

4908-B-23  
City of Portland  
Inspection Services  
RETURN OF SERVICE

On the 21st day of March, 2006 I made service of the unsatisfactory letter

upon, \_\_\_\_\_, at Danatelli Variety  
1223 W. Irving St

By delivering a copy in hand.

\_\_\_\_ By leaving copies at the individual's dwelling house or usual place of abode with a person of suitable age or discretion who resides therein and whose name is \_\_\_\_\_

\_\_\_\_ By delivering a copy to an agent authorized to receive service of process, and whose name is Josia McDonald

\_\_\_\_ By (describe other manner of service) \_\_\_\_\_  
\_\_\_\_\_

Signature of Person Making Service

DATED: 3/21/06 \_\_\_\_\_  
[Signature]

I have received the above referenced documents

Person Receiving Service

[Signature]  
A. Hunt

X \_\_\_\_\_  
 Refused to sign

\_\_\_\_\_ Unable to sign

408-B-23 - 3 = 97

### City of Portland Health Inspection Report

Establishment Name <b>Davattli's Veggies</b>		No. of Risk Factor/Intervention Violations	Date <b>8/21/06</b>
License/Est. ID# <b>N/A</b>		No. of Repeat Risk Factor/Intervention Violations	Time In _____
Address <b>1223 Washington Ave</b>		Score (optional) <b>97</b>	Time Out _____
City/State <b>Portland, ME</b>		Zip Code <b>04103</b>	Telephone _____
License Posted <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Owner Name <b>Michael J. McCullum</b>	Purpose of Inspection <b>Opening</b>	Est. Type <b>AO</b>
Risk Category		Risk Category	

#### FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS

Circle designated compliance status (IN, OUT, NO, N/A) for each numbered item. Mark "X" in appropriate box for COS and/or R. IN= in compliance, OUT=not in compliance, NO=not observed, NA=not applicable, COS=corrected on-site during inspection, R=repeat violation

Compliance Status	Supervision	Employee Health	Good Hygienic Practices	Preventing Contamination by Hands	Approved Source	Compliance Status	Potentially Hazardous Food Time/Temperature	Consumer Advisory	Chemical	Compliance with Approved Procedures
5/1	IN OUT	PI/C present, demonstrates knowledge, and performs duties				5/16	IN OUT N/A NO	Consumer advisory provided for raw or undercooked foods		
5/2	IN OUT	Management awareness; policy present				5/17	IN OUT N/A NO			
5/3	IN OUT	Proper use of reporting, restriction & exclusion				5/18	IN OUT N/A NO			
5/4	IN OUT	Proper eating, tasting, drinking, or tobacco use				5/19	IN, OUT N/A NO			
5/5	IN OUT	No discharge from eyes, nose, and mouth				5/20	IN, OUT N/A NO			
5/6	IN OUT	Hands clean & properly washed				5/21	IN OUT N/A NO			
2/7	IN OUT N/A NO	No bare hand contact with RTE foods or approved alternate method properly followed				5/22	IN OUT N/A NO			
5/8	IN OUT	Adequate handwashing facilities supplied & accessible				5/23	IN OUT			
5/9	IN OUT	Food obtained from approved source				5/24	IN OUT			
5/10	IN OUT N/A NO	Food received at proper temperature				5/25	IN OUT			
5/11	IN OUT	Food in good condition, safe, & undeteriorated				5/26	IN OUT			
1/12	IN OUT N/A NO	Required records available: shellstock tags, parasite destruction				5/27	IN OUT			

#### GOOD RETAIL PRACTICES

Good Retail Practices are preventative measures to control the addition of pathogens, chemicals, and physical objects into foods. Mark "X" in box if numbered item is not in compliance. Mark "X" in appropriate box for COS and/or R. COS=corrected on-site during inspection. R=repeat violation

Safe Food and Water	Food Identification	Proper Use of Utensils	Physical Facilities
5/28	1/35	2/41	4/48
5/29	1/36	2/42	5/49
3/30	2/37	2/43	5/50
5/31	1/38	2/44	2/51
5/32	1/39	1/45	2/52
5/33	1/40	1/46	1/53
1/34		1/47	1/54

Person in Charge (Signature) **Michael Davattli**

Health Inspector (Signature) **D. Rowe**

Date: **8/21/06**

Follow-up: YES  NO  (circle one) Follow-up Date: \_\_\_\_\_

# State of Maine Health Inspection Report

Establishment Name

As Authorized by 22 MRSA § 2496

Date 8/21/06

License/EST. ID #

Donatelli's

Address

City/State

Zip Code

Telephone

### TEMPERATURE OBSERVATIONS

Item/Location	Temp	Item/Location	Temp	Item/Location	Temp
<u>walk-in</u>	<u>42°</u>				
<u>freezer</u>	<u>36°</u>				
<u>reach-in cooler</u>	<u>40°</u>				

### OBSERVATIONS AND CORRECTIVE ACTIONS

Violations cited in this report must be corrected within the time frames below, or as stated in sections 8-405.11 and 8-406.11 of the Food Code.

Item Number	Violations cited in this report must be corrected within the time frames below, or as stated in sections 8-405.11 and 8-406.11 of the Food Code.
<u>54</u>	<u>need light shields in walking and 14th fl.</u>
<u>58</u>	<u>prep bowl prohibited.</u>
<u>34</u>	<u>prep bench thermometers in freezer, coolers</u>
<u>53</u>	<u>cutters damaged</u>

Step A  
Salmonella  
E. coli 157  
Shigella

Person in Charge (Signature) Josephine Donatelli Date 8/21/06

Health Inspector (Signature) G. Rowe Date 8/21/06



Donot send to state

CITY OF PORTLAND, MAINE  
FOOD SERVICE HEALTH  
INSPECTION REPORT

408-B-23

95

Owner Name: Donnell, Marie  
Address: 1223 Washington Ave  
Zip Code: 04103  
Establishment Name: Donnell, Marie  
Location: Donnell, Marie  
MOD #: 051170  
ESTAB #: [ ]  
SANI # ROOMS SEATS  
SITES [ ] YR. MO. DAY  
DATE: 05 02 27  
LICENSE ISSUED: YES [ ] NO [ ]  
LICENSE POSTED: YES [ ] NO [ ]

PURPOSE	REGULAR FOLLOW-UP	COMPLAINT INVESTIGATION	NEW/OTHER	ESTAB. TYPE	Reinspection to be conducted within	DEMERRITS
	2	3	4	D1	days	5 PT
					day/letter of	4 PT
						2 PT
						1 PT

FOOD SUPPLY AND SOURCE

- Spoiled and/or  adulterated foods are being used and/or served. Rule 2.1.A.1. 5 DEMERRITS.
- Unpasteurized milk  milk products,  cracked eggs,  unpasteurized egg products being used and/or served. Rules 2.1.B.4. 5 DEMERRITS.
- Canned foods from an unapproved source on premises, being used and/or served. Rule 2.1.A.3. 5 DEMERRITS.
- Unlabeled  improperly labeled containers of food are being used and/or served. Rule 2.1.A.2. 1 DEMERRIT.
- Canned goods found:  leaking,  with severe dents,  in rusty condition, and/or  swollen. Rule 2.1.A.1. 5 DEMERRITS.
- Shellfish not being kept in original container,  seafood products misrepresented. Rules 2.1.B.2 and 2.1.B.3. 1 DEMERRITS.
- Meat and/or meat products not USDA approved. Rule 2.1.A.2. 5 DEMERRITS.

FOOD PREPARATION AND PROTECTION

- 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 DEMERRITS
- 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 DEMERRITS.
- Raw  fruits and/or  vegetables are not washed before being used and/or served. Rule 2.4.B.1. 2 DEMERRITS.
- 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 DEMERRITS.
- 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 DEMERRITS.
- 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 DEMERRITS.
- Institutions:  Ghost tray(s)  not kept,  not dated. Rule 10.2.  1/2 pint milk not returned,  school's milk not kept at 40°F or below. Rule 2.1.B.1. 2 DEMERRITS.
- Storage of  food and/or  beverages in ice or water is prohibited. Rule 2.4.I.2. 2 DEMERRITS.
- Unwrapped and/or  potentially hazardous food products previously served to the public were being reused. Rule 2.4.I.1. 5 DEMERRITS.
- Open cans were being used improperly to store food. Rule 2.3.B.7. 1 DEMERRIT.

