



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

Time In	Purpose	Inspection Date
12:25 PM	Regular	03/15/2019
Time Out	Facility Codes	
3:00 PM	01A, 16A	

FIRM **NINJA**

OWNER **ZHENG NINJA ASIAN FUSION INC**

ADDRESS **5650 N 33RD CIR**

LINCOLN NE, 68504

FOOD ENFORCEMENT NOTICE

PRIORITY **6** CORE **10**

PRIORITY FOUNDATION **3**

FOOD ESTABLISHMENT INSPECTION REPORT

FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS		GOOD RETAIL PRACTICES	
Supervision		Safe Food and Water	
1	IN COMPLIANCE	28	IN COMPLIANCE
PIC present, demonstrates knowledge, and performs duties		Pasterurized eggs used where required	
Employee Health/Responding to Contamination Events		29	IN COMPLIANCE
2	IN COMPLIANCE	Water and ice from approved source	
Management and food employee knowledge,		30	IN COMPLIANCE
3	IN COMPLIANCE	Variance obtained or specialized processing methods	
Proper use of restriction and exclusion		Food Temperature Control	
Good Hygienic Practices		31	IN COMPLIANCE
4	IN COMPLIANCE	Proper cooling methods used; adequate equipment for temperature control	
Proper eating, tasting, drinking, or tobacco use		32	IN COMPLIANCE
5	IN COMPLIANCE	Plant food properly cooked for hot holding	
No discharge from eyes, nose, and mouth		33	IN COMPLIANCE
Control of Hands as a Vehicle of Contamination		Approved thawing methods used	
6	OUT OF COMPLIANCE	34	OUT OF COMPLIANCE
Hands clean properly washed		Thermometers provided and accurate	
7	IN COMPLIANCE	Food Identification	
No bare hand contact with RTE foods or a pre-approved alternate properly followed		35	IN COMPLIANCE
8	IN COMPLIANCE	Food properly labeled; original container	
Adequate handwashing sinks, properly supplied and accessible		Prevention of Food Contamination	
Approved Source		36	OUT OF COMPLIANCE
9	IN COMPLIANCE	Insects, rodents and animals not present	
Food obtained from approved source		37	
10	NOT OBSERVED	Contamination prevented during food preparation, storage and display	
Food received at proper temperature		38	IN COMPLIANCE
11	IN COMPLIANCE	Personal cleanliness; hair restrained	
Food in good condition, safe, and unadulterated		39	OUT OF COMPLIANCE
12	IN COMPLIANCE	Wiping cloths; properly used and stored	
Required records available: shellstock tags, parasite destruction		40	IN COMPLIANCE
Protection from Contamination		Washing fruits and vegetables	
13	OUT OF COMPLIANCE	Proper Use of Utensils	
Food separated and protected		41	IN COMPLIANCE
14	OUT OF COMPLIANCE	In-use utensils; properly stored	
Food-contact surfaces: cleaned sanitized		42	IN COMPLIANCE
15	IN COMPLIANCE	Utensils, equipment and linens; properly stored, dried, handled	
Proper disposition of returned, previously served, reconditioned, and unsafe food		43	IN COMPLIANCE
Time Temperature Control for Safety Food (TCS Food)		Single-use/single-service articles; properly stored, used	
16	IN COMPLIANCE	44	IN COMPLIANCE
Proper cooking time and temperatures		Gloves used properly	
17	NOT OBSERVED	Utensils, Equipment, and Vending	
Proper reheating procedures for hot holding		45	OUT OF COMPLIANCE
18	NOT OBSERVED	Food and non-food contact surfaces cleanable, properly designed, constructed, and used	
19	IN COMPLIANCE	Warewashing facilities, installed, maintained, used, test strips	
Proper hot holding temperatures		46	IN COMPLIANCE
20	OUT OF COMPLIANCE	Non-food-contact surfaces clean	
Proper cold holding temperatures		47	OUT OF COMPLIANCE
21	IN COMPLIANCE	Physical Facilities	
Proper date marking and disposition		48	IN COMPLIANCE
22	OUT OF COMPLIANCE	Hot and cold water available; adequate pressure	
Time as a Public Health Control: procedures and records		49	IN COMPLIANCE
Consumer Advisory		Plumbing installed; proper backflow devices	
23	IN COMPLIANCE	Sewage and waste water properly disposed	
Consumer advisory provided for raw or undercooked food		50	IN COMPLIANCE
Highly Susceptible Population		51	IN COMPLIANCE
24	NOT APPLICABLE	Toilet facilities: properly constructed, supplied, clean	
Pasteurized foods used; prohibited foods not offered		52	OUT OF COMPLIANCE
Food/Color Additives and Toxic Substances		Garbage and refuse properly disposed; facilities maintained	
25	NOT APPLICABLE	Physical facilities installed, maintained, and clean	
Food additives: approved and properly used		53	OUT OF COMPLIANCE
26	IN COMPLIANCE	Adequate ventilation and lighting; designated areas used	
Toxic substances properly identified, stored, and used; held for retail sale, properly stored		54	IN COMPLIANCE
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
Rice	167	Warmer	Permit Records	IN COMPLIANCE
Chicken (raw)	41	Rail	Alcohol Server	NOT APPLICABLE
Beef	41	Rail	/Seller Permits	
Noodles	41	Reach-in Cooler		
Soup	171	Steam Table		
Soup	173	Steam Table		
Rice	172	Warmer		
Chicken (cooked)	39	Upright Cooler		
Chicken (cooked)	39	Upright Cooler		
Chicken (cooked)	44	Upright Cooler		
Chicken (cooked)	173	cooked		
Fish	39	Cooler (display)		
Fish	39	Cooler (display)		
Salad	39	Cooler (reach-in)		
Sauce	43	Cooler (reach-in)		
Chicken (cooked)	37	Cooler (walk-in)		
Chicken (cooked)	38	Cooler (walk-in)		
Chicken (cooked)	38	Cooler (walk-in)		
Rice	66	Counter (food prep)		

