



Lincoln-Lancaster County Health Department
Environmental Health Division
 3131 O Street
 Lincoln, Nebraska 68510

Time In	Purpose	Inspection Date
1:30 PM	Regular	12/16/2019
Time Out	Facility Codes	
3:50 PM	01A, 12A	

FIRM **FOX BAR & GRILL**

OWNER **COLLIER & COMPANY INVESTMENTS INC**

ADDRESS **1245 LIBRA DR**

LINCOLN NE, 68512

FOOD ENFORCEMENT NOTICE

PRIORITY 7 CORE 7

PRIORITY FOUNDATION 1

FOOD ESTABLISHMENT INSPECTION REPORT

FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS		GOOD RETAIL PRACTICES	
Supervision		Safe Food and Water	
1	OUT OF COMPLIANCE PIC present, demonstrates knowledge, and performs duties	28	IN COMPLIANCE Pasteurized eggs used where required
Employee Health/Responding to Contamination Events		29	IN COMPLIANCE Water and ice from approved source
2	IN COMPLIANCE Management and food employee knowledge,	30	IN COMPLIANCE Variance obtained or specialized processing methods
3	IN COMPLIANCE Proper use of restriction and exclusion	Food Temperature Control	
Good Hygienic Practices		31	IN COMPLIANCE Proper cooling methods used; adequate equipment for temperature control
4	IN COMPLIANCE Proper eating, tasting, drinking, or tobacco use	32	IN COMPLIANCE Plant food properly cooked for hot holding
5	IN COMPLIANCE No discharge from eyes, nose, and mouth	33	IN COMPLIANCE Approved thawing methods used
Control of Hands as a Vehicle of Contamination		34	IN COMPLIANCE Thermometers provided and accurate
6	IN COMPLIANCE Hands clean properly washed	Food Identification	
7	IN COMPLIANCE No bare hand contact with RTE foods or a pre-approved alternate properly followed	35	IN COMPLIANCE Food properly labeled; original container
8	IN COMPLIANCE Adequate handwashing sinks, properly supplied and accessible	Prevention of Food Contamination	
Approved Source		36	IN COMPLIANCE Insects, rodents and animals not present
9	IN COMPLIANCE Food obtained from approved source	37	IN COMPLIANCE Contamination prevented during food preparation, storage and display
10	NOT OBSERVED Food received at proper temperature	38	IN COMPLIANCE Personal cleanliness; hair restrained
11	IN COMPLIANCE Food in good condition, safe, and unadulterated	39	IN COMPLIANCE Wiping cloths; properly used and stored
12	NOT APPLICABLE Required records available: shellstock tags, parasite destruction	40	IN COMPLIANCE Washing fruits and vegetables
Protection from Contamination		Proper Use of Utensils	
13	IN COMPLIANCE Food separated and protected	41	IN COMPLIANCE In-use utensils; properly stored
14	IN COMPLIANCE Food-contact surfaces: cleaned sanitized	42	IN COMPLIANCE Utensils, equipment and linens; properly stored, dried, handled
15	IN COMPLIANCE Proper disposition of returned, previously served, reconditioned, and unsafe food	43	IN COMPLIANCE Single-use/single-service articles; properly stored, used
Time Temperature Control for Safety Food (TCS Food)		44	IN COMPLIANCE Gloves used properly
16	NOT OBSERVED Proper cooking time and temperatures	Utensils, Equipment, and Vending	
17	NOT OBSERVED Proper reheating procedures for hot holding	45	OUT OF COMPLIANCE Food and non-food contact surfaces cleanable, properly designed, constructed, and used
18	NOT OBSERVED Proper cooling time and temperatures	46	IN COMPLIANCE Warewashing facilities, installed, maintained, used, test strips
19	OUT OF COMPLIANCE Proper hot holding temperatures	47	IN COMPLIANCE Non-food-contact surfaces clean
20	OUT OF COMPLIANCE Proper cold holding temperatures	Physical Facilities	
21	OUT OF COMPLIANCE Proper date marking and disposition	48	IN COMPLIANCE Hot and cold water available; adequate pressure
22	NOT APPLICABLE Time as a Public Health Control: procedures and records	49	OUT OF COMPLIANCE Plumbing installed; proper backflow devices
Consumer Advisory		50	IN COMPLIANCE Sewage and waste water properly disposed
23	IN COMPLIANCE Consumer advisory provided for raw or undercooked food	51	IN COMPLIANCE Toilet facilities; properly constructed, supplied, clean
Highly Susceptible Population		52	OUT OF COMPLIANCE Garbage and refuse properly disposed; facilities maintained
24	NOT APPLICABLE Pasteurized foods used; prohibited foods not offered	53	OUT OF COMPLIANCE Physical facilities installed, maintained, and clean
Food/Color Additives and Toxic Substances		54	IN COMPLIANCE Adequate ventilation and lighting; designated areas used
25	NOT APPLICABLE Food additives: approved and properly used		
26	OUT OF COMPLIANCE Toxic substances properly identified, stored, and used; held for retail sale, properly stored		
Conformance with Approved Procedures			
27	NOT APPLICABLE Compliance with variance, specialized process, ROP criteria or HACCP plan		