FOOD TEMPERATURES

- Potentially hazardous food(s) not being:  reheated,  cooked long enough to be adequately heated to all parts. Rule 2.4.G.3. 5 DEMERRITS.
- Prepared potentially hazardous foods requiring refrigeration are not being rapidly cooled to 45° or below. The measured temperature was:  °F. Rule 2.3.C.3. 5 DEMERRITS.
- Frozen food not being kept at 0°F or below:  improper thawing. The measured temperature was:  °F. Rule 2.3.C.4. 5 DEMERRITS.
- 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.A. 5 DEMERRITS.
- 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 DEMERRITS.
- Crowded refrigeration: There is less than 1/4 cubic foot of refrigeration per meal. Rule 10.1. 2 DEMERRITS.
- The containers used transporting food are inadequate. Rules 2.4.L.1., and 9.1.A. 1 DEMERRIT.
- 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 DEMERRIT.

PERSONNEL

- No certified food handler/manager. Rules 3.5.
- Personnel with:  communicable disease(s),  boils,  infected wound(s),  respiratory or  gastrointestinal infection, are preparing and serving food. Rule 3.1.A. 5 DEMERRITS.
- 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 DEMERRITS.
- Hair restraints not worn by food handlers. Rule 3.3.B. 1 DEMERRITS.

FOOD EQUIPMENT AND UTENSILS

- Food/iron 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 DEMERRITS.
- Single service articles improperly:  stored,  dispensed,  handled,  reused. Rules 4.4.A. and 5.2.C. 2 DEMERRITS.
- Wiping cloths:  dirty,  not stored properly in sanitizing solutions. Rule 5.1.B. 1 DEMERRIT.

DISHWASHING

- Dishes/utensils not being:  scraped,  soaked,  preflushed. Rule 5.1.C.4. 1 DEMERRIT.
- 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 DEMERRITS.
- 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 DEMERRITS.
- Dishes/utensils are not being sanitized by immersion for one minute in a clear chlorine solution containing 50 ppm chlorine minimum and at a temperature of at least 130°F. The measured residual was:  ppm and the measured temperature was:  °F. Rule 5.1.C.5.b. 4 DEMERRITS.
- No chemical test kit provided. Rule 5.1.D.4.b. 1 DEMERRIT.

MECHANICAL DISHWASHING:

- 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 DEMERRITS.
- The final sanitization rinse water temperature was not at least 180°F. The measured temperature was:  °F. Rule 5.1.D.3.c. 4 DEMERRITS.
- Sustained 165°F hot water dishwashing machine:  °F. Rule 5.1.D.3.a. 4 DEMERRITS.
- 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 DEMERRITS.
- The chemicals sanitizing rinse water temperature was not at least 130°F. The measured temperature was:  °F. Rule 5.1.D.4.c.(2). 2 DEMERRITS.
- No chemical test kit provided. Rule 5.1.D.4.b. 1 DEMERRIT.
- Dish racks not stored in a sanitary manner. Rule 5.1.D.6. 1 DEMERRIT.
- Gauges:  not provided,  inoperative. Rules 5.1.D.1. and 5.1.D.2. 1 DEMERRIT.

TOXIC MATERIALS

- Toxic materials,  personal medications and/or  first-aid supplies were:  improperly stored,  labeled,  used in food. Rule 7.12. 5 DEMERRITS.

WATER SUPPLY

- A copy of the current water analysis was not available at the facility.  Further testing may be required. Rule 6.1.E.3. 2 DEMERRITS.
- Water tested and found to be unsatisfactory. Rule 6.1.A.1. 5 DEMERRITS.
- The free chlorine was less than 0.25 ppm. The measured chlorine residual was  ppm. Rule 6.1.A.2. 5 DEMERRITS.
- Hot and  cold water (under pressure) was not provided to the:  sinks,  dishwashers, or  lavatories. Rule 6.1.D.1. 5 DEMERRITS.
- (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 DEMERRITS.

WASTEWATER DISPOSAL

- The subsurface disposal system was found to be surfacing. Rule 6.2.A. 4 DEMERRITS.
- Wastewater was being improperly discharged onto the ground. Rule 6.2.A.4 DEMERRITS.
- (Mobile food units) The waste water storage tank does not have adequate storage. Rule 6.1.C.2. 4 DEMERRITS.

PLUMBING

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

TOILET AND HANDWASH FACILITIES

- Toilet 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 DEMERRITS.
- Inadequate number of:  male, and/or  female toilets. The number of toilets are:  male and  female. Rule 6.5. 1 DEMERRIT.
- 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 DEMERRITS.

RUBBISH

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

INSECT, RODENT & ANIMAL CONTROL

- Flies,  rodents,  roaches,  lice, animals (other than security or guide dogs) were found on the premises. Rule 6.10. and 7.12.G. 4 DEMERRITS.
- Food service facilities: The outer:  doors,  windows,  skylights,  transoms were not adequately screened. Rule 6.10.D. 4 DEMERRITS.

CONSTRUCTION OR MAINTENANCE OF PHYSICAL FACILITIES

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

LODGING

- The sleeping room(s) are:  inadequately ventilated, unclean  in disrepair,  undersized,  improper bed spacing. Rules 12.9 and 12.11. 1 DEMERRIT.
- The  toilets,  lavatories,  showers, were not:  clean,  in good repair. Rules 12.3, and 12.9.D. 2 DEMERRITS.
- Hand cleansers,  towels, were:  not found,  inadequate. Rule 12.4. 2 DEMERRITS.
- The carpeting is not:  clean,  in good repair. Rule 12.9.C.1 DEMERRIT.
- Drinking glasses not suitably sanitized and packaged. Rule 12.6. 2 DEMERRITS.
- 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.
- Life safety code violations: Explain: Rule 11.1. 5 DEMERRITS.

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



Send to State Inspector

CITY OF PORTLAND, MAINE  
FOOD SERVICE HEALTH  
INSPECTION REPORT

408 B-23

98

Owner Name: Dorchester Inc.      Establishment Name: Scorch's Pastry  
 Address: \_\_\_\_\_      Zip Code: 04103      Location: 1223 Washington Ave  
 MCD #: \_\_\_\_\_      ESTAB # \_\_\_\_\_      SALES # \_\_\_\_\_      ROOMS \_\_\_\_\_      SEATS \_\_\_\_\_      DATE: \_\_\_\_\_      YR. \_\_\_\_\_      MO. \_\_\_\_\_      DAY \_\_\_\_\_  
 LICENSE ISSUED: YES  NO       YES  NO       59      11      11      99      03      25  
 LICENSE POSTED: YES  NO

**FOOD SUPPLY AND SOURCE**

- Spoiled and/or adulterated foods are being used and/or served. Rule 2.1.A.1. 5 DEMERITS.
- Unpasteurized milk, milk products, cracked eggs, unpasteurized egg products being used and/or served. Rules 2.1.B.4, 5 DEMERITS.
- Canned foods from an unapproved source on premises, being used and/or served. Rule 2.1.A.3, 5 DEMERITS.
- Unlabeled, improperly labeled containers of food are being used and/or served. Rule 2.1.A.2, 1 DEMERIT.
- Canned goods found leaking, with severe dents, in rusty condition, and/or swollen. Rule 2.1.A.1, 5 DEMERITS.
- Shellfish not being kept in original container, seafood products misrepresented. Rules 2.1.B.2 and 2.1.B.3, 1 DEMERITS.
- Meat and/or meat products not USDA approved. Rule 2.1.A.2, 5 DEMERITS.

**FOOD PREPARATION AND PROTECTION**

- 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.
- 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.
- Raw  fruits and/or  vegetables are not washed before being used and/or served. Rule 2.4.B.1, 2 DEMERITS.
- 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. MICROWAVE OVEN DISINFECTED
- 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.
- 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., 2 DEMERITS.
- Institutions: Ghost tray(s) not kept, not dated. Rule 10.2, 1/2 pint milk not retained, school(s), milk not kept at 40°F or below. Rule 2.1.B.1, 2 DEMERITS.
- Storage of food and/or beverages in ice or water is prohibited. Rule 2.4.1.2, 2 DEMERITS.
- Unwrapped and/or potentially hazardous food products previously served to the public were being reused. Rule 2.4.1.1, 5 DEMERITS.
- Open cans were being used improperly to store food. Rule 2.3.B.7, 1 DEMERIT.

**FOOD TEMPERATURES**

- Potentially hazardous food(s) not being reheated, cooked long enough to be adequately heated to all parts. Rule 2.4.G.3, 5 DEMERITS.
- Prepared potentially hazardous foods requiring refrigeration are not being rapidly cooled to 45° or below. The measured temperature was \_\_\_\_\_ °F. Rule 2.3.C.3, 5 DEMERITS.
- Frozen food not being kept at 0°F or below, improper thawing. The measured temperature was \_\_\_\_\_ °F. Rule 2.3.C.4, 5 DEMERITS.
- 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, 5 DEMERITS.
- 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, 5 DEMERITS.
- Crowded refrigeration: There is less than 1/4 cubic foot of refrigeration per meal. Rule 10.1, 2 DEMERITS.
- 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**

- No certified food handler/manager. Rules 3.5.
- Personnel with communicable disease(s), boils, infected wound(s), respiratory or gastrointestinal infection, are preparing and serving food. Rule 3.1.A, 5 DEMERITS.
- 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.
- Hair restraints not worn by food handlers. Rule 3.3.B, 1 DEMERITS.