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					
8.20.190	☒	☐	Employees working without having a current food handler permit issued by the Health Department. 100% compliance required. No exceptions.		☐ 03/20/2019
Priority		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
2-301.14	☒	☐	Employee observed handling raw product and soiled bowl with raw product then proceed to get ready to work with customer to go container. Discussed when to wash hands. Other employees observed changing tasks without washing hands.		☐ 03/20/2019
Priority		RF 6	Food employees shall clean their hands and exposed portions of their arms as specified under § 2-301.12 immediately before engaging in food preparation including working with exposed food, clean equipment and utensils, and unwrapped single-service and single-use articles and: When switching between working with raw food and working with ready-to-eat food;		NOTICE: Priority Item Violation



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3-302.11 Priority	☒	☒	Raw chicken and fish in the walk-in cooler are stored above vegetables. Rearrange cooler so properly stored. Proper storage poster posted on door. Discussed designating one whole section of shelving for raw meat storage.	☐	03/20/2019 NOTICE: Priority Item Violation
		RF 13	Food shall be protected from cross contamination by: (1) Except as specified in (1)(c) below, separating raw animal foods during storage, preparation, holding, and display from: (a) Raw ready-to-eat food including other raw animal food such as fish for sushi or molluscan shellfish, or other raw ready-to-eat foods such as fruits and vegetables; and(b) Cooked ready-to-eat food;(2) Except when combined as ingredients, separating types of raw animal foods from each other such as beef, fish, lamb, pork, and poultry during storage, preparation, holding, and display by: (a) Using separate equipment for each type; or (b) Arranging each type of food in equipment so that cross contamination of one type with another is prevented; and (c) Preparing each type of food at different times or in separate areas;		
4-702.11 Priority	☒	☒	Observed employee cleaning knife and cutting board that had been used for raw chicken with just soap and water, no rinse or sanitizing step. Also did not sanitize work table. Discussed importance of wash, rinse, sanitize steps.No working sani in kitchen	☒	CORRECTED NOTICE: Priority Item Violation
		RF 14	Utensils and food-contact surfaces of equipment shall be sanitized before use after cleaning.		
81-2,272.01 Priority	☒	☐	Garlic in oil at room temp. Discussed risk of C. bot. and to keep cold in ice bath or on rail.	☒	CORRECTED NOTICE: Priority Item Violation
		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.		
3-501.19 Priority	☒	☐	Sushi rice lacking any marking for time as control. Said make in morning and have out for 3-4 hours then discard. Provided time as control log. Discussed importance of staff discarding in 4 hours and ensuring staff discards. Verified discarded.	☐	03/20/2019 NOTICE: Priority Item Violation
		RF 22	If time only, rather than time in conjunction with temperature control, up to a maximum of 4 hours, is used as the public health control: (1) The food shall have an initial temperature of 5°C (41°F) or less if removed from cold holding temperature control, or 57°C (135°F) or greater if removed from hot holding temperature control;(2) The food shall be marked or otherwise identified to indicate the time that is 4 hours past the point in time when the food is removed from temperature control; (3) The food shall be cooked and served, served if ready-to-eat, or discarded, within 4 hours from the point in time when the food is removed from temperature control; and(4) The food in unmarked containers or packages, or marked to exceed a 4-hour limit shall be discarded.		
8.20.065 Priority Foundation	☐	☒	No clean-up kit available for bodily fluid accidents (vomit, diarrhea episodes). Obtain a cleanup kit and instructions for how to use it.	☐	03/20/2019
		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.		



