



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

Time In	Purpose	Inspection Date
11:05 AM	Regular	03/25/2019
Time Out	Facility Codes	
12:40 PM	11A, 01A	

FIRM **SHELL FOOD MART**
 ADDRESS **4810 OLD CHENEY RD**

OWNER **LICHTI BROS OIL CO INC**
LINCOLN NE, 68516

FOOD ENFORCEMENT NOTICE

PRIORITY 4 CORE 1
 PRIORITY FOUNDATION 2

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	OUT OF COMPLIANCE Thermometers provided and accurate
6	NOT OBSERVED Hands clean properly washed	Food Identification	
7	NOT OBSERVED 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	OUT OF COMPLIANCE Proper reheating procedures for hot holding	45	IN COMPLIANCE Food and non-food contact surfaces cleanable, properly designed, constructed, and used
18	NOT OBSERVED Proper cooling time and temperatures	46	OUT OF 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	IN 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	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	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	OUT OF COMPLIANCE
Sandwich	69	Warmer	Permit Records	OUT OF COMPLIANCE
Sandwich	58	Warmer	Alcohol Server	OUT OF COMPLIANCE
Sandwich	145	Warmer	/Seller Permits	
Sandwich	151	Warmer		
Burrito	152	Warmer		
Sandwich	200	Reheat		
Sandwich	184	Reheat		
Meat	46	Reach-in Cooler		
Sandwiches	44	Reach-in Cooler		
Sandwiches	53	Reach-in Cooler		
Sandwiches	53	Reach-in Cooler		
Burrito	48	Reach-in Cooler		
Burrito	51	Reach-in Cooler		
Eggs	53	Reach-in Cooler		
Eggs	50	Reach-in Cooler		
Ambient Air	40	Cooler (walk-in)		

FOOD ENFORCEMENT NOTICE

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

WARNING ☒ 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	Correct By
Priority Level	Risk Factor		Food Code Citation			
8.20.190	☒	☐	Some staff lacking current food handler permits. Some just started last week. Ensure get proper permits.		☐	03/30/2019
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
8.20.190	☒	☐	Establishment heating and hot holding TCS sandwiches. Must have FM permit associated with facility. Said going to be remodeling soon and might not continue selling. Provided handout.		☐	03/30/2019
Priority		RF 1	(b) In a food establishment not serving potentially hazardous food, a food establishment must have the following minimum staffing:(1) One Person In Charge with a valid food manager permit; and(2) One person with a valid food manager permit or a food handler permit working on the premises during operation of the food establishment.			NOTICE: Priority Item Violation
3-403.11	☒	☒	Sandwiches to be stored in hot holding display unit observed at 69 and 58. One sandwich warm on outside but still 39 on interior. Said had reheated in microwave 30 minutes prior to inspection. Pulled and reheated to 165.		☒	CORRECTED
Priority		RF 17	Ready to eat time/temperature control for safety food that has been commercially processed and packaged in a food processing plant that is inspected by the regulatory authority that has jurisdiction over the plant, shall be heated to a temperature of at least 57°C (135°F) when being reheated for hot holding.			NOTICE: Priority Item Violation



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81-2,272.01 ☒
Priority

☐ Sandwiches, burritos, and eggs in countertop cooler above safe cold holding temperatures (between 53-47). Items that were 47 relocated. All other product wasted. Unit was overstuffed and is small display unit, which can struggle to hold.

☒ 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.

4-302.12 ☐
Priority Foundation

☐ No thermometer provided for checking food temperatures. Provide.

☐ 03/30/2019

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.

4-302.14 ☐
Priority Foundation

☐ Test kit water damaged. Replaced. Make sure using right test kit for sanitizer in facility.

☐ 03/30/2019

RF 46 A test kit or other device that accurately measures the concentration in mg/L of sanitizing solutions shall be provided.

6-501.11 ☐

☒ Wall baseboard deteriorated in couple spots (by back door, and by front food/coffee counter area). Interior of cabinet under soda fountain was deteriorated.

☐ 04/24/2019

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



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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 improper cold holding of sandwiches and no Food Manager associated with establishment. Unit has been issue on previous inspection. Do not put T as C product until certain working properly. All items in question discarded. Cooler was overfilled and could possibly have bad air flow. Monitor units regularly, using thermometer to verify cold holding every 4 hours. For hot holding unit, ensure product reheated to 135 within 2 hours. Strongly recommend that items are only kept in hot holding unit for 4 hours and discarded. Hot holding display units can struggle to hold temps at times. Time as control log provided. If going to heat and hot hold sandwiches, Food Manager permit is required. Otherwise, if stop selling, can have RS. Staff preparing sandwiches need Prep Cook and above. Follow-up will be in 5 days. ALWAYS ensure staff aware of washing hands prior to servicing customer areas.

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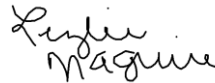
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☒ Follow-up



Environmental Health Specialist

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



Received by Person-In Charge

MAGUIRE LEZLIE ANN
MANAGER

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



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