**FOOD EQUIPMENT AND UTENSILS**

- Food/iron 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.
- 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 solutions. Rule 5.1.B, 1 DEMERIT.

**DISHWASHING**

- Dishwasher(s) not being scraped, soaked, preflushed. Rule 5.1.C.4, 1 DEMERIT.
- Dishwasher(s) 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.
- Dishwasher(s) are not being sanitized by immersion for 30 seconds in clean hot water with at temperature of at least 170°F. The measured temperature was \_\_\_\_\_ °F. Rule 5.1.C.5.a, 4 DEMERITS.
- Dishwasher(s) 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 \_\_\_\_\_ ppm and the measured temperature was \_\_\_\_\_ °F. Rule 5.1.C.5.b, 4 DEMERITS.
- No chemical test kit provided. Rule 5.1.D.4.b, 1 DEMERIT.

**MECHANICAL DISHWASHING:**

- 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.
- 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.
- Sustained 165°F hot water dishwashing machine. °F. Rule 5.1.D.3.a, 4 DEMERITS.
- 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.
- Sanitizing chemicals not automatically dispensed. Rule 5.1.D.4.c.(2), 2 DEMERITS.
- 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.
- No chemical test kit provided. Rule 5.1.D.4.b, 1 DEMERIT.
- Dishes not stored in a sanitary manner. Rule 5.1.D.6, 1 DEMERIT.
- Gauges: not provided, inoperative. Rules 5.1.D.1, and 5.1.D.2, 1 DEMERIT.

**TOXIC MATERIALS**

- Toxic materials, personal medications and/or first-aid supplies were: properly stored, labeled, used in food. Rule 7.12, 5 DEMERITS.

**WATER SUPPLY**

- 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 tested and found to be unsatisfactory. Rule 6.1.A.1, 5 DEMERITS.
- The free chlorine was less than 0.25 ppm. The measured chlorine residual was \_\_\_\_\_ ppm. Rule 6.1.A.2, 5 DEMERITS.
- Hot and cold water (under pressure) was not provided to the sinks, dishwashers, or lavatories. Rule 6.1.D.1, 5 DEMERITS.
- 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**

- The subsurface disposal system was found to be surfacing. Rule 6.2.A, 4 DEMERITS.
- Wastewater was being improperly discharged onto the ground. Rule 6.2.A, 4 DEMERITS.
- (Mobile food units) waste water storage tank does not have adequate storage. Rule 8.1.C.2, 4 DEMERITS.

**PLUMBING**

- Kitchen sink, utility sink, grease trap, drain, plumbing: is improperly sized, installed and/or maintained. Rules 6.4.F and 7.8, 2 DEMERITS.
- A cross-connection, without backflow device, exists between the drinking and the waste-water systems at the faucet hose, hot water heater, water closets, or other.

**TOILET AND HANDWASH FACILITIES**

- 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.
- Inadequate number of male and/or female toilets. The number of toilets are: male and female. Rule 6.5, 1 DEMERIT.
- Handwash lavatories: clean, adequate number, accessible, fixtures maintained, hard cleansing soap, sanitary towel/hand drying devices not provided, common towel. Rules 6.3, and 6.8, 4 DEMERITS.

**RUBBISH**

- Inadequate, uncovered containers were being used. Rule 6.9, 2 DEMERITS.
- Storage areas were not clean, free of litter. Rule 6.9.B, 4, 2 DEMERITS.
- 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**

- 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.
- 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**

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

**LOADING**

- The sleeping room(s) are: inadequately ventilated, unclean, in disrepair, undersized, improper bed spacing. Rules 12.9 and 12.11, 1 DEMERIT.
- Toilets, lavatories, showers, were not clean, in good repair. Rules 12.3, and 12.9.D, 2 DEMERITS.
- Hand cleansers, towels, were: not found, inadequate. Rule 12.4.
- The carpeting is not clean, in good repair. Rule 12.9.C, 1 DEMERIT.

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

- 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 - 874-8900 X 8703

MICROWAVE IN DISREPAIR

Code Enforcement Officer: Don Red  
 Establishment Representative: Michael



408-B-23

CITY OF PORTLAND, MAINE  
FOOD SERVICE HEALTH  
INSPECTION REPORT

og for  
No Smoke

Owner Name: Dona McRoberts Inc Establishment Name: Dona Telli Whizby

Address: 1223 Commercial St Zip Code: 04103 Location: Portland

MCD #: 05170 ESTAB #: 12 SAN # ROOMS SEATS DATE PURPOSE

LICENSE ISSUED: YES  NO  SITES: 53 YR. MO. DAY REGULAR FOLLOW-UP: 1

LICENSE POSTED: YES  NO  980212 COMPLAINT INVESTIGATION: 3

NEW OTHER: 5 ESTAB. TYPE: 12 WITHIN: 12 DAYS: 12 DAY LETTER OF FOLLOW-UP: 1 DEMERITS: 3

FOOD SUPPLY AND SOURCE

- Spoiled and/or adulterated foods are being used and/or served. Rule 2.1.A.1. 5 DEMERITS.
- Unpasteurized milk, milk products, cracked eggs, unpasteurized egg products being used and/or served. Rules 2.1.B.4. 5 DEMERITS.
- Canned foods from an unapproved source on premises, being used and/or served. Rule 2.1.A.3. 5 DEMERITS.
- Unlabeled, improperly labeled containers of food are being used and/or served. Rule 2.1.A.2. 1 DEMERIT.
- Canned goods found: leaking, with severe dents, in rusty condition, and/or swollen. Rule 2.1.A.1. 5 DEMERITS.
- Shellfish not being kept in original container, seafood products misrepresented. Rules 2.1.B.2 and 2.1.B.3. 1 DEMERITS.
- Meat and/or meat products not USDA approved. Rule 2.1.A.2. 5 DEMERITS.

FOOD PREPARATION AND PROTECTION

- 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. 2 DEMERITS.
- 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 DEMERITS.
- Raw fruits and/or vegetables are not washed before being used and/or served. Rule 2.4.B.1. 2 DEMERITS.
- 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.
- Food (ice) contact surfaces are improperly constructed, installed, maintained and/or located. Rules 4.2.A., 4.2.B., 4.3.A., 4.3.B. 2 DEMERITS.
- Food not protected during storage/display, food left uncovered, food improperly stored on floor, food containers in cold storage double checked or heated, sneeze guards absent. Rules 2.2.A.1., 2.4.F.7. 2 DEMERITS.
- Institutions: Ghost tray(s) not kept, not dated. Rule 10.2. 1/2 pint milk not retained, school: milk not kept at 40°F or below. Rule 2.1.B.1. 1 DEMERIT.
- Storage of food and/or beverages in ice or water is prohibited. Rule 2.4.I.2. 2 DEMERITS.
- Unwrapped and/or potentially hazardous food products previously served to the public were being reused. Rule 2.4.1. 5 DEMERITS.
- Operations were being used improperly to store food. Rule 2.3.B.7. 1 DEMERIT.

FOOD TEMPERATURES

- Potentially hazardous food(s) not being reheated, cooked long enough to be adequately heated to all parts. Rule 2.4.G.3. 5 DEMERITS.
- Prepared potentially hazardous foods requiring refrigeration are not being rapidly cooled to 45° or below. The measured temperature was: °F. Rule 2.3.C.3. 5 DEMERITS.
- Frozen food not being kept at 0°F or below, improper thawing. The measured temperature was: °F. Rule 2.3.C.4. 5 DEMERITS.
- 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.a. 5 DEMERITS.
- 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.
- Covered refrigeration: There is less than 1/4 cubic foot of refrigeration per meal. Rule 10.1. 2 DEMERITS.
- 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

- No certified food handler/manager. Rules 3.5.
- Personnel with communicable disease(s), boils, infected wound(s), respiratory or gastrointestinal infection, are preparing and serving food. Rule 3.1.A. 5 DEMERITS.
- 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.
- Hair restaurants not worn by food handlers. Rule 3.3.B. 1 DEMERITS.

FOOD EQUIPMENT AND UTENSILS

- Food/linen 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.
- 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 solutions. Rule 5.1.B. 1 DEMERIT.

DISHWASHING

- Dishwasher(s) not being: scraped, soaked, preflushed. Rule 5.1.C.4. 1 DEMERIT.
- Dishwasher(s) 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.
- Dishwasher(s) 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. 4 DEMERITS.
- Dishwasher(s) 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 190°F. The measured residual was: ppm and the measured temperature was: °F. Rule 5.1.C.5.b. 4 DEMERITS.
- No chemical test kit provided. Rule 5.1.D.4.b. 1 DEMERIT.