4-601.11 ☒ ☒ Sushi bamboo rollers with residues. ☐ 03/20/2019
Priority Foundation RF 14 Equipment food-contact surfaces and utensils shall be clean to sight and touch.

4-302.12 ☐ ☐ Thermometer not readily available. Had been provided by Infuse program and had not opened and removed from package. Discussed how to calibrate. ☒ CORRECTED
Priority Foundation

RF 34 (A) Food temperature measuring device shall be provided and readily accessible for use in ensuring attainment and maintenance of food temperatures as specified under Chapter 3. (B) A temperature measuring device with a suitable small-diameter probe that is designed to measure the temperature of thin masses shall be provided and readily accessible to accurately measure the temperature in thin foods such as meat patties and fish filets.

4-602.11 ☐ ☐ Rice scoops observed in cold tap water. Either change every 4 hours, and mark as such or keep in water above 135 on steam table. ☐ 04/14/2019

RF 14 Surfaces of utensils and equipment contacting time/temperature control for safety food may be cleaned less frequently than every 4 hours if: (1) In storage, containers of time/temperature control for safety food and their contents are maintained at temperatures specified under Chapter 3 and the containers are cleaned when they are empty;(2) Utensils and equipment are used to prepare food in a refrigerated room or area that is maintained at one of the temperatures in the following chart and: (a) The utensils and equipment are cleaned at the frequency in the following chart that corresponds to the temperature; and Temperature Cleaning Frequency

5.0°C (41°F) or less	24 hours	>5.0°C - 7.2°C (>41°F - 45°F)	20 hours	>7.2°C - 10.0°C (>45°F - 50°F)	16 hours
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>10.0°C - 12.8°C (>50°F - 55°F) 10 hours(b) The cleaning frequency based on the ambient temperature of the refrigerated room or area is documented in the food establishment. (3) Containers in serving situations such as salad bars, delis, and cafeteria lines hold ready-to-eat time/temperature control for safety food that is maintained at the temperatures specified under Chapter 3, are intermittently combined with additional supplies of the same food that is at the required temperature, and the containers are cleaned at least every 24 hours;(4) Temperature measuring devices are maintained in contact with food, such as when left in a container of deli food or in a roast, held at temperatures specified under Chapter 3; (5) Equipment is used for storage of packaged consumer or unpackaged food such as a reach-in refrigerator and the equipment is cleaned at a frequency necessary to preclude accumulation of soil residues; (6) The cleaning schedule is approved based on consideration of: (a) Characteristics of the equipment and its use, (b) The type of food involved, (c) The amount of food residue accumulation, and

(d) The temperature at which the food is maintained during the operation and the potential for the rapid and progressive multiplication of pathogenic or toxigenic microorganisms that are capable of causing foodborne disease; or

(7) In-use utensils are intermittently stored in a container of water in which the water is maintained at 57°C (135°F) or more and the utensils and container are cleaned at least every 24 hours or at a frequency necessary to preclude accumulation of soil residues.

6-202.15 ☐ ☐ Door missing significant part of sweep. Allowing pest to enter facility. ☐ 04/14/2019

RF 36 Except as specified in ¶¶ (B), (C), and (E) and under ¶ (D) of this section, outer openings of a food establishment shall be protected against the entry of insects and rodents by: (1) Filling or closing holes and other gaps along floors, walls, and ceilings; (2) Closed, tight-fitting windows; and (3) Solid, self-closing, tight-fitting doors.



