p Failed ¨ Closed ¨ IHH

State of Maine Health Inspection Report

Establishment Name *As Authorized by 22 MRSA § 2496*	No. of Risk Factor/Intervention Groups Out	3	Date 9/8/2016
3 BUOYS SEAFOOD SHANTY & GRILLE	No. of Repeat Risk Factor/Intervention Groups Out	2	Time In 12:00 PM
	Certified Food Protection Manager	Y	Time Out 4:00 PM

License Expiry Date/EST. ID#	Address	City	Zip Code	Telephone
11/29/2016 / 8824	111 CUMBERLAND AVE	PORTLAND	04106-2409	603-686-1312

License Type	Owner Name	Purpose of Inspection	License Posted	Risk Category
MUN - EATING PLACE	3 BUOYS SEAFOOD LLC	Complaint Inspection	Yes	High

FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS

Circle designated compliance status (IN, OUT, N/O, N/A) for each numbered item — Mark"X" in appropriate box for COS and/or R

IN=in compliance OUT=not in compliance N/O=not observed N/A=not applicable — COS=corrected on-site during inspection R=repeat violation

	Compliance Status		COS	R
		Supervision		
1	IN	PIC present, demonstrates knowledge, and performs duties		
		Employee Health		
2	IN	Management awareness; policy present		
3	IN	Proper use of reporting, restriction & exclusion		
		Good Hygienic Practices		
4	IN	Proper eating, tasting, drinking, or tobacco use		
5	IN	No discharge from eyes, nose, and mouth		
		Preventing Contamination by Hands		
6	IN	Hands clean & properly washed		
7	IN	No bare hand contact with RTE foods or approved alternate method properly followed		
8	IN	Adequate handwashing facilities supplied & accessible		
		Approved Source		
9	IN	Food obtained from approved source		
10	IN	Food received at proper temperature		
11	IN	Food in good condition, safe, & unadulterated		
12	IN	Required records available: shellstock tags parasite destruction		
		Protection from Contamination		
13	OUT	Food separated & protected	x	x
14	IN	Food-contact surfaces: cleaned and sanitized		
15	IN	Proper disposition of returned, previously served, reconditioned, & unsafe food		

	Compliance Status		COS	R
		Potentially Hazardous Food Time/Temperature		
16	IN	Proper cooking time & temperatures		
17	IN	Proper reheating procedures for hot holding		
18	IN	Proper cooling time & temperatures		
19	IN	Proper hot holding temperatures		
20	OUT	Proper cold holding temperatures	x	x
21	IN	Proper date marking & disposition		
22	OUT	Time as a public health control: procedures & record		
		Consumer Advisory		
23	IN	Consumer advisory provided for raw or undercooked foods		
		Highly Susceptible Populations		
24	IN	Pasteurized foods used; prohibited foods not offered		
		Chemical		
25	IN	Food additives: approved & properly used		
26	IN	Toxic substances properly identified, stored & used		
		Conformance with Approved Procedures		
27	IN	Compliance with variance, specialized process, & HACCP plan		

Risk Factors are improper practices or procedures identified as the most prevalent contributing factors of foodborne illness or injury. Public Health Interventions are control measures to prevent foodborne illness or injury.

GOOD RETAIL PRACTICES

Good Retail Practices are preventative measures to control the addition of pathogens, chemicals, and physical objects into foods.

Mark "X" in box if numbered item is not in compliance — Mark "X" in appropriate box for COS and/or R — COS=corrected on-site during inspection R=repeat violation

			COS	R
		Safe Food and Water		
28	IN	Pasteurized eggs used where required		
29	IN	Water & ice from approved source		
30	IN	Variance obtained for specialized processing methods		
		Food Temperature Control		
31	IN	Proper cooling methods used; adequate equipment for temperature control		
32	IN	Plant food properly cooked for hot holding		
33	X	Approved thawing methods used	x	
34	IN	Thermometers provided and accurate		
		Food Identification		
35	IN	Food properly labeled; original container		
		Prevention of Food Contamination		
36	X	Insects, rodents, & animals not present		
37	X	Contamination prevented during food preparation, storage & display	x	
38	IN	Personal cleanliness		
39	X	Wiping cloths: properly used & stored	x	x
40	IN	Washing fruits & vegetables		