MECHANICAL DISHWASHING:

- 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.
- The final sanitizer (rinse-water) temperature was not at least 180°F. The measured temperature was: °F. Rule 5.1.D.3.b. 4 DEMERITS.
- Sustained 165°F hot water dishwashing machine. Rule 5.1.D.3.a. 4 DEMERITS.
- Chemical sanitizer: The wash-water temperature was not at least 120°F. The measured temperature was: °F. Rule 5.1.D.4.c.(1). 2 DEMERITS.
- Sanitizing chemicals not automatically dispensed. Rule 5.1.D.4.c.(2). 2 DEMERITS.
- 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.
- No chemical test kit provided. Rule 5.1.D.4.b. 1 DEMERIT.
- Dish racks not stored in a sanitary manner. Rule 5.1.D.6. 1 DEMERIT.
- Gauges: not provided, inoperative. Rules 5.1.D.1. and 5.1.D.2. 1 DEMERIT.

TOXIC MATERIALS

- Toxic materials, personal medications and/or first-aid supplies were: improperly stored, labeled, used in food. Rule 7.12. 5 DEMERITS.

WATER SUPPLY

- 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 tested and found to be unsatisfactory. Rule 6.1.A.1. 5 DEMERITS.
- The free chlorine was less than 0.25 ppm. The measured chlorine residual was: ppm. Rule 6.1.A.2. 5 DEMERITS.
- Hot and cold water (under pressure) was not provided to the sinks, dishwashers, or lavatories. Rule 6.1.D.1. 5 DEMERITS.
- (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

- The subsurface disposal system was found to be surfacing. Rule 6.2.A. 4 DEMERITS.
- Wastewater was being improperly discharged onto the ground. Rule 6.2.A. 4 DEMERITS.
- (Mobile food units) waste water storage tank does not have adequate storage. Rule 6.1.C.2. 4 DEMERITS.

PLUMBING

- Kitchen sink, utility sink, grease trap, drain, plumbing, is improperly sized, installed and/or maintained. Rules 6.4.F. and 7.8. 2 DEMERITS.
- A cross-connection, without backflow device, exists between the drinking and the wastewater 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, tight fitting doors, properly vented, tissue provided, covered waste receptacle (ladies). Rules 6.5, 6.6, and 6.7. 2 DEMERITS.
- Inadequate number of male and/or female toilets. The number of toilets are: male and female. Rule 6.5. 1 DEMERIT.
- 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

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

INSECT, RODENT & ANIMAL CONTROL

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

- Floors, walls, ceilings, not smooth, properly constructed, in disrepair, dirty surfaces. Rules 7.1-7.6. 1 DEMERIT.
- Lighting, ventilation inadequate, fixtures not shielded, dirty ventilation ductwork, filters, exhaust fans. Rules 7.6, 7.9, 7.10. 1 DEMERIT.
- Premises littered, unnecessary equipment and articles present. Rule 7.11.A.1. 1 DEMERIT.

LODGING

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

- 12 - Rusty shelf porch in
  - 36 - Rusty shelf porch in
  - 37 - No Chemical Test Kit on Prem
  - 38 - First Aid Kit Needs Auto Closer
  - 46 - Kitchen Sink Drainboard in Disrepair
  - 47 - Light in Kitchen Needs Light Shield
- Donna McRoberts #532
- Code Enforcement Officer: Donna McRoberts
- Establishment Representative: Donna Telli



CITY OF PORTLAND, MAINE  
FOOD SERVICE HEALTH  
INSPECTION REPORT

408-B-23

Owner Name: Donahill's Inc. Establishment Name: Donahill's Variety  
 Address: 122 1/2 Washington Ave Zip Code: 04103 Location: Portland  
 MCO #: 05170 ESTAB #: \_\_\_\_\_ SANI #: \_\_\_\_\_ ROOMS: \_\_\_\_\_ SEATS: \_\_\_\_\_  
 LICENSE ISSUED: YES  NO  YR. MO. DAY: \_\_\_\_\_  
 LICENSE POSTED: YES  NO  000307

FOOD SUPPLY AND SOURCE

- Spoiled and/or  adulterated foods are being used and/or served. Rule 2.1.A.1. 5 DEMERITS.
- Unpasteurized milk  milk products  cracked eggs  unpasteurized egg products being used and/or served. Rules 2.1.B.4, 5 DEMERITS.
- Canned foods from an unapproved source or premises; being used and/or served. Rule 2.1.A.3. 5 DEMERITS.
- Unlabeled  improperly labeled containers of food are being used and/or served. Rule 2.1.A.2. 1 DEMERIT.
- Canned goods found:  leaking  with severe dents  in rusty condition, and/or  swollen. Rule 2.1.A.1. 5 DEMERITS.
- Shellfish not being kept in original container  seafood products misrepresented. Rules 2.1.B.2 and 2.1.B.3. 1 DEMERITS.
- Meat and/or meat products not USDA approved. Rule 2.1.A.2. 5 DEMERITS.

FOOD PREPARATION AND PROTECTION

- 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.
- 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.
- Raw  fruits and/or  vegetables are not washed before being used and/or served. Rule 2.4.B.1. 2 DEMERITS.
- 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.
- 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.
- 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. 2 DEMERITS.
- Institutions: Ghost trays  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.
- Storage of  food and/or  beverages in ice or water is prohibited. Rule 2.4.1.2. 2 DEMERITS.
- Unwrapped and/or  potentially hazardous food products previously served to the public were being reused. Rule 2.4.1.1. 5 DEMERITS.
- Open cans were being used improperly to store food. Rule 2.3.B.7. 1 DEMERIT.

FOOD TEMPERATURES

- Potentially hazardous food(s) not being:  reheated  cooked long enough to be adequately heated to all parts. Rule 2.4.G.3. 5 DEMERITS.
- Prepared potentially hazardous foods (requiring refrigeration) are not being rapidly cooled to 45° or below. The measured temperature was:  °F. Rule 2.3.C.3. 5 DEMERITS.
- Frozen food not being kept at 0°F or below:  improper thawing. The measured temperature was:  °F. Rule 2.3.C.4. 5 DEMERITS.
- 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.a. 5 DEMERITS.
- 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.
- Crowded refrigeration. There is less than 1/4 cubic foot of refrigeration per meal. Rule 10.1. 2 DEMERITS.
- 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

- No certified food handler/manager. Rules 3.5.
- Personnel with:  communicable disease(s)  boils  infected wound(s)  respiratory or  gastrointestinal infection, are preparing and serving food. Rule 3.1.A. 5 DEMERITS.
- 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.
- Hair restraints not worn by food handlers. Rule 3.3.B. 1 DEMERITS.

FOOD EQUIPMENT AND UTENSILS

- Food/iron 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. *Handboard*
- 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 solutions. Rule 5.1.B. 1 DEMERIT.
- MANUAL DISHWASHING: DISHWASHING
- Dishes/utensils not being:  scraped  soaked  preflushed. Rule 5.1.C.A. 1 DEMERIT.
- 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.
- 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.
- Disinfectants 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:  ppm and the measured temperature was:  °F. Rule 5.1.C.5.b. 4 DEMERITS.
- No chemical test kit provided. Rule 5.1.D.4.b. 1 DEMERIT.

MECHANICAL DISHWASHING:

- 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.
- The final sanitization rinse water temperature was not at least 180°F. The measured temperature was:  °F. Rule 5.1.D.3.d. 4 DEMERITS.
- Sustained 185°F hot water dishwashing machine. °F. Rule 5.1.D.3.a. 4 DEMERITS.
- Chemical sanitizers: The wash-water temperature was not at least 120°F. The measured temperature was:  °F. Rule 5.1.D.4.c.(2). 2 DEMERITS.
- Sanitizing chemicals not automatically dispensed. Rule 5.1.D.4.c.(2). 2 DEMERITS.
- The chemicals sanitizing rinse water temperature was not at least 130°F. The measured temperature was:  °F. Rule 5.1.D.4.c.(2). 2 DEMERITS.
- No chemical test kit provided. Rule 5.1.D.4.b. 1 DEMERIT.
- Dish racks not stored in a sanitary manner. Rule 5.1.D.6. 1 DEMERIT.
- Gauges:  not provided  inoperative. Rules 5.1.D.1. and 5.1.D.2. 1 DEMERIT.

TOXIC MATERIALS

Toxic materials,  personal medications and/or  first-aid supplies were:  improperly stored  labeled  used in food. Rule 7.12. 5 DEMERITS.

