

Food Establishment Inspection Report

Score: 95.5

Establishment Name: THE DINER

Establishment ID: 3034010838

Location Address: 108 N GORDON DRIVE

City: WINSTON SALEM State: North Carolina

Zip: 27104 County: 34 Forsyth

Permittee: E'TON CAFE, INC

Telephone: (336) 765-9158

Inspection Re-Inspection

Wastewater System:

Municipal/Community On-Site System

Water Supply:

Municipal/Community On-Site Supply

Date: 08/05/2022 Status Code: A

Time In: 7:52 AM Time Out: 11:44 AM

Category#: IV

FDA Establishment Type: Full-Service Restaurant

No. of Risk Factor/Intervention Violations: 2

No. of Repeat Risk Factor/Intervention Violations: 1

Foodborne Illness Risk Factors and Public Health Interventions

Risk factors: Contributing factors that increase the chance of developing foodborne illness.

Public Health Interventions: Control measures to prevent foodborne illness or injury

Compliance Status		OUT	CDI	R	VR
Supervision .2652					
1	<input checked="" type="checkbox"/> OUT/N/A				
PIC Present, demonstrates knowledge, & performs duties		1	0		
2	<input checked="" type="checkbox"/> OUT/N/A				
Certified Food Protection Manager		1	0		
Employee Health .2652					
3	<input checked="" type="checkbox"/> OUT				
Management, food & conditional employee; knowledge, responsibilities & reporting		2	1	0	
4	<input checked="" type="checkbox"/> OUT				
Proper use of reporting, restriction & exclusion		3	1.5	0	
5	<input checked="" type="checkbox"/> OUT				
Procedures for responding to vomiting & diarrheal events		1	0.5	0	
Good Hygienic Practices .2652, .2653					
6	<input checked="" type="checkbox"/> OUT				
Proper eating, tasting, drinking or tobacco use		1	0.5	0	
7	<input checked="" type="checkbox"/> OUT				
No discharge from eyes, nose, and mouth		1	0.5	0	
Preventing Contamination by Hands .2652, .2653, .2655, .2656					
8	<input checked="" type="checkbox"/> OUT				
Hands clean & properly washed		4	2	0	
9	<input checked="" type="checkbox"/> OUT/N/A/N/O				
No bare hand contact with RTE foods or pre-approved alternate procedure properly followed		4	2	0	
10	<input checked="" type="checkbox"/> OUT/N/A				
Handwashing sinks supplied & accessible		2	1	0	
Approved Source .2653, .2655					
11	<input checked="" type="checkbox"/> OUT				
Food obtained from approved source		2	1	0	
12	<input checked="" type="checkbox"/> IN OUT				
Food received at proper temperature		2	1	0	
13	<input checked="" type="checkbox"/> OUT				
Food in good condition, safe & unadulterated		2	1	0	
14	<input checked="" type="checkbox"/> IN OUT				
Required records available: shellstock tags, parasite destruction		2	1	0	
Protection from Contamination .2653, .2654					
15	<input checked="" type="checkbox"/> OUT/N/A/N/O				
Food separated & protected		3	1.5	0	
16	<input checked="" type="checkbox"/> OUT				
Food-contact surfaces: cleaned & sanitized		3	1.5	0	
17	<input checked="" type="checkbox"/> OUT				
Proper disposition of returned, previously served, reconditioned & unsafe food		2	1	0	
Potentially Hazardous Food Time/Temperature .2653					
18	<input checked="" type="checkbox"/> OUT/N/A/N/O				
Proper cooking time & temperatures		3	1.5	0	
19	<input checked="" type="checkbox"/> IN OUT/N/A/N/O				
Proper reheating procedures for hot holding		3	1.5	0	
20	<input checked="" type="checkbox"/> IN OUT/N/A/N/O				
Proper cooling time & temperatures		3	1.5	0	
21	<input checked="" type="checkbox"/> OUT/N/A/N/O				
Proper hot holding temperatures		3	1.5	0	
22	<input checked="" type="checkbox"/> IN <input checked="" type="checkbox"/> OUT/N/A/N/O				
Proper cold holding temperatures		3	1.5	0	X
23	<input checked="" type="checkbox"/> OUT/N/A/N/O				
Proper date marking & disposition		3	1.5	0	
24	<input checked="" type="checkbox"/> IN <input checked="" type="checkbox"/> OUT/N/A/N/O				
Time as a Public Health Control; procedures & records		3	1.5	0	X X
Consumer Advisory .2653					
25	<input checked="" type="checkbox"/> OUT/N/A				
Consumer advisory provided for raw/undercooked foods		1	0.5	0	
Highly Susceptible Populations .2653					
26	<input checked="" type="checkbox"/> IN OUT				
Pasteurized foods used; prohibited foods not offered		3	1.5	0	
Chemical .2653, .2657					
27	<input checked="" type="checkbox"/> OUT/N/A				
Food additives: approved & properly used		1	0.5	0	
28	<input checked="" type="checkbox"/> OUT/N/A				
Toxic substances properly identified stored & used		2	1	0	
Conformance with Approved Procedures .2653, .2654, .2658					
29	<input checked="" type="checkbox"/> OUT/N/A				
Compliance with variance, specialized process, reduced oxygen packaging criteria or HACCP plan		2	1	0	