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TEMPERATURE OBSERVATIONS			STAFFING/RECORDS REQUIREMENTS
FOOD PRODUCT	° F	LOCATION	Food Handler Permits OUT OF COMPLIANCE
Pickles	35	Cooler (prep)	Permit Records IN COMPLIANCE
Ham	39	Cooler (prep)	Alcohol Server IN COMPLIANCE
Olives	35	Cooler (prep)	/Seller Permits
Hamburger (cooked)	99	Grill Pan	
Mac Salad	49	Cooler (prep)	
Potato Salad	48	Cooler (prep)	
Gravy	39	Cooler (walk-in)	
Taco Meat	178	Hot-Holding	

FOOD ENFORCEMENT NOTICE

Pursuant to LLCHD Policy 222.31, this is to serve as notice of:

WARNING X Failure to immediately correct violations posing an immediate and substantial hazard to public health (checked as priority violations below) may result in action to suspend or revoke your Food Establishment Permit.

VIOLATION DETAIL					
Code	Critical	Repeat	Violation Description	Remarks	Corrected
Priority Level	Risk Factor		Food Code Citation		Correct By
8.20.190 Priority	☒	☐	Employee(s) working without having a current food handler permit issued by the Health Department. 100% compliance required. No exceptions.		☐ 12/21/2019
		RF 0	(c) A food permit holder shall arrange for and require all employees to have valid food handler permit and/or food manager permit as required by the Lincoln Food Code.		NOTICE: Priority Item Violation
8.20.190 Priority	☒	☐	No Person In Charge with a current Food Protection Manager permit issued by Lincoln Lancaster County Health Department.		☐ 12/21/2019
		RF 1	(a) In a food establishment serving potentially hazardous food, a food establishment must have the following minimum staffing:(1) A Person In Charge with a valid food protection manager permit; and(2) A person with either a valid food manager permit or a prep/cook food handler permit working on the premises during operation of the food establishment.		NOTICE: Priority Item Violation
81-2,272.02 Priority	☒	☐	Cook was unable to answer question as to what temperature the grilled chicken and hamburgers were to be held on top of grill in pans. Pans had no lids and were not turned up high enough (99F degrees).		☐ 12/21/2019
		RF 1	The individual who is responsible for the food establishment shall have knowledge of the risks of foodborne illness inherent to the food operation, foodborne disease prevention, and the requirements of the Nebraska Pure Food Act. The individual shall demonstrate this knowledge by the passing of routine sanitation inspections by the food establishment, successfully completing an approved food handler training course, or responding correctly to the regulatory authority's questions as they relate to the areas of the food establishment's noncompliance in order to bring that area into compliance.		NOTICE: Priority Item Violation
81-2,272.01 Priority	☒	☐	Chicken and hamburger on grill top measured 99F degrees. Grill turned up (165F degrees) and lids put in place. Product was "out" less than 4 hours.		☒ CORRECTED
		RF 19	Except during preparation, cooking, or cooling or when time is used as the public health control as specified under § 3-501.19, and except as specified under (2) of this section, time/temperature control for safety food shall be maintained: At 57°C (135°F) or above, except that roasts cooked to a temperature and for a time specified in 3-401.11(B) or reheated as specified in 3-403.11(E) may be held at a temperature of 54°C (130°F) or above;		NOTICE: Priority Item Violation



