

Failed  Closed  IHH

# State of Maine Health Inspection Report

Establishment Name <b>SAMUELS BAR &amp; GRILL</b>		As Authorized by 22 MRSA § 2496		No. of Risk Factor/Intervention Violations <b>6</b>	Date <b>7/22/2013</b>
License Expiry Date/EST. ID# <b>12/28/2012 / 862</b>		Address <b>1160 FOREST AVE</b>	City <b>PORTLAND</b>	Zip Code <b>04103-3326</b>	Telephone <b>207-797-6924</b>
License Type <b>MUN - EATING PLACE - SEATING</b>		Owner Name <b>SAMUELS BAR &amp; GRILL INC</b>	Purpose of Inspection <b>Regular</b>	License Posted <b>Yes</b>	Risk Category <b>High</b>
		No. of Repeat Risk factor / Intervention Violations <b>0</b>		Score (optional)	
				Time In <b>12:50 PM</b>	
				Time Out <b>3:15 PM</b>	

## FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS

Circle designated compliance status (IN, OUT, N/O, N/A) for each numbered item  
 IN=in compliance OUT=not in compliance N/O=not observed N/A=not applicable

Mark "X" in appropriate box for COS and/or R  
 COS=corrected on-site during inspection R=repeat violation

Compliance Status		COS		R	
<b>Supervision</b>					
1	OUT	PIC present, demonstrates knowledge, and performs duties			
<b>Employee Health</b>					
2	IN	Management awareness; policy present			
3	IN	Proper use of reporting, restriction & exclusion			
<b>Good Hygienic Practices</b>					
4	OUT	Proper eating, tasting, drinking, or tobacco use		X	
5	IN	No discharge from eyes, nose, and mouth			
<b>Preventing Contamination by Hands</b>					
6	IN	Hands clean & properly washed			
7	IN	No bare hand contact with RTE foods or approved alternate method properly followed			
8	OUT	Adequate handwashing facilities supplied & accessible			
<b>Approved Source</b>					
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			
<b>Protection from Contamination</b>					
13	IN	Food separated & protected			
14	OUT	Food-contact surfaces: cleaned and sanitized		X	
15	IN	Proper disposition of returned, previously served, reconditioned, & unsafe food			
<b>Potentially Hazardous Food/Time/Temperature</b>					
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	IN	Proper cold holding temperatures			
21	IN	Proper date marking & disposition			
22	IN	Time as a public health control: procedures & record			
<b>Consumer Advisory</b>					
23	OUT	Consumer advisory provided for raw or undercooked foods			
<b>Highly Susceptible Populations</b>					
24	IN	Pasteurized foods used; prohibited foods not offered			
<b>Chemical</b>					
25	IN	Food additives: approved & properly used			
26	OUT	Toxic substances properly identified, stored & used			X
<b>Conformance with Approved Procedures</b>					
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	
<b>Safe Food and Water</b>					
28	IN	Pasteurized eggs used where required			
29	IN	Water & ice from approved source			
30	IN	Variance obtained for specialized processing methods			
<b>Food Temperature Control</b>					
31	IN	Proper cooling methods used; adequate equipment for temperature control			
32	IN	Plant food properly cooked for hot holding			
33	IN	Approved thawing methods used			
34	IN	Thermometers provided and accurate			
<b>Food Identification</b>					
35	IN	Food properly labeled; original container			
<b>Prevention of Food Contamination</b>					
36	X	Insects, rodents, & animals not present			
37	X	Contamination prevented during food preparation, storage & display		X	
38	IN	Personal cleanliness			
39	IN	Wiping cloths: properly used & stored			
40	IN	Washing fruits & vegetables			
<b>Proper Use of Utensils</b>					
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			
<b>Utensils, Equipment and Vending</b>					
45	X	Food & non-food contact surfaces cleanable, properly designed, constructed, & used			
46	X	Warewashing facilities: installed, maintained, & used; test strips			
47	IN	Non-food contact surfaces clean			
<b>Physical Facilities</b>					
48	IN	Hot & cold water available; adequate pressure			
49	X	Plumbing installed; proper backflow devices			
50	IN	Sewage & waste water properly disposed			
51	X	Toilet facilities: properly constructed, supplied, & cleaned			
52	IN	Garbage & refuse properly disposed; facilities maintained			
53	X	Physical facilities installed, maintained, & clean			
54	X	Adequate ventilation & lighting; designated areas used			