WATER SUPPLY

- 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 tested and found to be unsatisfactory. Rule 6.1.A.1. 5 DEMERITS.
- The free chlorine was less than 0.25 ppm. The measured chlorine residual was:  ppm. Rule 6.1.A.2. 5 DEMERITS.
- Hot and  cold water (under pressure) was not provided to the:  sinks  dishwashers, or  lavatories. Rule 6.1.D.1. 5 DEMERITS.
- (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

- The subsurface disposal system was found to be surfacing. Rule 6.2.A. 4 DEMERITS.
- Wastewater was being improperly discharged onto the ground. Rule 6.2.A. 4 DEMERITS.
- (Mobile food units):  waste water storage tank does not have adequate storage. Rule 8.1.C.2. 4 DEMERITS.

PLUMBING

- Kitchen sink  utility sink  grease trap  drain  plumbing is improperly sized,  installed and/or maintained. Rules 6.4.F. and 7.8. 2 DEMERITS.
- 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, tight fitting doors  properly vented  tissue provided  covered waste receptacle (baldie). Rules 6.5. 6.6. and 6.7. 2 DEMERITS.
- Inadequate number of:  male and/or  female toilets. The number of toilets are:  male and  female. Rule 6.5. 1 DEMERIT.
- 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

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

INSECT, RODENT & ANIMAL CONTROL

- 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.
- Food service facilities: The outer  doors  windows  skylights  transoms were not adequately screened. Rule 8.10.D. 4 DEMERITS.
- Floors, walls, ceilings,  not smooth  properly constructed  in disrepair,  dirty surfaces. Rules 7.1-7.6. 1 DEMERIT.
- Lighting  ventilation inadequate  fixtures not shielded  dirty ventilation hoods  ductwork  filters  exhaust fans. Rules 7.6. 7.9. 7.10. 1 DEMERIT.
- Premises filtered  unnecessary equipment and articles present. Rule 7.11.A.1. 1 DEMERIT.
- Improper storage of  cleaning equipment  linens. Rule 7.11.B. 1 DEMERIT.

LODGING

- The sleeping room(s) are:  inadequately ventilated, unclean  in disrepair  undersized  inappropriate bed spacing. Rules 12.9 and 12.11. 1 DEMERIT.
- The  toilets  lavatories  showers, were not:  clean  in good repair. Rules 12.3. and 12.9.D. 2 DEMERITS.
- Hand cleansers  towels, were:  not found  inadequate. Rule 12.4. 2 DEMERITS.
- The carpeting is not:  clean  in good repair. Rule 12.9.C. 1 DEMERIT.
- Drinking glasses not suitably sanitized and packaged. Rule 12.6. 2 DEMERITS.
- 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.
- Life safety code violations: *Are they being enforced*  
 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

- 307 replace gasket / handboard rest liners
- 37. Double clean top of lift
- 47. add ad supplies properly stored
- 57. provide brown paper bag sink
- 65. repair steam sensors
- 17. missing light switches

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



about food for sale  
405-8-223

CITY OF PORTLAND, MAINE  
FOOD SERVICE HEALTH  
INSPECTION REPORT

*[Signature]*  
8/11

Owner Name: Donaletto's Inc Establishment Name: Donaletto's Donuts

Address: 1223 Washburn Ave Zip Code: \_\_\_\_\_ Location: Donuts + Cakes

MOD # 05170 ESTAB # \_\_\_\_\_ SANI # \_\_\_\_\_ ROOMS \_\_\_\_\_ SEATS \_\_\_\_\_ DATE \_\_\_\_\_

LICENSE ISSUED YES  NO  YR. \_\_\_\_\_ MO. \_\_\_\_\_ DAY \_\_\_\_\_

LICENSE POSTED YES  NO  INVESTIGATION 3 COMPLAINT 4 NEW/OTHER 5 REGULAR FOLLOW-UP 2 ESTAB. TYPE 02 REINSPECTION TO BE CONDUCTED WITHIN \_\_\_\_\_ DAYS FOLLOW-UP DAY LETTER OF \_\_\_\_\_

DEMERRITS: 05 PT 0, 04 PT 0, 02 PT 2, 01 PT 2

FOOD SUPPLY AND SOURCE

- Spoiled and/or adulterated foods are being used and/or served. Rule 2.1.A.1. 5 DEMERRITS.
- Unpasteurized milk, milk products, cracked eggs, unpasteurized eggs products being used and/or served. Rules 2.1.B.4, 5 DEMERRITS.
- Canned foods from an unapproved source on premises, being used and/or served. Rule 2.1.A.3. 5 DEMERRITS.
- Unlabeled, improperly labeled containers of food are being used and/or served. Rule 2.1.A.2. 1 DEMERRIT.
- Canned goods found: leaking, with severe dents, in rusty condition, and/or swollen. Rule 2.1.A.1. 5 DEMERRITS.
- Shellfish not being kept in original container, seafood products misrepresented. Rules 2.1.B.2 and 2.1.B.3. 1 DEMERRITS.
- Meat and/or meat products not USDA approved. Rule 2.1.A.2. 5 DEMERRITS.

FOOD PREPARATION AND PROTECTION

- 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 DEMERRITS
- 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 DEMERRITS.
- Raw fruits and/or vegetables are not washed before being used and/or served. Rule 2.4.B.1. 2 DEMERRITS.
- 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 DEMERRITS.
- Food (lean) contact surfaces are improperly: constructed, installed, maintained or located. Rules 4.2.A., 4.2.B., 4.3.A., 4.3.B. 2 DEMERRITS.
- 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 DEMERRITS.
- Institutions: Ghost tray(s) not kept, not dated. Rule 10.2. 1/2 pint milk not retained, school; milk not kept at 40°F. or below. Rule 2.1.B.1. 1/2 pint milk not retained. Food and/or beverages in ice or water is prohibited. Rule 2.4.I.2. 2 DEMERRITS.
- Unwrapped and/or potentially hazardous food products previously served to the public were being reused. Rule 2.4.1.1. 5 DEMERRITS.
- Open cans were being used improperly to store food. Rule 2.3.B.7. 1 DEMERRIT.

FOOD TEMPERATURES

- Potentially hazardous food(s) not being: reheated, cooked long enough to be adequately heated to all parts. Rules 2.4.G.3. 5 DEMERRITS.
- Prepared potentially hazardous foods requiring refrigeration are not being rapidly cooled to 45° or below. The measured temperature was: °F. Rule 2.3.C.3. 5 DEMERRITS.
- Frozen food not being kept at 0°F. or below, improper thawing. The measured temperature was: °F. Rule 2.3.C.4. 5 DEMERRITS.
- 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.A. 5 DEMERRITS.
- 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 DEMERRITS.
- Crowded refrigeration: There is less than 1/4 cubic foot of refrigeration per meal. Rule 10.1. 2 DEMERRITS.
- The containers used transporting food are inadequate. Rules 2.4.L.1, and 9.1.A. 1 DEMERRIT.
- 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 DEMERRIT.

PERSONNEL

- No certified food handler/manager. Rules 3.5.
- Personnel with communicable disease(s), boils, infected wound(s), respiratory or gastrointestinal infection, are preparing and serving food. Rule 3.1.A. 5 DEMERRITS.
- Personnel: with dirty hands and/or smoking when preparing and serving food, with poor hygiene practice, eating drinking in food preparation and/or dish-washing areas. Rules 3.2.A, 3.2.B, and 3.4.A. 5 DEMERRITS.
- Hair restraints not worn by food handlers. Rule 3.3.B. 1 DEMERRITS.

FOOD EQUIPMENT AND UTENSILS

- 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 DEMERRITS.
- Single service articles improperly: stored, dispensed, handled, reused. Rules 4.4.A. and 5.2.C. 2 DEMERRITS.
- Wiping cloths: dirty, not stored properly in sanitizing solutions. Rule 5.1.B. 1 DEMERRIT.

MANUAL DISHWASHING:

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

DISHWASHING

- 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 DEMERRITS.
- 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 DEMERRITS.
- Disposables 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: ppm and the measured temperature was: °F. Rule 5.1.C.5.b. 4 DEMERRITS.
- No chemical test kit provided. Rule 5.1.D.1.b. 1 DEMERRIT.

MECHANICAL DISHWASHING:

- 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 DEMERRITS.
- The final sanitization rinse water temperature was not at least 180°F. The measured temperature was: °F. Rule 5.1.D.3.b. 4 DEMERRITS.
- Sustained 165°F hot water dishwashing machine. Rule 5.1.D.3.a. 4 DEMERRITS.
- 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 DEMERRITS.
- Sanitizing chemicals not automatically dispensed. Rule 5.1.D.4.c.(2). 2 DEMERRITS.
- The chemical sanitizing hose water temperature was not at least 130°F. The measured temperature was: °F. Rule 5.1.D.4.c.(3). 2 DEMERRITS.
- No chemical test kit provided. Rule 5.1.D.4.b. 1 DEMERRIT.
- Dish racks not stored in a sanitary manner. Rule 5.1.D.6. 1 DEMERRIT.
- Gauges: not provided, inoperative. Rules 5.1.D.1. and 5.1.D.2. 1 DEMERRIT.

