

## **STURBRIDGE BOARD OF HEALTH**

**March 31, 2014**

**Special Meeting**

**Empire Village Restaurant violations**

Members present: Linda Cocalis, Dan Chaput, Richard Volpe and Health Agent Alyssa Rusiecki.

The meeting is called to order at 5:00 pm.

Tonight's Hearing is for Empire Village, 446 Main St, Sturbridge, MA, and owner Jimmy Ren, for serious Food Code violations. The meeting was being called in reference to their latest food inspection done on March 26, 2014.

There was a complaint from March 14<sup>th</sup>, regarding foods not being held at the proper cold/hot temperatures in the buffet line. The Board contacted Mike Sarasin, contract backfill inspector, to go out on an emergency inspection on March 15, 2014 with new inspector Kevin Christo. The Agent followed up with Kevin Christo on March 26, 2014. The Agent states that the most important things under Food Code 105 CMR 590.003.15 are "management and personnel assignment and knowledge." Also referenced Federal Food Code 2-102.11 "demonstration of knowledge." The person-in-charge (PIC) of the facility shall have thorough areas of knowledge including describing symptoms associated with diseases that are transmissible through food explaining the relationship between maintaining the proper temperatures of potentially hazardous foods. Other issues discussed were as follows: cross contamination, hand contact with ready-to-eat food, and hand washing. The PIC shall also maintain the food establishment to be in clean condition and in good repair, and to be able to explain the relationship of food safety and providing equipment that is sufficient in number of capacity properly designed, and cleaned.

Alyssa had photographs of the following violations:

- Two bowls cooked rice, on the counter, temp 56° F Food not monitored for "time and temperature" conditions outside the proper temperature cold /hot holding is potentially hazard and dangerous. Rice was discarded.
- Rag on stove not in sanitizer.
- Rags on counter not in sanitizer.
- Condiments, sauces not covered or labeled.
- Noodles out that are out of temperature.
- Walk in cooler, no inside door handle.

- Food storage in plastic bags not in food safe containers.
- Container was onions with raw beef juice dripping from the cover on top of it in the cooler.
- Lot of food not labeled, not covered or dated.
- Dirt on racks, general sanitation needs work
- Walk in freezer has product on floor needs to be moved.
- In proper use of three-bay sink for defrosting food.
- Condition of back door screen is dirty and not weather-tight for pest control.
- Condition of cook's apron does not appear sanitary.
- Pills (medication – personal products - next to food on shelf).
- Jackets and hats thrown on rack near food.
- Thermometer on Walk-in refrigerator was between 44-45°, (41° F required).
- Rag covering food, improper food storage, food stored on floor.
- Mop area is near food prep area.
- Water coming out of hose, plumbing inspector checked it out and did not think this was a problem it was from the ice machine.
- Sugar /flour not in food grade/safe container; also scoops are not maintained.
- Shelf has cleaning supplies, (WD40) next to food.
- Dirty dish line, sanitizer in red pail needs to be changed every 4 hours. Any rags not used must be-stored into this sanitizer. No sanitizer on site when the inspection was conducted.
- Owner reports he got stove hoods cleaned March 17, 2014.
- The temperature in the dishwasher was not sanitizing the dishes; this could have caused someone to become very ill. It has since been retro fitted with a sanitizer for a temporary fix. Need a heat booster installed in order to sanitize the dishes; a decision on this must be made within 30 days.

**Repeat violations.**

1. The person who has the ServeSafe certification needs to take charge and be responsible for all of the items necessary in the food code.
2. Lack of hand washing and hygiene. Only two persons were observed washing their hands, and unfortunately they were not using the proper procedure.
3. Lack of general sanitation on floor and food racks; food out of temp on counter, food out of temp in walk-in. Improper cooling methods noted as well as cross contamination; improper food storage and lack of food-safe containers; products not labeled; sanitizer not set up, improper use of 3-bay sink; and food out of temperature a number of times. These have been noted by several inspectors on several different occasions.

**Discussion:** Mr. Ren states that he is there every day and said he will have someone else get a ServeSafe certificate besides him. Mr. Ren was asked why he did not correct the problems that were noted on previous inspections, (i.e.no labeling and improper storage of food). When the inspector returned on March 26<sup>th</sup> the violations had not yet been corrected. Ms. Cocalis said that there had been repeat violations for at least 6 years. Mr. Volpe stated that pictures of problems would be given to him to show his employees and tell them if it is not corrected, then the restaurant could be closed. Proper labeling should be date in and date out. Mr. Ren was told about “date dots” he could get to label food with dates. Mr. Ren said he would send employees to Boston for the ServeSafe course in Chinese. It was recommended to buy sanitizer and test strips for the buckets from the company that services the dishwasher. The heat booster needs to be put on the dishwasher. The screen door must be cleaned and repaired and if not, he will buy a new one. All rags need to be put in sanitizer bucket unless they are using them at that time. The temperature would be checked in the walk-in cooler. Improper hand washing has been noted several times. All terms in inspection reports from the past inspections of March 15<sup>th</sup> and March 26<sup>th</sup> must be completed by one week from today. There should be a qualified ServeSafe person there all the time in the kitchen and in the food prep area. The owner states that he will put up Signs in Chinese. If there was a problem getting a date with a plumber, he must call Alyssa to let her know. Mr. Ren will get the temperature in the cooler to hold at the required 41°F. He will put a thermometer inside and see if the door is being left open when he is not there. Mr. Ren is told that if these violations continue he will be charged \$60.00 per repeat violation each day it is not corrected, next step is to take the Permit to Operate away and close the business. Ms. Cocalis made a motion to correct the violations within a week. Alyssa gave Mr. Ren a written memo that was provided to the Board of Health members for this Hearing. Rich Volpe seconded the motion, APPROVED (3-0).

There was a motion to closed the hearing at 5:50 p.m. APPROVED (3-0).

Respectfully submitted,  
Alyssa Rusiecki, Health Agent  
Norma Buckley, Clerk

Date Reviewed: 5-22-2014  
Approved: (2 -0), LC RV