			COS	R
		Proper Use of Utensils		
41	IN	In-use utensils: properly stored		
42	IN	Utensils, equipment, & linens: properly stored, dried, & handled		
43	IN	Single-use & single-service articles: properly stored & used		
44	IN	Gloves used properly		
		Utensils, Equipment and Vending		
45	X	Food & non-food contact surfaces cleanable, properly designed, constructed, & used		x
46	IN	Warewashing facilities: installed, maintained, & used; test strips		
47	IN	Non-food contact surfaces clean		
		Physical Facilities		
48	IN	Hot & cold water available; adequate pressure		
49	X	Plumbing installed; proper backflow devices		
50	IN	Sewage & waste water properly disposed		
51	IN	Toilet facilities: properly constructed, supplied, & cleaned		
52	X	Garbage & refuse properly disposed; facilities maintained		
53	X	Physical facilities installed, maintained, & clean		x
54	IN	Adequate ventilation & lighting; designated areas used		

Person in Charge (Signature) — Date: 9/8/2016

Health Inspector (Signature) — Follow-up: p YES ¨ NO — Date of Follow-up: 9/19/2016

State of Maine Health Inspection Report

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3 BUOYS SEAFOOD SHANTY & GRILLE		

License Expiry Date/EST. ID#	Address	City / State	Zip Code	Telephone
11/29/2016 / 8824	111 CUMBERLAND AVE	PORTLAND / ME	04106-2409	603-686-1312

Temperature Observations

Location	Temperature	Notes
KITCHEN & RESTROOM	118F	HOT WATER
KITCHEN & F.O.H.	50 PPM	CHLORINE SANITIZER
COLD HOLD #3	36F	WHOLE BELLY CLAMS
COLD HOLD #1 & #2	60F	COLD HOLD #1 & COLD HOLD #2 OPERATING BETWEEN 55F AND 60F, PIC DISCARDED
COLD HOLD #5	39F	SHRIMP
COLD HOLD #4	38F	LOBSTER

Person in Charge (Signature) Date: 9/8/2016

Health Inspector (Signature)

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Observations and Corrective Actions

Violations cited in this report must be corrected within the time frames below, or as stated in sections 8-405.11 and 8-406.11 of the Food Code

13: 3-302.11.(A).(1).(A): N: Raw Ready-to-Eat food not protected from cross contamination from raw animal foods during storage, preparation, holding, or display.

INSPECTOR NOTES: *REPEAT**COS* RAW SEAFOOD IN BUS BUCKETS IS STORED ABOVE RAW READY-TO-EAT FOODS, PIC CORRECTED, DISCUSSED PROPER FOOD STORAGE AGAIN

20: 3-501.16.(A).(2): C: PHF not maintained at 41 F or less.

INSPECTOR NOTES: *REPEAT**COS* COLD HOLD #1 & #2 ARE OPERATING BETWEEN 55F-60F, PIC DISCARDED ALL PHF, DO NOT USE UNTIL FIXED, PHF NEEDS TO BE STORED 41F OR LOWER

22: 3-501.19.(C).(1).(2).(3): C: Cold Food held without temperature control not displayed with an initial temperature of 41 F or below, exceeds 70 F or is held beyond 6 hours.

INSPECTOR NOTES: NOT LABELING FOOD THAT IS HELD WITHOUT TEMP. CONTROL (BUTTERMILK & BREADING), DISCUSSED PROPER LABELING W/ PIC

33: 3-501.12: N: Frozen Potentially hazardous food(s) being slacked at temperature above 41 F.

INSPECTOR NOTES: *COS* FROZEN CHICKEN BEING THAWED ON TOP OF COLD UNIT AT ROOM TEMP., PIC CORRECTED, DISCUSSED PROPER FOOD THAWING & SLACKING

36: 6-202.15: N: Outer openings are not protected from the entry of insects or rodents.

INSPECTOR NOTES: FLIES OBSERVED IN KITCHEN AND PREP./ DISH AREA, ROTTED WOOD AND OPENINGS DISCOVERED IN REAR WALL OUTSIDE, DOORS NEED SCREENS IF LEFT OPEN AND REAR WALL NEEDS TO BE REPAIRED A.S.A.P.

37: 3-307.11: N: Food not protected from other sources of contamination.

INSPECTOR NOTES: *COS* WALK-IN COOLER CONDENSER IS LEAKING WATER ON ONIONS, PIC DISCARDED

39: 3-304.14.(B).(1): N: Wiping cloths used for wiping counters and other equipment surfaces not held between uses in a chemical sanitizer.

INSPECTOR NOTES: *REPEAT**COS* SOILED WIPING CLOTHS ARE STORED ON CUTTING BOARD, NEED TO BE STORED IN CHEMICAL SANITIZER, DISCUSSED AGAIN

45: 4-501.11: N: Equipment in disrepair.