TOXIC MATERIALS

- Toxic materials, personal medications and/or first-aid supplies were: improperly stored, labeled, used in food. Rule 7.12. 5 DEMERRITS.

WATER SUPPLY

- A copy of the current water analysis was not available at the facility. Further testing may be required. Rule 6.1.E.3. 2 DEMERRITS.
- Water tested and found to be unsatisfactory. Rule 6.1.A.1. 5 DEMERRITS.
- The free chlorine was less than 0.25 ppm. The measured chlorine residual was ppm. Rule 6.1.A.2. 5 DEMERRITS.
- Hot and cold water (under pressure) was not provided to the sinks, dishwashers, or lavatories. Rule 6.1.D.1. 5 DEMERRITS.
- (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 DEMERRITS.

WASTEWATER DISPOSAL

- The subsurface disposal system was found to be surfacing. Rule 6.2.A. 4 DEMERRITS.
- Wastewater was being improperly discharged onto the ground. Rule 6.2.A. 4 DEMERRITS.
- (Mobile food units): waste water storage tank does not have adequate storage. Rule 6.1.C.2. 4 DEMERRITS.

PLUMBING

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

TOILET AND HANDWASH FACILITIES

- Toilet rooms: Completely enclosed, Equipped with self-closing, tight fitting doors, properly vented, issue provided, covered waste receptacle (trades). Rules 6.5. 6.6. and 6.7. 2 DEMERRITS.
- Inadequate number of male, and/or female toilets. The number of toilets are: male and female. Rule 6.5. 1 DEMERRIT.

RUBBISH

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

INSECT, RODENT & ANIMAL CONTROL

- flies, rodents, roaches, live animals (other than security or guide dogs) were found on the premises. Rule 6.10. and 7.12.G. 4 DEMERRITS.
- Food service facilities: The outer doors, windows, skylights, transoms were not adequately screened. Rule 6.10.D. 4 DEMERRITS.

CONSTRUCTION OR MAINTENANCE OF PHYSICAL FACILITIES

- Floors, walls, ceilings, not smooth, properly constructed, in disrepair, dirty surfaces. Rules 7.1-7.6. 1 DEMERRIT.
- Lighting, ventilation inadequate (fixtures) not shielded, dirty, ventilation hoods, ductwork, filters, exhaust fans. Rules 7.8, 7.9, 7.10. 1 DEMERRIT.
- Premises littered, unnecessary equipment and articles present. Rule 7.11.A.1. 1 DEMERRIT.

LOADING

- The sleeping room(s) are: inadequately ventilated, unclean, under/bed, improper bed spacing. Rules 12.9 and 12.11. 1 DEMERRIT.
- Toilets, lavatories, showers, were not clean, in good repair. Rules 12.3. and 12.9.D. 2 DEMERRITS.
- Hard cleansers, towels, were: not found, inadequate. Rule 12.4.
- The carpeting is not clean, in good repair. Rule 12.9.C. 1 DEMERRIT.

- 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.
- Life safety code violations: Explain. Rule 11. 5 DEMERRITS.

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

Code Enforcement Officer: *[Signature]*

Establishment Representative: *[Signature]*





CITY OF PORTLAND, MAINE  
FOOD SERVICE HEALTH  
INSPECTION REPORT

468-B-023

90

Original Name: Donnell's Variety Establishment Name: Same

Address: 1223 Washington Ave Zip Code: \_\_\_\_\_ Location: Portland

MCD #	ESTAB #	SANI #	ROOMS SITES	SEATS	DATE			PURPOSE	REGULAR FOLLOW-UP COMPLAINT INVESTIGATION NEW/OTHER	ESTAB. TYPE	Reinspection to be conducted within _____ days	DEMERRITS
					YR.	MO.	DAY					
<u>05170</u>										<u>01</u>		<u>1</u>
										<u>07</u>		<u>1</u>
												<u>3</u>
												<u>3</u>

LICENSE ISSUED YES  NO  DATE: 030803

LICENSE POSTED YES  NO

FOOD SUPPLY AND SOURCE

- Spoiled and/or adulterated foods are being used and/or served. Rule 2.1.A.1. 5 DEMERRITS.
- Unpasteurized milk, milk products, cracked eggs, unpasteurized egg products being used and/or served. Rules 2.1.B.4. 5 DEMERRITS.
- Canned foods from an unapproved source on premises, being used and/or served. Rule 2.1.A.3. 5 DEMERRITS.
- Unlabeled, improperly labeled containers of food are being used and/or served. Rule 2.1.A.2. 1 DEMERIT.
- Canned goods found leaking, with severe dents, in rusty condition, and/or swollen. Rule 2.1.A.1. 5 DEMERRITS.
- Shellfish not being kept in original container, seafood products misrepresented. Rules 2.1.B.2 and 2.1.B.3. 1 DEMERRITS.
- Meat and/or meat products not USDA approved. Rule 2.1.A.2. 5 DEMERRITS.

FOOD PREPARATION AND PROTECTION

- Cooked and/or prepared foods are subjected to gross contamination, from raw foods or other sources of contamination. Rules 2.2.A.1. and 2.3.B.5. 2 DEMERRITS.
- 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 DEMERRITS.
- Raw fruits and/or vegetables are not washed before being used and/or served. Rule 2.4.B.1. 2 DEMERRITS.
- 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 DEMERRITS. CHINA CUPPLER BOTTOM ST CUPPLER
- 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 DEMERRITS.
- 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 DEMERRITS.
- Institutions: Ghost trays not kept, not dated. Rule 10.2. 1/2 PT milk not retained, school milk not kept at 40°F or below. Rule 2.1.B.1. 1 DEMERRITS.
- Storage of food and/or beverages in ice or water is prohibited. Rule 2.4.I.2. 2 DEMERRITS.
- Unwrapped and/or potentially hazardous food products previously served to the public were being reused. Rule 2.4.I.1. 5 DEMERRITS.
- Open cans were being used improperly to store food. Rule 2.3.B.7. 1 DEMERIT.

FOOD TEMPERATURES

- Potentially hazardous food(s) not being reheated, cooked long enough to be adequately heated to all parts. Rule 2.4.G.3. 5 DEMERRITS.
- Prepared potentially hazardous foods requiring refrigeration are not being rapidly cooled to 45° or below. The measured temperature was \_\_\_\_\_ °F. Rule 2.3.C.3. 5 DEMERRITS.
- Frozen food not being kept at 0°F or below. Improper thawing. The measured temperature was \_\_\_\_\_ °F. Rule 2.3.C.4. 5 DEMERRITS.
- 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.a. 5 DEMERRITS.
- 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 DEMERRITS.
- Crowded refrigeration: There is less than 1/4 cubic foot of refrigeration per meal. Rule 10.1. 2 DEMERRITS.
- 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

- No certified food handler/manager. Rules 3.5.
- Personnel with communicable disease(s), boils, infected wound(s), respiratory or gastrointestinal infection, are preparing and serving food. Rule 3.1.A. 5 DEMERRITS.
- Personnel with dirty hands and/or smocking 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 DEMERRITS.
- Hair restraints not worn by food handlers. Rule 3.3.B. 1 DEMERRITS.

FOOD EQUIPMENT AND UTENSILS

- 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 DEMERRITS.
- Single service articles improperly stored, dispensed, handled, reused. Rules 4.4.A. and 5.2.C. 2 DEMERRITS.
- Wiping cloths dirty, not stored properly in sanitizing solutions. Rule 5.1.B. 1 DEMERIT.

DISHWASHING

- Dishes/utensils not being: scraped, preflushed, or preheated. Rule 5.1.C.4. 3 DEMERRITS.
- 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 DEMERRITS.
- 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 DEMERRITS.
- 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 \_\_\_\_\_ ppm and the measured temperature was \_\_\_\_\_ °F. Rule 5.1.C.5.b. 4 DEMERRITS.
- No chemical test kit provided. Rule 5.1.D.4.b. 1 DEMERIT.