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81-2,272.01 Priority	☒	☐	Chicken wrapped and left on pizza rail top, under cover but above well, measured 58F degrees. Product discarded. Macaroni salad and potato salad measured 48F degrees in prep table cooler. Unit turned down and no change. Discontinue use until repaired. RF 20 Except during preparation, cooking, or cooling or when time is used as the public health control as specified under § 3-501.19, and except as specified under (2) of this section, time/temperature control for safety food shall be maintained: At a temperature specified in the following: (i) 5°C (41°F) or less; or (ii) 7°C (45°F) or between 5°C (41°F) and 7°C (45°F) in existing refrigeration equipment that is not capable of maintaining the food at 5°C (41°F) or less if: (b) Refrigeration equipment that is not capable of meeting a cold holding temperature of forty-one degrees Fahrenheit (five degrees Celsius) that is in use on the operative date of this act shall, upon replacement of the equipment or at a change of ownership of the food establishment, be replaced with equipment that is capable of maintaining foods at forty-one degrees Fahrenheit (five degrees Celsius) or below.	☐ 12/21/2019 NOTICE: Priority Item Violation
7-201.11 Priority	☒	☒	Chemicals stored on top of dish machine. Relocated. RF 26 Poisonous or toxic materials shall be stored so they can not contaminate food, equipment, utensils, linens, and single-service and single-use articles by: Locating the poisonous or toxic materials in an area that is not above food, equipment, utensils, linens, and single-service or single-use articles. This paragraph does not apply to equipment and utensil cleaners and sanitizers that are stored in warewashing areas for availability and convenience if the materials are stored to prevent contamination of food, equipment, utensils, linens, and single-service and single-use articles.	☒ CORRECTED NOTICE: Priority Item Violation
5-203.14 Priority	☒	☒	A splitter valve and hose exists at the mop sink faucet. No valves allowed downstream of an approved backflow protection device. Install a vacuum breaker hose bib, then connect the hose to the water system. RF 49 A plumbing system shall be installed to preclude backflow of a solid, liquid, or gas contaminant into the water supply system at each point of use at the food establishment, including on a hose bibb if a hose is attached or on a hose bibb if a hose is not attached and backflow prevention is required by law, by: Installing an approved backflow prevention device as specified under § 5-202.14.	☐ 12/21/2019 NOTICE: Priority Item Violation
3-501.17 Priority Foundation	☒	☐	Chicken on top of pizza prep cooler lacks date marking. Product discarded. RF 21 Except when packaging food using a reduced oxygen packaging method as specified under § 3-502.12, and except as specified in ¶¶ (E) and (F) of this section, refrigerated, ready-to-eat, time/temperature control for safety food prepared and held in a food establishment for more than 24 hours shall be clearly marked to indicate the date or day by which the food shall be consumed on the premises, sold, or discarded when held at a temperature of 5°C (41°F) or less for a maximum of 7 days. The day of preparation shall be counted as Day 1.	☐ 12/21/2019
8.20.075	☐	☒	Handsink at bar without signage. RF 0 A sign or poster that notifies food employees to wash their hands shall be posted at all handwashing sinks used by food employees and shall be clearly visible to food employees.	☐ 01/15/2020
8.20.080	☐	☒	Expired permit posted. RF 0 The permit holder shall conspicuously post or display the permit so that it is readily open to view by any person patronizing such establishment.	☐ 01/15/2020
4-402.11	☐	☒	Moldy caulk at dish spray area. Caulk loose at handsink. Repair. RF 45 Equipment that is fixed because it is not easily movable shall be installed so (2) Spaced from adjoining equipment, walls, and ceilings a distance of not more than 1 millimeter or on (3) Sealed to adjoining equipment or walls, if the equipment is exposed to spillage or seepage.	☐ 01/15/2020



4-501.11 ☐ ☒ Door loose on taco rail cooler with rusted out floor and heavy condensate. ☐ 01/15/2020
Repair. Corrosion on one door cooler unit. Repair. Damage to prep cooler inside of door and lid insulation. Repair.

RF 45 Equipment components such as doors, seals, hinges, fasteners, and kick plates shall be kept intact, tight, and adjusted in accordance with manufacturer's specifications.

5-501.113 ☐ ☐ Dumpster lids (recycle/refuse) left open. Keep closed. ☐ 01/15/2020

RF 52 Receptacles and waste handling units for refuse, recyclables, and returnables shall be kept covered: With tight-fitting lids or doors if kept outside the food establishment.

6-501.11 ☐ ☐ Ceiling damage above ice machine in wait area. Repair. ☐ 01/15/2020

RF 53 The physical facilities shall be maintained in good repair.

6-501.11 ☐ ☒ Some areas of wall missing coving, coving with gaps (dish area). Some areas of cabinets chipped. Repair. ☐ 01/15/2020

RF 53 The physical facilities shall be maintained in good repair.

ADDITIONAL ACTION REQUIRED: You are hereby ordered to submit a written plan of action within five (5) days that you will implement to assure that items designated "NOTICE: Priority Item Violation" will be prevented in the future. Send to: Food Team Supervisor, LLCHD, 3131 O Street, Lincoln, NE 68510.

Correction of the above violations does not preclude further actions in accord with Lincoln Municipal Code 8.20 and /or the Nebraska Pure Food Act. You may appeal this Food Enforcement Notice within three (3) working days by filing a written request with the Health Director. The request shall include the specific findings which are being appealed and why the enforcement action taken should be modified. Violations identified on this Notice must be corrected regardless of your decision to appeal.

Remarks:

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☒ Follow-up

Printed 12/16/2019 3:53:24 PM FIR210

Environmental Health Specialist

DAVE VOBORIL, REHS, CP-FS 65
dvoboril@lincoln.ne.gov (402) 441-8633

Received by Person-In Charge

KOEHN NATHAN TYLER
EMPLOYEE

Obtain Food Handler and alcohol server/seller permits at
www.lincoln.ne.gov search word "Food".



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