INSPECTOR NOTES: *REPEAT* NEED TO REPLACE TORN COOLER DOOR GASKETS AND ROTTED WALK-IN COOLER FLOOR

45: 4-501.12: N: Cutting surfaces not easily cleanable.

INSPECTOR NOTES: *REPEAT* LINE CUTTING BOARD IS STAINED AND DISCOLORED, NEEDS TO BE REPLACED OR RESURFACED

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49: 5-205.15: C: Plumbing system not properly maintained in good repair.

INSPECTOR NOTES: 3-BAY SINK HOT WATER LINE IS LEAKING AND CREATING A PUDDLE OF STANDING WATER, NEEDS TO BE REPAIRED

52: 5-501.115: N: Refuse areas and enclosures not maintained free of unnecessary items or not kept clean.

INSPECTOR NOTES: NEED TO CLEAN GREASE DUMPSTER AND AREA AROUND THE GREASE DUMPSTER, NEED TO REMOVE CARDBOARD ON THE GROUND NEXT TO THE TRASH DUMPSTER

53: 6-201.11: N: Floors, walls, and ceilings are not smooth and easily cleanable.

INSPECTOR NOTES: *REPEAT* NEED TO CLEAN AND SEAL CEMENT FLOORS IN KITCHEN, NEED TO BE SMOOTH AND EASILY CLEANABLE

53: 6-501.11: N: The physical facilities are in disrepair.

INSPECTOR NOTES: NEED TO REPAIR HOLES IN KITCHEN WALL, DISCUSSED WITH PIC

53: 6-501.12: N: The physical facilities are not clean.

INSPECTOR NOTES: *REPEAT* FLOORS AND WALLS IN KITCHEN AND PREP/ DISH AREA NEED TO BE CLEANED

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Inspection Notes

Certified Food Protection Manager- Bill Holler EXP. Bill Holler EXP. 1/28/2021
Eating establishments are required to submit a copy of their Certified Food Protection Manager (CFPM) certificate prior to the issuance of any new license. A CFPM must be hired within 60 days of an existing CFPM leaving employment. For a list of courses and trainers go to http://www.maine.gov/healthinspection/training.htm

Please provide a copy of this certification(s) to your inspector Eric Cobb by emailing to ecobb@portlandmaine.gov or faxing to 207-287-3165. A copy may also be sent to Carol Gott, Health Inspection Program, 286 Water St. 3rd Floor, Augusta, ME 04333 or carol.gott@maine.gov.
Please include the name of your establishment and the establishment ID# with your certification(s).

2013 Maine Food Code Adoption
The Maine Food Code was adopted in October of 2013. Please refer to our website for a copy, http://www.maine.gov/healthinspection. Following are a few of the major changes:
" No Bare Hand Contact with Ready-To-Eat Food. Handlers are required to use gloves, utensils, deli papers, etc., to avoid bare hand contact with ready-to-eat food;
" Establishments must have clean-up procedures for employees to follow following vomiting and diarrheal events;
" Responsibilities of the person in charge for ill employees (exclusions and restrictions); and,
" Date marking of Ready-to-eat potentially hazardous foods.

Violation Correction Timeframe
Critical violations should be corrected on site, but in any event, within 10 days. The licensee must contact the inspector when the critical violation has been addressed at 207- 874-8365 or email ecobb@portlandmaine.gov . Non-critical violations must be corrected within 30 days. Failure to satisfactorily correct these violations before the follow-up inspection may result in enforcement proceedings by the Department to include fines and penalties, which are outlined in Sections 7, 8 and 9 of the Rules Relating to the Administration and Enforcement of Establishments Licensed by the Health Inspection Program available at http://www.maine.gov/healthinspection. License renewals can be denied if violations are not corrected within the noted timeframes.

C= Critical violation and NC= Non-critical violation
"Critical violation" means a provision of the Food Code that, if in non-compliance, is more likely than other violations to contribute to food contamination, illness or environmental health hazard.

Additional Inspection Fee
License fees provide for two inspections per year. When additional inspections are required, the Department may charge an additional $100 fee to cover the costs of each additional inspection or visit.

Document Retention/Posting
Pursuant to the Maine Food Code, the establishment's current license must be displayed. In addition, a sign or placard must be posted in a conspicuous area notifying consumers that a copy of the most recent inspection report is available upon request. CFPM certificates must be posted in a conspicuous area and must be available to the Department upon request.

Person in Charge (Signature) Date: 9/8/2016

Health Inspector (Signature)