MECHANICAL DISHWASHING:

- 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 DEMERRITS.
- The final sanitization rinse water temperature was not at least 180°F. The measured temperature was \_\_\_\_\_ °F. Rule 5.1.D.3.c. 2 DEMERRITS.
- Sustained 165°F hot water dishwashing machine. Rule 5.1.D.3.a. 4 DEMERRITS.
- 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 DEMERRITS.
- Sanitizing chemicals not automatically dispensed. Rule 5.1.D.4.c.(2). 2 DEMERRITS.
- The chemicals sanitizing rinse water temperature was not at least 130°F. The measured temperature was \_\_\_\_\_ °F. Rule 5.1.D.4.b. 1 DEMERIT.
- No chemical test kit provided. Rule 5.1.D.6. 1 DEMERIT.
- Dish racks not stored in a sanitary manner. Rule 5.1.D.1. and 5.1.D.2. 1 DEMERIT.
- Gauges not provided. Inoperative. Rules 5.1.D.1. and 5.1.D.2. 1 DEMERIT.

TOXIC MATERIALS

- Toxic materials, personal medications and/or first-aid supplies were: improperly stored, labeled, used in food. Rule 7.12. 5 DEMERRITS.

WATER SUPPLY

- A copy of the current water analysis was not available at the facility. Further testing may be required. Rule 6.1.E.3. 2 DEMERRITS.
- Water tested and found to be unsatisfactory. Rule 6.1.A.1. 5 DEMERRITS.
- The free chlorine was less than 0.25 ppm. The measured chlorine residual was \_\_\_\_\_ ppm. Rule 6.1.A.2. 5 DEMERRITS.
- Hot and cold water (under pressure) was not provided to the sinks, dishwashers, or lavatories. Rule 6.1.D.1. 5 DEMERRITS.
- 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 DEMERRITS.

WASTEWATER DISPOSAL

- The subsurface disposal system was found to be surfacing. Rule 6.2.A. 4 DEMERRITS.
- Wastewater was being improperly discharged onto the ground. Rule 6.2.A. 4 DEMERRITS.
- Mobile food units: waste water storage tank does not have adequate storage. Rule 8.1.C.2. 4 DEMERRITS.

PLUMBING

- Kitchen sink, utility sink, grease trap, drain, plumbing: is improperly sized, installed and/or maintained. Rules 6.4.F. and 7.8. 2 DEMERRITS.
- A cross-connection, without backflow device, exists between the drinking and the waste-water systems at the faucet, hose, hot water heater, water closets, or other. Rule 6.4.C. 5 DEMERRITS.

TOILET AND HANDWASH FACILITIES

- 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 DEMERRITS.
- Inadequate number of male and/or female toilets. The number of toilets are: \_\_\_\_\_ male and \_\_\_\_\_ female. Rule 6.5. 1 DEMERIT.
- Handwash lavatories: clean, adequate number, accessible, fixtures maintained, hand cleansing soap, sanitary, towel/hand drying devices not provided, common towel. Rules 6.8, and 6.8. 4 DEMERRITS.

RUBBISH

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

INSECT, RODENT & ANIMAL CONTROL

- Flies, rodents, roaches, live animals (other than security or guide dogs) were found on the premises. Rule 6.10. and 7.12.G. 4 DEMERRITS.
- Food service facilities: The outer doors, windows, skylights, transoms were not adequately screened. Rule 6.10.D. 4 DEMERRITS.

CONSTRUCTION OR MAINTENANCE OF PHYSICAL FACILITIES

- Floors, walls, ceilings, not smooth, properly constructed, in disrepair. Rules 7.1-7.6. 1 DEMERIT.
- Lighting, ventilation inadequate, fixtures not shielded, dirty ventilation hoods, ductwork, filters, exhaust fans. Rules 7.6, 7.9, 7.7, 7.7, 1 DEMERIT.
- Premises litrated, unnecessary equipment and articles present. Rule 7.11.A.1. 1 DEMERIT.
- Improper storage of cleaning equipment, linens. Rule 7.11.B. 1 DEMERIT.

LODGING

- The sleeping room(s) are: inadequately ventilated, unclean, dispersed, undersized, improper bed spacing. Rules 12.9 and 12.11. 1 DEMERIT.
- The lavatories, showers, were not clean, in good repair. Rules 12.3. and 12.9.D. 2 DEMERRITS.
- Hand cleansers, towels, were: not found, inadequate. Rule 12.4. 2 DEMERRITS.
- The carpeting is not clean, in good repair. Rule 12.9.C. 1 DEMERIT.
- Drinking glasses not suitably sanitized and packaged. Rule 12.6. 2 DEMERRITS.
- 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 DEMERRITS.
- Life safety code violations: Explain: \_\_\_\_\_ Rule 11.1. 5 DEMERRITS.

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

11- Clean the service + Bottom of cooler  
2A- Cannd than of room temp  
2B- Check all coolers- thermometers  
2C- Store in solution  
2D- Clean vent hood system

Chap Road 874-8702

Code Enforcement Office  
Donnell's



CITY OF PORTLAND, MAINE  
FOOD SERVICE HEALTH  
INSPECTION REPORT

408 B.023 94

Owner Name: Demtelis, S. Demely Establishment Name: Sam's  
 Address: Washington Ave Zip Code: \_\_\_\_\_ Location: Portland  
 MCD #: 05170 ESTAB. #: 310177 SANI # \_\_\_\_\_ ROOMS \_\_\_\_\_ SEATS \_\_\_\_\_ DATE \_\_\_\_\_  
 SITES \_\_\_\_\_ YR. \_\_\_\_\_ MO. \_\_\_\_\_ DAY \_\_\_\_\_  
 LICENSE ISSUED: YES  NO  59 / 1 / 1 040219  
 LICENSE POSTED: YES  NO  APRIL 10 2019 / LTC  
 REGULAR FOLLOW-UP: 1 ESTAB. TYPE: 07 Reinspection to be conducted \_\_\_\_\_  
 COMPLAINT INVESTIGATION: 3 NEW/OTHER: 5 follow-up: \_\_\_\_\_  
 DEMERITS: 5 PT \_\_\_\_\_ 4 PT \_\_\_\_\_ 2 PT \_\_\_\_\_ 1 PT \_\_\_\_\_

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 \_\_\_\_\_ 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. Rule 6.4.C. 5 DEMERITS. [ ] other.

TOILET AND HANDWASH FACILITIES

58. Toilets rooms: [ ] Completely enclosed, [ ] Equipped with self-closing, tight fitting doors, [ ] properly vented, [ ] tissue provided, [ ] covered waste receptacle (adhes), 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: [ ] clean, [ ] adequate number, [ ] accessible, [ ] fixtures maintained, [ ] hand cleansing soap, [ ] sanitary towel/hand drying devices not provided [ ] common towel. Rules 6.3, and 6.9. 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.

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, unclear, [ ] in disrepair, [ ] undersized, [ ] improper bed spacing. Rule 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, [ ] 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

30 - Canol Use Used Trucks  
67 - Clear From Gallies

Code Enforcement Officer: Don Reed  
 Establishment Representative: \_\_\_\_\_

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 or 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 2.2.A.1, 2.4.F.7. 2 DEMERITS.

14. Institutions: Ghost trays [ ] not kept, Rule 10.2 [ ] 1/2 pint milk not retained, [ ] school 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.I.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 [ ] °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. Rule 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 [ ] °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.

PERSONNEL

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

27. Personnel with: [ ] communicable disease(s), [ ] boils, [ ] infected wounds, [ ] 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/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. Rule 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

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

34. Dish/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. Dish/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. Dish/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 [ ] ppm and 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 165°F hot water dishwasher machine [ ] °F. 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 [ ] °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.

Notes - Licenses Copy • Yellow - State Copy • Pink - Inspectors Copy



CITY OF PORTLAND, MAINE  
FOOD SERVICE HEALTH  
INSPECTION REPORT

405-B-023

97

Owner Name: Dumblle Variety Establishment Name: Sams

Address: 1933 Washington Ave Zip Code: \_\_\_\_\_ Location: Portland

MCO #: 05170 ESTAB #: 18878 SANI # \_\_\_\_\_ ROOMS \_\_\_\_\_ SEATS \_\_\_\_\_ DATE: YR. MO. DAY

LICENSE ISSUED: YES  NO  59  19 04/16/19

LICENSE POSTED: YES  NO  REGULAR FOLLOW-UP: 1 ESTAB. TYPE: 01 Reinspection to be conducted within \_\_\_\_\_ days/letter of follow-up

DEMERITS: 5 PT \_\_\_\_\_ 4 PT \_\_\_\_\_ 2 PT \_\_\_\_\_ 1 PT \_\_\_\_\_

FOOD SUPPLY AND SOURCE

- Spoiled and/or  adulterated foods are being used and/or served. Rule 2.1.A.1. 5 DEMERITS.
- Unpasteurized milk,  milk products,  cracked eggs,  unpasteurized egg products being used and/or served. Rules 2.1.B.4. 5 DEMERITS.
- Gamed foods from an unapproved source on premises; being used and/or served. Rule 2.1.A.3. 5 DEMERITS.
- Unlabeled  improperly labeled containers of food are being used and/or served. Rule 2.1.A.2. 1 DEMERIT.
- Gamed goods found  leaking,  with severe dents,  in rusty condition, and/or  swollen. Rule 2.1.A.1. 5 DEMERITS.
- Shellfish not being kept in original container;  seafood products misrepresented. Rules 2.1.B.2 and 2.1.B.3. 1 DEMERITS.

