

Establishment Name <b>CUMBERLAND CLUB</b>	As Authorized by 22 MRSA § 2496	No. of Risk Factor/Intervention Violations	<b>3</b>	Date	<b>8/12/2013</b>
		No. of Repeat Risk factor / Intervention Violations	<b>0</b>	Time In	<b>2:45 PM</b>
		Score (optional)		Time Out	<b>4:30 PM</b>

License Expiry Date/EST. ID# <b>12/28/2013 / 865</b>	Address <b>116 HIGH ST</b>	City <b>PORTLAND</b>	Zip Code <b>04101-3898</b>	Telephone <b>207-773-6402</b>
License Type <b>MUN - EATING PLACE - SEATING</b>	Owner Name <b>CUMBERLAND CLUB</b>	Purpose of Inspection <b>Regular</b>	License Posted <b>Yes</b>	Risk Category <b>High</b>

**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	
<b>Supervision</b>					<b>Potentially Hazardous Food Time/Temperature</b>				
1	IN	PIC present, demonstrates knowledge, and performs duties			16	IN	Proper cooking time & temperatures		
<b>Employee Health</b>					17	IN	Proper reheating procedures for hot holding		
2	IN	Management awareness; policy present			18	IN	Proper cooling time & temperatures		
3	IN	Proper use of reporting, restriction & exclusion			19	IN	Proper hot holding temperatures		
<b>Good Hygienic Practices</b>					20	IN	Proper cold holding temperatures		
4	IN	Proper eating, tasting, drinking, or tobacco use			21	IN	Proper date marking & disposition		
5	IN	No discharging from eyes, nose, and mouth			22	IN	Time as a public health control: procedures & record		
<b>Preventing Contamination by Hands</b>					<b>Consumer Advisory</b>				
6	IN	Hands clean & properly washed			23	IN	Consumer advisory provided for raw or undercooked foods		
7	IN	No bare hand contact with RTE foods or approved alternate method properly followed			<b>Highly Susceptible Populations</b>				
8	OUT	Adequate handwashing facilities supplied & accessible			24	IN	Pasteurized foods used; prohibited foods not offered		
<b>Approved Source</b>					<b>Chemical</b>				
9	IN	Food obtained from approved source			25	IN	Food additives: approved & properly used		
10	IN	Food received at proper temperature			26	IN	Toxic substances properly identified, stored & used		
11	IN	Food in good condition, safe, & unadulterated			<b>Conformance with Approved Procedures</b>				
12	OUT	Required records available: shellstock tags parasite destruction			27	OUT	Compliance with variance, specialized process, & HACCP plan		
<b>Protection from Contamination</b>					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.				
13	IN	Food separated & protected							
14	IN	Food-contact surfaces: cleaned and sanitized							
15	IN	Proper disposition of returned, previously served, reconditioned, & unsafe food							

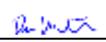
**GOOD RETAIL PRACTICES**

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

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		
<b>Food Temperature Control</b>					44	IN	Gloves used properly		
31	IN	Proper cooling methods used; adequate equipment for temperature control			<b>Utensils, Equipment and Vending</b>				
32	IN	Plant food properly cooked for hot holding			45	X	Food & non-food contact surfaces cleanable, properly designed, constructed, & used		
33	IN	Approved thawing methods used			46	IN	Warewashing facilities: installed, maintained, & used; test strips		
34	IN	Thermometers provided and accurate			47	IN	Non-food contact surfaces clean		
<b>Food Identification</b>					<b>Physical Facilities</b>				
35	IN	Food properly labeled; original container			48	IN	Hot & cold water available; adequate pressure		
<b>Prevention of Food Contamination</b>					49	IN	Plumbing installed; proper backflow devices		
36	X	Insects, rodents, & animals not present			50	IN	Sewage & waste water properly disposed		
37	X	Contamination prevented during food preparation, storage & display			51	X	Toilet facilities: properly constructed, supplied, & cleaned		
38	IN	Personal cleanliness			52	IN	Garbage & refuse properly disposed; facilities maintained		
39	X	Wiping cloths: properly used & stored			53	IN	Physical facilities installed, maintained, & clean		
40	IN	Washing fruits & vegetables			54	X	Adequate ventilation & lighting; designated areas used		

Person in Charge (Signature)  Date: 8/12/2013

Health Inspector (Signature)  Follow-up: YES  NO  Date of Follow-up:

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## Temperature Observations

Location	Temperature	Notes
LOBSTER MEAT	46F	PLACED IN COLD UNIT PROPERLY.
CH1/ LINE UNIT	40F	

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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

8: 5-204.11.(A): C: Handwash facilities are not conveniently located.

