1 female. Rule 6.5 1 DEMERIT.
- 60. Handwash lavatories: clean, adequate number, accessible, fixtures maintained, hand cleansing soap, sanitary towel/hand drying devices 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.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. flies, rodents, roaches, live animals (other than security or guide dogs) were found on the premises. Rule 6.10. and 7.12.G. 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. FREEZE
- 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. CIGARETTES
- 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. The carpeting is not clean, in good repair. Rule 12.9.C. 1 DEMERIT.
- 73. Drinking glasses not suitably sanitized and packaged. Rule 12.6. 2 DEMERITS.
- 74. Gas Appliances: hot water heaters, refrigerators, 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.
- 76. Life safety code violations: Explain: Rule 11.1. 5 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

- 13- Food must be covered at all times
- 19- Foods requiring refrigeration must be
- 20- blackbox being thrown at room temp.
- 22- Butter must be refrigerated
- 32- Wiping cloths must be in solution

Code Enforcement Officer: [Signature]  
Establishment Representative: [Signature]