



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

Time In	Purpose	Inspection Date
11:00 AM	Regular	03/11/2019
Time Out	Facility Codes	
12:30 PM	11A, 01A	

FIRM **HY-VEE #2 GAS #1386**

OWNER **HY-VEE INC**

ADDRESS **1515 N 84TH ST**

LINCOLN NE, 68505

FOOD ENFORCEMENT NOTICE

PRIORITY **1** CORE **3**

PRIORITY FOUNDATION **1**

FOOD ESTABLISHMENT INSPECTION REPORT

FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS			GOOD RETAIL PRACTICES		
Supervision			Safe Food and Water		
1	IN 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	NOT APPLICABLE	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	IN 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	IN COMPLIANCE	Plumbing installed; proper backflow devices
Consumer Advisory			50	IN COMPLIANCE	Sewage and waste water properly disposed
23	NOT APPLICABLE	Consumer advisory provided for raw or undercooked food	51	IN COMPLIANCE	Toilet facilities: properly constructed, supplied, clean
Highly Susceptible Population			52	IN COMPLIANCE	Garbage and refuse properly disposed; facilities maintained
24	NOT APPLICABLE	Pasteurized foods used; prohibited foods not offered	53	IN 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	IN 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	IN COMPLIANCE
Chicken (cooked)	61	Cooler (air curtain)	Permit Records	IN COMPLIANCE
Chicken Salad wrap	54	Cooler (air curtain)	Alcohol Server	IN COMPLIANCE
Half and Half	36	Dispenser	/Seller Permits	
Tornados	175	Roller Grill left		
Hot Dogs	179	Roller Grill right		
Pizza	140	Hot-Holding Cabinet		
Tornados	42	cooler (household type)		
Milk	41	Cooler (walk-in)		
Cut melon	52	Cooler (air curtain)		

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
Location					
81-2,272.01	☒	☒	Cooked chicken dinner, wraps, cut melon held at unsafe temperatures for unknown time. Products discarded.		☐ 03/16/2019
Priority		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.		NOTICE: Priority Item Violation
8.20.065	☐	☐	No body fluid clean up kit available.		☐ 03/16/2019
Priority Foundation		RF 0	(b) A food establishment shall provide and maintain a Bodily Fluid Clean-up kit to protect employees from exposure. At a minimum, the kit shall include eye protection, respiratory protection, disposable gloves, barrier gown, coagulating agent, disinfectant, paper towels, disposable scoop, biohazard bag, and garbage bag. For the purposes of this section, disinfectant shall mean a product currently listed in the United States Environmental Protection Agency Office of Pesticide Programs list G: EPAs Registered Antimicrobial Products effective against Norovirus.		
8.20.075	☐	☐	No handwash signage posted in restrooms.		☐ 04/10/2019
		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.		



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3-501.17

☒ **No dates on opened packages of roller grill foods.**

04/10/2019

RF 21 A date marking system that meets the criteria stated in ¶¶ (A) and (B) of this section may include:(1) Using a method approved by the regulatory authority for refrigerated, ready-to-eat time/temperature control for safety food that is frequently rewrapped, such as lunchmeat or a roast, or for which date marking is impractical, such as soft serve mix or milk in a dispensing machine;(2) Marking the date or day of preparation, with a procedure to discard the food on or before the last date or day by which the food must be consumed on the premises, sold, or discarded as specified under ¶ (A) of this section;(3) Marking the date or day the original container is opened in a food establishment, with a procedure to discard the food on or before the last date or day by which the food must be consumed on the premises, sold, or discarded as specified under ¶ (B) of this section; or(4) Using calendar dates, days of the week, color-coded marks, or other effective marking methods, provided that the marking system is disclosed to the regulatory authority upon request.

4-201.11

☒ **Non-commercial refrigerator used for cold holding of potentially hazardous foods. Once unit needs to be replaced, obtain an approved commercial grade/rated unit. Unit "stickered", thereby allowing the use of the refrigerator until it is replaced..**

04/10/2019

RF 45 Equipment and utensils shall be designed and constructed to be durable and to retain their characteristic qualities under normal use conditions.

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**

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Environmental Health Specialist

BRYAN HURST, MS, REHS, CP-FS 64
bhurst@lincoln.ne.gov (402) 441-6712

Received by Person-In Charge

WASENIUS KERWIN LEE
MANAGER

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



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