INSPECTOR NOTES: NO HANDWASH SINK IN BAKERY AREA.

8: 6-301.11: N: Hand cleanser not available at handwash lavatory.

INSPECTOR NOTES: BAR HANDWASH SINK NEEDS SOAP, TOWELS, SIGN.

12: 3-203.12: C: Shellstock identification not properly maintained.

INSPECTOR NOTES: NEED TO STORE TAGS WITH PRODUCT UNTIL SOLD, KEEP IN ORDER FOR 90 DAYS

27: 3-502.12: C: Reduced oxygen packing without required safeguards in place.

INSPECTOR NOTES: LEFT HANDOUT.NEED APPROVED METHOD FOR CRYOVAC MACHINE.

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

INSPECTOR NOTES: DOOR OPEN, WINDOW SCREEN RIPPED, INSECTS PRESENT.

37: 3-305.14: N: Food not protected during preparation.

INSPECTOR NOTES: RAW FOOD STORED OVER RTE FOOD IN COOLER

39: 3-304.14.(B).(2): N: Wiping cloths improperly stored or used.

INSPECTOR NOTES: TOWELS MUST BE STORED IN SANITIZER

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

INSPECTOR NOTES: CUTTING BOARDS IN NEED OF REPLACING

51: 6-202.14: N: Toilet room not enclosed, with a self closing, tight fitting door.

INSPECTOR NOTES: NEED SELF CLOSER

54: 6-202.11: N: Lights not shielded.

INSPECTOR NOTES: BROKEN LIGHT SHIELDS IN BAKERY

54: 6-202.12: N: Ventilation may cause food contamination.

INSPECTOR NOTES: DUST ON FAN GAURDS IN WALKIN COOLER

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## Inspection Notes

Certified Food Protection Manager: Derrel dennison 2/22/10 PIC: Steven Hayward

PLEASE CONTACT JASON BOLTON AT THE UNIVERSITY OF MAINE FOR APPROVAL OF REDUCED OXYGEN PACKAGING PROCEDURE. PH 942-7396 EMAIL: jason.bolton@maine.edu

- Unless directed otherwise, effective January 18, 2012 establishments have to have a Certified Food Protection Manager (CFPM) at each establishment as required by 10-144 CMR, Chapter 201, Section 2.

- A CFPM must be hired within 90 days of a new establishment opening or when the only CFPM leaves the employment of the establishment.

-For a list of CFPM classes in Portland and signup sheet email: tw@portlandmaine.gov.

- For a list of CFPM courses and trainers got to: [www.maine.gov/healthinspection/training.htm](http://www.maine.gov/healthinspection/training.htm)

- Upon completion of the CFPM course, please fax cover sheet and course certificate to (207) 287-3165. On the cover letter please send to the attention of Carol Gott and include your establishment name and establishment license number. Her Phone number is 287-5675. You can also mail a copy, with establishment ID number, to her at 286 Water St, 3rd Floor, 11 State House Station, Augusta, ME 04333-0011.

### Violation Correction Time Frame

- 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. Please send an e-mail to tw@portlandmaine.gov or call Tom Williams at 874-8772.

- Non-critical violations must be corrected no later than 90 calendar days after the inspection. The Department may approve a compliance schedule that extends beyond the time limits if a written schedule of compliance is submitted by the Permit Holder and no health hazard exists or will result from allowing an extended schedule for compliance.

- Failure to satisfactorily correct these violations before the follow-up inspection may result in enforcement proceedings by the Department, which are outlined in Sections 6, 7, 8 and 9 of 10-144 CMR Chapter 201 available at:

[www.maine.gov/dhhs/mecdc/environmental-health/el/index.htm](http://www.maine.gov/dhhs/mecdc/environmental-health/el/index.htm)

C=Critical violation and NC=Noncritical violation

"Critical item" means a provision of the Food Code that, if in noncompliance, is more likely than other violations to contribute to food contamination, illness, or environmental health hazard.

Sec. 11-40. Penalties.

