

State of Maine Health Inspection Report

Establishment Name BENNYS LANDING	<i>As Authorized by 22 MRSA § 2496</i>	No. of Risk Factor/Intervention Groups Out	2	Date	8/24/2016
		No. of Repeat Risk Factor/Intervention Groups Out	0	Time In	1:00 PM
		Certified Food Protection Manager	Y	Time Out	2:30 PM

License Expiry Date/EST. ID#	Address	City	Zip Code	Telephone
5/16/2017 / 22874	194 W COMMERCIAL ST	PORTLAND	04064	207-590-7303
License Type	Owner Name	Purpose of Inspection	License Posted	Risk Category
MUN - EATING PLACE	PARADIS, MARC	Regular	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	Compliance Status			COS	R
Supervision									
1	IN	PIC present, demonstrates knowledge, and performs duties			16	IN	Proper cooking time & temperatures		
Employee Health									
2	IN	Management awareness; policy present			17	IN	Proper reheating procedures for hot holding		
3	IN	Proper use of reporting, restriction & exclusion			18	IN	Proper cooling time & temperatures		
Good Hygienic Practices									
4	IN	Proper eating, tasting, drinking, or tobacco use			19	IN	Proper hot holding temperatures		
5	IN	No discharge from eyes, nose, and mouth			20	IN	Proper cold holding temperatures		
Preventing Contamination by Hands									
6	IN	Hands clean & properly washed			21	IN	Proper date marking & disposition		
7	IN	No bare hand contact with RTE foods or approved alternate method properly followed			22	IN	Time as a public health control: procedures & record		
8	IN	Adequate handwashing facilities supplied & accessible			Consumer Advisory				
Approved Source									
9	IN	Food obtained from approved source			23	OUT	Consumer advisory provided for raw or undercooked foods		
10	IN	Food received at proper temperature			Highly Susceptible Populations				
11	IN	Food in good condition, safe, & unadulterated			24	IN	Pasteurized foods used; prohibited foods not offered		
12	IN	Required records available: shellstock tags parasite destruction			Chemical				
Protection from Contamination									
13	IN	Food separated & protected			25	IN	Food additives: approved & properly used		
14	OUT	Food-contact surfaces: cleaned and sanitized			26	IN	Toxic substances properly identified, stored & used		
15	IN	Proper disposition of returned, previously served, reconditioned, & unsafe food			Conformance with Approved Procedures				
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									

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.

Safe Food and Water			COS	R	Proper Use of Utensils			COS	R
28	IN	Pasteurized eggs used where required			41	IN	In-use utensils: properly stored		
29	IN	Water & ice from approved source			42	IN	Utensils, equipment, & linens: properly stored, dried, & handled		
30	IN	Variance obtained for specialized processing methods			43	IN	Single-use & single-service articles: properly stored & used		
Food Temperature Control									
31	IN	Proper cooling methods used; adequate equipment for temperature control			44	IN	Gloves used properly		
32	IN	Plant food properly cooked for hot holding			Utensils, Equipment and Vending				
33	IN	Approved thawing methods used			45	IN	Food & non-food contact surfaces cleanable, properly designed, constructed, & used		
34	IN	Thermometers provided and accurate			46	IN	Warewashing facilities: installed, maintained, & used; test strips		
Food Identification									
35	IN	Food properly labeled; original container			47	IN	Non-food contact surfaces clean		
Prevention of Food Contamination									
36	X	Insects, rodents, & animals not present			Physical Facilities				
37	IN	Contamination prevented during food preparation, storage & display			48	IN	Hot & cold water available; adequate pressure		
38	IN	Personal cleanliness			49	IN	Plumbing installed; proper backflow devices		
39	IN	Wiping cloths: properly used & stored			50	IN	Sewage & waste water properly disposed		
40	IN	Washing fruits & vegetables			51	IN	Toilet facilities: properly constructed, supplied, & cleaned		
					52	IN	Garbage & refuse properly disposed; facilities maintained		
					53	X	Physical facilities installed, maintained, & clean		
					54	IN	Adequate ventilation & lighting; designated areas used		

Person in Charge (Signature)	Date: 8/24/2016
Health Inspector (Signature)	Follow-up: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO Date of Follow-up:

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Temperature Observations

Location	Temperature	Notes
COLD HOLD #2	37F	HOT DOGS
KITCHEN & F.O.H.	50 PPM	CHLORINE SANITIZER
COLD HOLD #3	38F	SCALLOPS
COLD HOLD #4	37F	FISH
COLD HOLD #1	39F	GROUND BEEF
KITCHEN & RESTROOM	129F	HOT WATER

Person in Charge (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

14: 4-601.11.(A): C: Equipment food-contact surfaces and utensils are not clean to sight and touch.

INSPECTOR NOTES: FRY PUNCH NEEDS TO BE CLEANED AFTER EACH USE, DISCUSSED WITH STAFF

23: 3-603.11.(A): C: There is no consumer advisory.

INSPECTOR NOTES: MENU NEEDS A CONSUMER ADVISORY, DISCUSSED WITH OWNER

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

INSPECTOR NOTES: SEVERAL FLIES OBSERVED IN KITCHEN, NEED SCREEN DOORS AND WINDOW SCREENS IF LEFT OPEN

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

INSPECTOR NOTES: NEED TO PAINT OR SEAL THE FLOOR AND WALLS BY THE ICE MACHINE, NEED TO BE SMOOTH AND EASILY CLEANABLE, DISCUSSED

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

INSPECTOR NOTES: KITCHEN FLOOR IS BEGINING TO ROT AND FLOOR TILES ARE MISSING OR BROKEN, NEEDS TO BE REPAIRED

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Inspection Notes

Certified Food Protection Manager- Marc R. Paradis EXP. 5/1/2017

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.

3-603.11 Consumption of Animal Foods that are Raw, Undercooked, or Not Otherwise

Person in Charge (Signature)

Marc Paradis

Date: 8/24/2016

Health Inspector (Signature)

Eric Cobb

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Inspection Notes

Processed to Eliminate Pathogens.*

(A) Except as specified in 3-401.11(C) and Subparagraph3-401.11(D)(4) and under 3-801.11 (C), if an animal Food such as Beef, Eggs, Fish, lamb, milk, pork, Poultry, or shellfish is served raw, undercooked, or without otherwise being processed to eliminate pathogens, either in Ready-to-Eat form or as an ingredient in another Ready-to-Eat Food, the Permit Holder shall inform Consumers of the significantly increased risk of consuming such Foods by way of a Disclosure and Reminder, as specified in (B) and (C) of this section, using brochures, deli case or menu advisories, label statements, table tents, placards, or other effective written means.

(B) Disclosure shall include:

(1) A description of the animal-derived Foods, such as "oysters on the halfshell (raw oysters)," "raw-Egg Caesar salad," and "hamburgers (can be cooked to order)"; or

(2) Identification of the animal-derived Foods by asterisking them to a footnote that states that the items are served raw or undercooked, or contain (or may contain) raw or undercooked ingredients.

(C) A reminder shall include asterisking the animal-derived Foods requiring Disclosure to a footnote that states:

(1) Regarding the safety of these items, written information is available upon request;

(2) Consuming raw or undercooked Meats, Poultry, seafood, shellfish, or Eggs may increase your Risk of foodborne illness; or

(3) Consuming raw or undercooked Meats, Poultry, seafood, shellfish, or Eggs may increase your Risk of foodborne illness, especially if you have certain medical conditions.

Person in Charge (Signature)



Date: 8/24/2016

Health Inspector (Signature)