Good Retail Practices

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

Compliance Status		OUT	CDI	R	VR
Safe Food and Water .2653, .2655, .2658					
30	<input checked="" type="checkbox"/> IN OUT				
Pasteurized eggs used where required		1	0.5	0	
31	<input checked="" type="checkbox"/> OUT				
Water and ice from approved source		2	1	0	
32	<input checked="" type="checkbox"/> IN OUT				
Variance obtained for specialized processing methods		2	1	0	
Food Temperature Control .2653, .2654					
33	<input checked="" type="checkbox"/> OUT				
Proper cooling methods used; adequate equipment for temperature control		1	0.5	0	
34	<input checked="" type="checkbox"/> IN OUT/N/A				
Plant food properly cooked for hot holding		1	0.5	0	
35	<input checked="" type="checkbox"/> OUT/N/A/N/O				
Approved thawing methods used		1	0.5	0	
36	<input checked="" type="checkbox"/> OUT				
Thermometers provided & accurate		1	0.5	0	
Food Identification .2653					
37	<input checked="" type="checkbox"/> OUT				
Food properly labeled: original container		2	1	0	
Prevention of Food Contamination .2652, .2653, .2654, .2656, .2657					
38	<input checked="" type="checkbox"/> OUT				
Insects & rodents not present; no unauthorized animals		2	1	0	
39	<input checked="" type="checkbox"/> OUT				
Contamination prevented during food preparation, storage & display		2	1	0	
40	<input checked="" type="checkbox"/> IN				
Personal cleanliness		X	0.5	0	X
41	<input checked="" type="checkbox"/> OUT				
Wiping cloths: properly used & stored		1	0.5	0	
42	<input checked="" type="checkbox"/> OUT/N/A				
Washing fruits & vegetables		1	0.5	0	
Proper Use of Utensils .2653, .2654					
43	<input checked="" type="checkbox"/> OUT				
In-use utensils: properly stored		1	0.5	0	
44	<input checked="" type="checkbox"/> OUT				
Utensils, equipment & linens: properly stored, dried & handled		1	0.5	0	
45	<input checked="" type="checkbox"/> OUT				
Single-use & single-service articles: properly stored & used		1	0.5	0	
46	<input checked="" type="checkbox"/> OUT				
Gloves used properly		1	0.5	0	
Utensils and Equipment .2653, .2654, .2663					
47	<input checked="" type="checkbox"/> IN <input checked="" type="checkbox"/> OUT				
Equipment, food & non-food contact surfaces approved, cleanable, properly designed, constructed & used		1	0.5	0	X
48	<input checked="" type="checkbox"/> OUT				
Warewashing facilities: installed, maintained & used; test strips		1	0.5	0	
49	<input checked="" type="checkbox"/> IN <input checked="" type="checkbox"/> OUT				
Non-food contact surfaces clean		1	0.5	X	X
Physical Facilities .2654, .2655, .2656					
50	<input checked="" type="checkbox"/> OUT/N/A				
Hot & cold water available; adequate pressure		1	0.5	0	
51	<input checked="" type="checkbox"/> OUT				
Plumbing installed; proper backflow devices		2	1	0	
52	<input checked="" type="checkbox"/> OUT				
Sewage & wastewater properly disposed		2	1	0	
53	<input checked="" type="checkbox"/> OUT/N/A				
Toilet facilities: properly constructed, supplied & cleaned		1	0.5	0	
54	<input checked="" type="checkbox"/> IN <input checked="" type="checkbox"/> OUT				
Garbage & refuse properly disposed; facilities maintained		1	0.5	X	X
55	<input checked="" type="checkbox"/> IN <input checked="" type="checkbox"/> OUT				
Physical facilities installed, maintained & clean		1	0.5	X	
56	<input checked="" type="checkbox"/> OUT				
Meets ventilation & lighting requirements; designated areas used		1	0.5	0	
TOTAL DEDUCTIONS:					4.5



Comment Addendum to Food Establishment Inspection Report

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Establishment ID: 3034010838
 Inspection Re-Inspection Date: 08/05/2022
 Comment Addendum Attached? Status Code: A
 Water sample taken? Yes No Category #: IV
 Email 1:
 Email 2:
 Email 3:

Temperature Observations

Effective January 1, 2019 Cold Holding is now 41 degrees or less

Item	Location	Temp	Item	Location	Temp	Item	Location	Temp
Sausage	final cook	188.0						
Scrambled Eggs	final cook	171.0						
Tomatoes	make-unit	41.0						
Sausage Gravy	hot holding	183.0						
Grits	hot holding	175.0						
Brown Gravy	hot holding	163.0						
Sausage	cooler drawers	38.0						
Bologna	cooler drawers	40.0						
Turkey	cooler drawers	41.0						
Ham	cooler drawers	41.0						
Meat Loaf	walk-in cooler	45.0						
Sausage Gravy	walk-in cooler	47.0						
Chicken and Rice Sourin	walk-in cooler	45.0						
Stew Beef	walk-in cooler	47.0						
Hot Dog Chili	walk-in cooler	47.0						
Beans	walk-in cooler	46.0						
C. Sani	dish machine	50.0						
C. Sani	bucket	100.0						
Hot Water	2-compartment sink	136.0						