Person in Charge (Signature)

*[Signature]*

Date: 7/22/2013

Health Inspector (Signature)

*D. Michelle Sturgeon*

Follow-up:  YES  NO

Date of Follow-up: 8/5/2013

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## Temperature Observations

Location	Temperature	Notes
REFRIG1	40F	
DW	160+F	
SHRED CHS	41F	
KITCHEN SANI	75 PPM	
PEPPERONI CH	41F	
BAR HW	120F	
BEEF W/I	41F	
BAR 3-BAY	125F	
BAR SANI	600+ PPM	QUAT SAYS SHOULD BE 200 PPM. NEED TEST STRIPS.
2-BAY	75 PPM	NEED 3-BAY W/DRAIN BOARDS ON BOTH SIDES, SLOPED TOWARDS SINK. OWNER PURCHASING.
HW1	117F	

Person in Charge (Signature) <i>[Signature]</i>	Date: 7/22/2013
Health Inspector (Signature) <i>[Signature]</i>	

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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

1: 2-102.12: N: No Certified Food Protection Manager.

INSPECTOR NOTES: NEED ASAP. SEE NOTES

4: 2-401.11: C: Food employee is eating, drinking, or using any tobacco where the contamination of exposed FOOD; clean EQUIPMENT, UTENSILS, and LINENS; unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES; or other items needing protection can result.

INSPECTOR NOTES: COS, EMPLOYEE DRINKS NEED COVERS, STRAWS & NOT AT WORK STATIONS

8: 5-203.11: C: Inadequate number of handwash facilities.

INSPECTOR NOTES: NEED A DESIGNATED HANDWASH STA. AT BAKING PREP AREA IN BASEMENT. CANNOT USE MOP SINK. BAR HANDWASH NEEDS TO BE IN USE, WITH ALL SUPPLIES, AS DISCUSSED. NEED SPLASH GUARDS ON BOTH SIDES.

14: 4-602.11.(A): C: Food contact surfaces are not cleaned between uses.

INSPECTOR NOTES: COS, ICE MACHINE OUT OF SERVICE, UNTIL FREE OF MOLD. MEAT SLICER NEEDS DETAIL CLEANING & OUT OF SERVICE, UNTIL DONE. CAN OPENER & FLOOR MIXER OUT OF SERVICE UNTIL DETAIL CLEANED. FLOOR MIXER (CEILING AREA).

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

INSPECTOR NOTES: NEED CONSUMER ADVISORY. SEE PAGE 35 OF FOOD CODE, BOTTOM OF PG. EXACT WORDING.

26: 7-202.12: C: Poisonous or toxic materials are being improperly used / applied.

INSPECTOR NOTES: COS, SANI AT BAR (QUAT) TOXIC. SUGGEST GOING TO BLEACH, RATHER THAN TABLETS & EXPLAINED.

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

INSPECTOR NOTES: SECURE VOIDS AROUND REAR SCREEN DOOR

37: 3-303.11: N: Ice used as exterior coolant, being used as an ingredient.

INSPECTOR NOTES: COS, ICE BIN AT BAR NEEDS SEPARATOR SO COOLING PLATE DOESN'T HAVE DRINK ICE ON IT. TUPPERWARE TUB USED.

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

INSPECTOR NOTES: CUTTING BOARDS NEED PLANING, AS DISCUSSED, OR REPLACEMENT

46: 4-302.14: N: No chemical test kit available.