6-501.111	☐	☐	Mouse droppings observed in areas of kitchen, dry storage. Sanitary and maintenance issues exist, encouraging pests. No adulterated packages but mouse droppings observed on top of one storage container. Contact pest control, deep clean, and repair door.	☐	04/14/2019 NOTICE: Priority Item Violation
			RF 36 The premises shall be maintained free of insects, rodents, and other pests. The presence of insects, rodents, and other pests shall be controlled to eliminate their presence on the premises by: Routinely inspecting the premises for evidence of pests.		
3-305.11	☐	☐	Items stored under drain at front hand sink. Dish and single service stored under paper towel dispensers. Not clean location.	☐	04/14/2019
			RF 37 Except as specified in ¶¶ (B) and (C) of this section, food shall be protected from contamination by storing the food: (1) In a clean, dry location; (2) Where it is not exposed to splash, dust, or other contamination; and (3) At least 15 cm (6 inches) above the floor.		
3-304.14	☐	☒	Wiping towels left on work table. Return wiping cloths to a sanitizing solution immediately after use.	☐	04/14/2019
			RF 39 Cloths in-use for wiping counters and other equipment surfaces shall be: (1) Held between uses in a chemical sanitizer solution at a concentration specified under § 4-501.114; and (2) Laundered daily as specified under 4-802.11(D).		
4-201.11	☐	☒	Noncommercial cooler used for sushi prep storage. Not durable. Replace with commercial unit. Coke cooler being used for food storage. Not intended for food storage.	☐	04/14/2019
			RF 45 Equipment and utensils shall be designed and constructed to be durable and to retain their characteristic qualities under normal use conditions.		
4-602.13	☐	☒	Wall and equipment adjacent to prep table soiled with splatter. Fryer area has excessive batter/grease buildup. Some cooler doors and handles soiled with grease and residues. Increase the cleaning frequency.	☐	04/14/2019
			RF 47 Nonfood-contact surfaces of equipment shall be cleaned at a frequency necessary to preclude accumulation of soil residues.		
5-501.15	☐	☐	Doors kept open on dumpster and grease receptacle. Keep closed to avoid attracting pests.	☐	04/14/2019
			RF 52 Receptacles and waste handling units for refuse, recyclables, and returnables used with materials containing food residue and used outside the food establishment shall be designed and constructed to have tight-fitting lids, doors, or covers.		
6-501.11	☐	☐	Areas of coving with damage. Wall with hole by back door appears to have been made by mice. Repair.	☐	04/14/2019
			RF 53 The physical facilities shall be maintained in good repair.		
6-501.12	☐	☒	Areas of floors and walls with residues. Overall facility in need of deep cleaning. Clean to help address pest issue.	☐	04/14/2019
			RF 53 The physical facilities shall be cleaned as often as necessary to keep them clean.		



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.

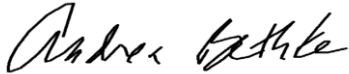
Correction of the above violations does not preclude further actions in accord with Lincoln Municipal Code 8.20 and /or the Nebraska Pure Food Act. You may appeal this Food Enforcement Notice within three (3) working days by filing a written request with the Health Director. The request shall include 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: FEN issued for priority item violations and pest issues observed during inspection. Failure to address will result in possible Suspension. Follow up will be within 5 days. Location must work with Food Safety Consultant Ben Davy in regards to action plan. Cooling procedures discussed sound on decent track but need improvement. Use long shallow pans, place in walk-in freezer or cooler to rapidly chill. This will not 'spoil' the food cooling using this method. Walk-in cooler and freezer should not be harmed by cooling inside. Do not cool large batches in reach-in coolers. Provided logs to monitor cooling and equipment. Thermometer is intended to help monitor food temperatures not to just 'meet a requirement.' Must improve staff knowledge of cross contamination. Handwashing, storage, and cleaning issues all related to possible cross contamination. Posters provided to discuss serious risk posed to public health by not being alert to hazards posed by cross contamination. Sanitizer is designed to reduce bacteria to acceptable levels. Must deep clean and repair door and hole immediately to help control pests. Do have licensed pest control provider provided by building and said out once a month. Purchase snap traps to set throughout kitchen to help catch and assess pest levels.

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☒ Follow-up



Environmental Health Specialist

ANDREA R. BETHKE, EHS 67
abethke@lincoln.ne.gov (402) 441-8074



Received by Person-In Charge

ZHENG XIAO BO
MANAGER

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



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