FOOD PREPARATION AND PROTECTION

- 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
- 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.
- Raw  fruits and/or  vegetables are not washed before being used and/or served. Rule 2.4.B.1. 2 DEMERITS.
- 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. Hand sanitizer can be used
- Food (ice) contact surfaces are improperly  designed,  constructed,  installed,  maintained and/or  located. Rules 4.2.A.4, 4.2.B., 4.3.A., 4.3.B. 2 DEMERITS.
- Food not protected during storage/display;  food left uncovered,  food improperly stored on floor,  food containers in cold storage double stacked or heaped,  sneeze guards absent. Rules 2.2.A.1., 2.4.F., 2 DEMERITS.
- Institutions:  ghost trays  not kept,  not dated. Rule 10.2  1/2 pint milk not returned;  school's milk not kept at 40°F or below. Rule 2.1.B.1. 2 DEMERITS.
- Storage of  food and/or  beverages in ice or water is prohibited. Rule 2.4.1.2. 2 DEMERITS.
- Unwrapped and/or  potentially hazardous food products previously served to the public were being re-used. Rule 2.4.J.1. 5 DEMERITS.
- Open carts were being used improperly to store food. Rule 2.3.B.7. 1 DEMERIT.

FOOD TEMPERATURES

- Potentially hazardous food(s) not being  reheated  cooked long enough to be adequately heated to all parts. Rule 2.4.G.3. 5 DEMERITS.
- Prepared potentially hazardous foods requiring refrigeration are not being rapidly cooled to 45° or below. The measured temperature was  °F. Rule 2.3.C.3. 5 DEMERITS.
- Frozen food not being kept at 0°F or below  improper thawing. The measured temperature was  °F. Rule 2.3.C.4. 5 DEMERITS.
- 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.a. 5 DEMERITS.
- 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.
- Cold refrigeration: There is less than 1/4 cubic foot of refrigeration per meal. Rule 10.1. 2 DEMERITS.
- The containers used transporting food are inadequate. Rules 2.4.L.1., and 9.1.A. 1 DEMERIT.

PERSONNEL

- No certified food handler/manager. Rules 3.5.
- Personnel with  communicable disease(s)  boils,  infected wound(s),  respiratory or  gastrointestinal infection, are preparing and serving food. Rule 5.1.A. 5 DEMERITS.
- 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.
- Hair restraints not worn by food handlers. Rule 5.3.B. 1 DEMERITS.

FOOD EQUIPMENT AND UTENSILS

- Food/on 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.
- 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 solutions Rule 5.1.B. 1 DEMERIT.

DISHWASHING

- Dishes/utensils not being:  scraped,  soaked,  preflushed. Rule 5.1.C.4. 1 DEMERIT.
- 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.
- Dishes/utensils are not being sanitized by immersion for 30 seconds in clean hot water with at temperature of at least 170°F. The measured temperature was  °F. Rule 5.1.C.5.a. 4 DEMERITS.
- 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  ppm and the measured temperature was  °F. Rule 5.1.C.5.b. 4 DEMERITS.
- No chemical test kit provided. Rule 5.1.D.4.b. 1 DEMERIT.

MECHANICAL DISHWASHING:

- 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.
- 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.
- Sustained 165°F hot water dishwashing machine  °F. Rule 5.1.D.3.a. 4 DEMERITS.
- 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.
- Sanitizing chemicals not automatically dispensed. Rule 5.1.D.4.c.(2). 2 DEMERITS.
- 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.
- No chemical test kit provided. Rule 5.1.D.4.b. 1 DEMERIT.
- Gauges  not provided  inoperative. Rules 5.1.D.1. and 5.1.D.2. 1 DEMERIT.

TOXIC MATERIALS

- Toxic materials,  personal medications and/or  first-aid supplies were:  improperly stored,  labeled,  used in food. Rule 7.12. 5 DEMERITS.

WATER SUPPLY

- 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 tested and found to be unsatisfactory. Rule 6.1.A.1. 5 DEMERITS.
- The free chlorine was less than 0.25 ppm. The measured chlorine residual was  ppm. Rule 6.1.A.2. 5 DEMERITS.
- Hot and  cold water (under pressure) was not provided to the  sinks,  dishwashers, or  lavatories. Rule 6.1.D.1. 5 DEMERITS.
- 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

- The subsurface disposal system was found to be surfacing. Rule 6.2.A. 4 DEMERITS.
- Wastewater was being improperly discharged onto the ground. Rule 6.2.A. 4 DEMERITS.
- Mobile food units:  waste water storage tank does not have adequate storage. Rule 8.1.C.2. 4 DEMERITS.

PLUMBING

- Kitchen sink  utility sink  grease trap,  drain,  plumbing, is improperly  sized,  installed and/or maintained. Rules 6.4.F. and 7.8. 2 DEMERITS.
- 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, tight fitting doors,  properly vented,  tissue provided,  covered waste receptacle (ladies). Rules 6.5, 6.6, and 6.7. 2 DEMERITS.
- Inadequate number of  male, and/or  female toilets. The number of toilets are:  male and  female. Rule 6.5. 1 DEMERIT.
- 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.

RUBBERISH

- Inadequate,  uncovered containers were being used. Rule 6.9. 2 DEMERITS.
- Storage areas were not  clean,  free of litter. Rule 6.9.B.4. 2 DEMERITS.
- 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

- 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.
- 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

- Floors, walls, ceilings,  not smooth,  properly constructed,  in disrepair,  dirty surfaces. Rules 7.1-7.6. 1 DEMERIT.
- Lighting  ventilation inadequate,  fixtures(s) not shielded,  dirty ventilation hoods,  ductwork,  filters,  exhaust fans. Rules 7.6, 7.9, 7.10. 1 DEMERIT.
- Premises fitted  unnecessary equipment and articles present. Rule 7.11.A.1. 1 DEMERIT.

LODGING

- The sleeping room(s) are:  inadequately ventilated,  unclear,  in disrepair,  undersized,  improper bed spacing. Rules 12.9 and 12.11. 1 DEMERIT.
- The  toilets,  lavatories,  showers, were not  clean,  in good repair. Rules 12.3, and 12.9.D. 2 DEMERITS.
- Hand cleansers,  towels, were:  not found,  inadequate. Rule 12.4. 2 DEMERITS.
- The carpeting is not:  clean,  in good repair. Rule 12.9.C. 1 DEMERIT.

- 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.
- Life safety code violations. Explain: Rule 11. 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

11-Clear can cover  
25-Need 1 hand sanitizer

Code Enforcement Officer: Jon Reed  
Establishment Representative: Benjamin Williams



405-B-023

CITY OF PORTLAND MAINE  
FOOD SERVICE HEALTH  
INSPECTION REPORT

99

Owner Name: Dematellis Variety Establishment Name: Same

Address: 1033 Washington Ave Zip Code: \_\_\_\_\_ Location: Portland

MCD #	ESTAB #	SANI #	ROOMS SITES	SEATS	DATE			PURPOSE	REGULAR FOLLOW-UP COMPLAINT INVESTIGATION NEW/OTHER	ESTAB. TYPE	Reinspection to be conducted within _____ days	follow-up day letter of	DEMERITS
					YR.	MO.	DAY						
051170	10848							2	3	4	5	01	5

LICENSE ISSUED YES  NO

LICENSE POSTED YES  NO

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 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. 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 2.2.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, school 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 \_\_\_\_°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.a. 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.

PERSONNEL

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.

26.  No certified food handler/manager. Rule 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, dispersed, 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

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 residual was \_\_\_\_ ppm and 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 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 \_\_\_\_°F. Rule 5.1.D.4.c.(1). 2 DEMERITS.

42.  Sanitizing chemicals not automatically dispersed. 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.  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 \_\_\_\_ 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.

TOLLET AND HANDWASH FACILITIES

58.  Toilet rooms: Completely enclosed, equipped with self-closing, tight fitting doors, properly vented, tissue provided, covered waste receptacle (racks). 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: 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, 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, dry surfaces. Rules 7.1-7.6. 1 DEMERIT.

67.  Lighting: ventilation inadequate, fixtures 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, filters. Rule 7.11.B. 1 DEMERIT.

LODGING

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

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

72.  Hard 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, 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

1 - Clean can opener

2 - May @ Gas

25 - Lead thermometer - Miller scale

Code Enforcement Officer: [Signature]

Establishment Representative: [Signature]

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