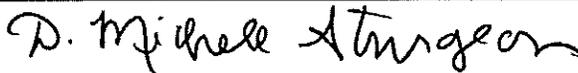
INSPECTOR NOTES: NEED SANITIZER TEST KIT (FOR EACH TYPE USED)

Person in Charge (Signature)



Date: 7/22/2013

Health Inspector (Signature)



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49: 5-202.13: C: Air gap required.

INSPECTOR NOTES: ICE MACHINE, ICE BIN DRAINAGE, & ANY DIRECT-WATER FED MACHINES NEED PROPER AIR GAPS. MIN. 1" ABOVE FLOOD LEVEL RIM OF DRAIN.

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

INSPECTOR NOTES: NEED AUTO CLSURE DEVICES ON BOTH BATHROOM DOORS.

53: 6-201.13.(A): N: Floor and wall junctures are not enclosed and sealed.

INSPECTOR NOTES: NEED COVERED MOPBOARD WHEREVER MISSING, EXEPT IN SEATING AREAS. ALL TO BE 'SMOOTH & EASILY CLEANABLE. CAULK AROUND ALL IMMOVABLE EQUIPMENT.

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

INSPECTOR NOTES: REMOVE ALL DUCT TAPE & REPAIR, AS NECESSITATED. FIX RUSTING WALK IN &/OR REFRIG. SHELVES. CLEAN ALL HANDLES, DOORS, WALK IN LIGHT SWITCH NEEDS CLEANING & MISSING COVER REPLACED, ETC.

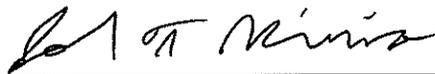
54: 6-202.11: N: Lights not shielded.

INSPECTOR NOTES: REPLACE ALL MISSING LIGHTSHIELS OR END CAPS IN BASEMENT & ANYWHERE ELSE, OR SWITCH TO SHATTERPROOF BULBS.

54: 6-501.14.(A): N: Ventilation not clean.

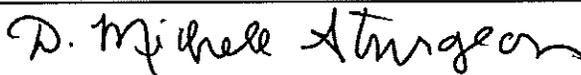
INSPECTOR NOTES: OVEN VENTS NEED CLEANING & KITCHEN REFRIGERATOR FAN, WITH MOLD REMEDIATION.

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## Inspection Notes

NEED PERSON SIGNED UP FOR CERTIFIED FOOD PROTECTION MANAGER CLASS ASAP. FLYER LEFT. E-MAIL ME WITH PERSON'S NAME & DATE OF CLASS: [MSTURGEON@PORTLANDMAINE.GOV](mailto:MSTURGEON@PORTLANDMAINE.GOV). FOLLOW UP ON OR ABOUT 10 DAYS (OWNER ON VACATION THIS SAT. TO NEXT SAT., ASKED TAT IT BE AFTER HIS RETURN). ALL CRITICALS TO BE CORRED AND AS AMANY OF ALL ELSE AS POSSIBLE. ENSURE CITY & STATE FOOD LICENSES ARE POSTED VISIBLE TO PUBLIC. HANDWASH STA. SIGNAGE LEFT.

### Certified Food Protection Manager

- 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 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 [mar@portlandmaine.gov](mailto:mar@portlandmaine.gov) or call Michael Russell at 756-8008.
  - 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.

### DHHS HIP (Health Inspection Program)

<http://www.maine.gov/dhhs/mecdc/environmental-health/el/>

For:

Person In Charge (Signature)

*[Handwritten Signature]*

Date: 7/22/2013

Health Inspector (Signature)

*D. Michael Sturgeon*

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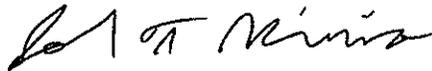
Zip Code

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## Inspection Notes

- Application Forms
- Maine Food Code
- DHHS HIP Administrative Rules
- Posters, links to other sites
- Etc.

Person In Charge (Signature)



Date: 7/22/2013

Health Inspector (Signature)