First
 Person in Charge (Print & Sign): Alphonso
First
 Regulatory Authority (Print & Sign): Victoria

Last
Mendez
Last
Murphy

Alphonso Mendez


REHS ID: 2795 - Murphy, Victoria
 REHS Contact Phone Number: (336) 703-3814

Verification Required Date: _____
 Authorize final report to be received via Email: _____



Comment Addendum to Inspection Report

Establishment Name: THE DINER

Establishment ID: 3034010838

Date: 08/05/2022 **Time In:** 7:52 AM **Time Out:** 11:44 AM

Certifications

Name	Certificate #	Type	Issue Date	Expiration Date
Brian Mendez Magana		Food Service	01/15/2020	01/15/2025

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 of the food code.

- 22 3-501.16 (A) (2) and (B) Time / Temperature Control for Safety Food, Hot and Cold Holding-P: The following items measured at temperatures above 41 F: (walk-in cooler) meatloaf (45 F), gravy (47 F), chicken and rice soup (45 F), stew beef (47 F), beans (46 F), hot dog chili (47 F). Potentially hazardous food shall be maintained at a temperature of 41 F or below. CDI: The ambient of the walk-in measured at 45 F. After 15 minutes, the ambient measured at 41 F. The refrigeration company arrived to the establishment and stated that the unit went through defrost mode and the unit was also low on refrigerant. The issue was resolved and all items were discarded.
- 24 3-501.19 Time as a Public Health Control-REPEAT-P: Items cooked and placed in the unit for TPHC were without time indication label/there were no written procedure for items. (A) Except as specified under (D) of this section, if time without temperature control is used as the public health control for a working supply of potentially hazardous food before cooking, or for potentially hazardous food that is displayed or held for sale or service: (1) Written procedures shall be prepared in advance, maintained in the food establishment and made available to the regulatory authority upon request that specify: (a) Methods of compliance with Subparagraphs (B)(1)-(4) or (C)(1)-(5) of this section; (b) Methods of compliance with § 3-501.14 for food that is prepared, cooked, and refrigerated before time is used as a public health control/B) If time without temperature control is used as the public health control up to a maximum of 4 hours: (d) The FOOD is marked or otherwise identified to indicate the time that is 4 hours past the point in time when the food is rendered potentially hazardous food as specified in sub 's (B)(2)(a) and (b) of this section. CDI: Education was given and the PIC was assisted with creating a written procedure for items held on time. Per supervision, the PIC was allowed to keep the items for 4 hours.
- 40 2-402.11 Effectiveness - Hair Restraints-REPEAT-C: The PIC was preparing food without a hair restraint.A) Except as provided in (B) of this section, food employees shall wear hair restraints such as hats, hair coverings or nets, beard restraints, and clothing that covers body hair, that are designed and worn to effectively keep their hair from contacting exposed food; clean equipment, utensils, and linens; and unwrapped single-service and single-use articles.
- 47 4-205.10 Food Equipment, Certification and Classification-REPEAT-C: Domestic waffle maker being used in establishment. Except for toasters, mixers, microwave ovens, water heaters, and hoods, food equipment shall be used in accordance with the manufacturer's intended use and certified or classified for sanitation by an American National Standards Institute (ANSI)-accredited certification program. If the equipment is not certified or classified for sanitation, the equipment shall comply with Parts 4-1 and 4-2 of the Food Code as amended by this Rule. Nonabsorbent wooden shelves that are in good repair may be used in dry storage areas.//4-501.11 Good Repair and Proper Adjustment - Equipment-C: Shelves rusting in the walk-in cooler. Equipment shall be maintained in good repair.
- 49 4-601.11 (B) and (C) Equipment, Food-Contact Surfaces, Nonfood Contact Surfaces, and Utensils-REPEAT-C: Cleaning is needed to/on the following: shelves in the walk-in cooler and lower shelving under the grill. (C) Nonfood-contact surfaces of equipment shall be kept free of an accumulation of dust, dirt, food residue, and other debris.
- 54 5-501.11 Outdoor Storage Surface-REPEAT-C: The grease receptacle is being stored on the grass. An outdoor storage surface for refuse, recyclables, and returnables shall be constructed of nonabsorbent material such as concrete or asphalt and shall be smooth, durable, and sloped enough to drain to prevent the collection of surface water.
- 55 6-501.11 Repairing - Premises, Structures, Attachments, and Fixtures - Methods-C: Remove moldy caulking in warewashing area and recaulk/repair damaged wall tiles in warewashing area. Physical facilities shall be maintained in good repair. //6-501.12 Cleaning, Frequency and Restrictions-C: Cleaning is needed on walls throughout the kitchen area. Physical facilities shall be cleaned as often as necessary to keep them clean.