Following the issuance of a failed inspection notice and an order to correct violations, the health inspector will re-inspect the premises at a fee of seventy five dollars (\$75.00); if the follow up inspection results in another failed inspection, the violator will be charged a second re-inspection fee of one hundred fifty dollars (\$150.00). If the third re-inspection results in a failed inspection, the third and each subsequent follow-up re-inspection will result in a three hundred dollar (\$300.00) per re-inspection charge. In addition, upon the third failed re-inspection, the health inspector may order the establishment closed until the establishment yields a passing inspection.

### Documentation Retention

- A copy of the most recent inspection report must be maintained at the establishment and be made available to the public upon request.

- A copy of all CFPM certificates must be maintained at the establishment.

- The establishment's current license must be displayed.

### Tips & Reminders

[www.portlandmaine.gov/hhs/foodserviceinspections.asp](http://www.portlandmaine.gov/hhs/foodserviceinspections.asp)

3-502.12 Reduced Oxygen Packaging, Criteria.\*

(A) Except for a FOOD ESTABLISHMENT that obtains a VARIANCE as specified under §3-502.11, a FOOD ESTABLISHMENT that packages FOOD using a REDUCED OXYGEN PACKAGING method and Clostridium botulinum is identified as a microbiological HAZARD in the final PACKAGED form shall ensure that there are at least two barriers in place to control the growth and toxin formation of C. botulinum.

(B) A FOOD ESTABLISHMENT that packages FOOD using a REDUCED OXYGEN PACKAGING method and Clostridium botulinum is identified as a microbiological HAZARD in the final PACKAGED form shall have a HACCP PLAN that contains the information specified under 8 201.14(D) and that:

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## Inspection Notes

- (1) Identifies the FOOD to be PACKAGED;
  - (2) Limits the FOOD PACKAGED to a FOOD that does not support the growth of Clostridium botulinum because it complies with one of the following:
    - (a) Has an aw of 0.91 or less,
    - (b) Has a pH of 4.6 or less,
    - (c) Is a MEAT or POULTRY product cured at a FOOD PROCESSING PLANT regulated by the U.S.D.A. using substances specified in 9 CFR 318.7 Approval of substances for use in the preparation of products and 9 CFR 381.147 Restrictions on the use of substances in poultry products and is received in an intact package, or
    - (d) Is a FOOD with a high level of competing organisms such as raw MEAT or raw POULTRY;
  - (3) Specifies methods for maintaining FOOD at 5oC (41oF) or below;
  - (4) Describes how the packages shall be prominently and conspicuously labeled on the principal display panel in bold type on a contrasting background, with instructions to:
    - (a) Maintain the FOOD at 5oC (41oF) or below, and
    - (b) Discard the FOOD if within 14 calendar days of its packaging it is not served for on-PREMISES consumption, or consumed if served or sold for off-PREMISES consumption;
  - (5) Limits the shelf life to no more than 14 calendar days from packaging to consumption or the original manufacturer's "sell by" or "use by" date, whichever occurs first;
    - (6) Includes operational procedures that:
      - (a) Prohibit contacting FOOD with bare hands,
      - (b) Identify a designated area and the method by which:
    - (i) Physical barriers or methods of separation of raw FOODS and READY-TO-EAT FOODS minimize cross contamination, and
    - (ii) Access to the processing EQUIPMENT is restricted to responsible trained personnel familiar with the potential HAZARDS of the operation, and
      - (c) Delineate cleaning and SANITIZATION procedures for FOOD-CONTACT SURFACES; and
  - (7) Describes the training program that ensures that the individual responsible for the REDUCED OXYGEN PACKAGING operation understands the:
    - (a) Concepts required for a safe operation,
    - (b) EQUIPMENT and facilities, and
    - (c) Procedures specified under Subparagraph (A)(6) of this section and 8 201.14(D).
- (C) Except for FISH that is frozen before, during, and after packaging, a FOOD ESTABLISHMENT may not package FISH using a REDUCED OXYGEN PACKAGING method.
- 3-6 FOOD IDENTITY, PRESENTATION, AND ON-PREMISES LABELING
- 3-601 Accurate Representation
- 3-601.11 Standards of Identity.
- PACKAGED FOOD shall comply with standard of identity requirements in 21 CFR 131-169 and 9 CFR

Person in Charge (Signature)



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