

FOOD ESTABLISHMENT INSPECTION REPORT

Based on an evaluation this day, the items marked below are violations of the Michigan Food Law. Violations cited in this report shall be corrected within the time frames specified below, but within a period not to exceed 10 calendar days for priority or priority foundation items (§8-405.11) or 90 days for core items (§8-406.11). Failure to comply with this notice may result in license suspension and/or other legal action. You have the right to appeal any violations listed.

Bert's Cafe
Shapiro Undergraduate Library
919 S. University
Ann Arbor, MI 48109

SFE 5081 057363 11/01/2022 12:00:00 PM
Last Routine:

Person In Charge (PIC): Brian Kearfott

Establishment Phone: (734) 936-0869

INSPECTION TYPE:

Routine Inspection

Manager Certified	Yes
License Posted	Yes
Antichoking Poster	Yes
CO2 Tanks Secured	Yes

Violation Category	Repeat	Violation Description/Remarks/Correction Schedule	Correct By	Corrected
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This Facility was inspected by Nonda Mihas, a representative from University of Michigan, on 11/01/2022 to determine the level of compliance with the Michigan Food Law, P.A. 92 of 2000, as amended.

back kitchen area

4-602.11 Core		<p>(A) Equipment FOOD-CONTACT SURFACES and UTENSILS shall be cleaned: (1) Except as specified in ¶ (B) of this section, before each use with a different type of raw animal FOOD such as beef, FISH, lamb, pork, or POULTRY; (P) (2) Each time there is a change from working with raw FOODS to working with READY-TO-EAT FOODS; (P) (3) Between uses with raw fruits and vegetables and with POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD); (P) (4) Before using or storing a FOOD TEMPERATURE MEASURING DEVICE; (P) and (5) At any time during the operation when contamination may have occurred. (P) (B) Subparagraph (A)(1) of this section does not apply if the FOOD-CONTACT SURFACE or UTENSIL is in contact with a succession of different raw animal FOODS each requiring a higher cooking temperature as specified under § 3-401.11 than the previous FOOD, such as preparing raw FISH followed by cutting raw poultry on the same cutting board. (C) Except as specified in ¶ (D) of this section, if used with POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD), EQUIPMENT FOOD-CONTACT SURFACES and UTENSILS shall be cleaned throughout the day at least every 4 hours. (P) (D) Except when dry cleaning methods are used as specified under § 4-603.11, surfaces of UTENSILS and EQUIPMENT contacting FOOD that is not POTENTIALLY HAZARDOUS (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) shall be cleaned: (1) At any time when contamination may have occurred; (2) At least every 24 hours for iced tea dispensers and CONSUMER self-service UTENSILS such as tongs, scoops, or ladles; (3) Before restocking CONSUMER self-service EQUIPMENT and UTENSILS such as condiment dispensers and display containers; and (4) In EQUIPMENT such as ice bins and BEVERAGE dispensing nozzles and enclosed components of EQUIPMENT such as ice makers, cooking oil storage tanks and distribution lines, BEVERAGE and syrup dispensing lines or tubes, coffee bean</p>		11/01/22
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back kitchen area

grinders, and water vending EQUIPMENT:
 (a) At a frequency specified by the manufacturer, or
 (b) Absent manufacturer specifications, at a frequency necessary to preclude accumulation of soil or mold.

Item(s): Food-contact surface(s) used for nonpotentially hazardous food(s) 11/01/2022
Location: ice machine 11/01/2022
Problem(s): Not cleaned when contaminated
Correction(s): Clean properly when contaminated.

11/01/2022 Surfaces of utensils and equipment contacting food that is not potentially hazardous should be cleaned at a frequency necessary to preclude accumulation of soil or mold.

Observed the ice machine in the back kitchen area with an accumulation of pink mold in the cavity of the ice well.

CORRECTED AT TIME OF INSPECTION: PIC cleaned and sanitized the pink mold while protecting the ice from contamination. Clean at a frequency necessary to preclude the accumulation of mold.

7-202.12 Core POISONOUS OR TOXIC MATERIALS shall be: 11/07/22
 (A) Used according to:
 (1) LAW and this Code,
 (2) Manufacturer's use directions included in labeling, and, for a pesticide, manufacturer's label instructions that state that use is allowed in a FOOD ESTABLISHMENT, (P)
 (3) The conditions of certification, if certification is required, for use of the pest control materials, (P) and
 (4) Additional conditions that may be established by the REGULATORY AUTHORITY; and
 (B) Applied so that:
 (1) A HAZARD to EMPLOYEES or other PERSONS is not constituted, (P) and
 (2) Contamination including toxic residues due to drip, drain, fog, splash or spray on FOOD, EQUIPMENT, UTENSILS, LINENS, AND SINGLE-SERVICE AND SINGLE-USE ARTICLES is prevented, and for a RESTRICTED USE PESTICIDE, this is achieved by: (P)
 (a) Removing the items, (P)
 (b) Covering the items with impermeable covers, (P) or
 (c) Taking other appropriate preventive actions, (P) and
 (d) Cleaning and SANITIZING EQUIPMENT and UTENSILS after the application. (P)
 (C) A RESTRICTED USE PESTICIDE shall be applied only by an applicator certified as defined in 7 USC 136 Definitions, (e) Certified Applicator, of the Federal Insecticide, Fungicide, and Rodenticide Act, or a PERSON under the direct supervision of a certified applicator. (Pf)
Item(s): Poisonous/toxic material(s) 11/07/2022
Location: Chemical Dispenser(s) 11/07/2022

11/01/2022 Poisonous or toxic materials shall be used in according to law, this code, and additional conditions that may be established by the regulatory authority.

Observed the sanitizer dispenser in the back kitchen area labeled "SMARTPOWER", which is typically associated with the newer, lactic acid/DDBSA-based sanitizer used in larger dining

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back kitchen area

areas, however, this dispenser was using a quaternary ammonia-based SMARTPOWER Solid Broad Range Sanitizer, solid pellet product which is eroded into a liquid sanitizing solution. The labeling on the dispenser was not clear as to which sanitizer is in use. The PIC was somewhat confused as to which sanitizer test strips to use for the sanitizer to determine it's required concentration range. The solid pellet system is problematic in that it requires a long runtime with the water supplied at the dispenser in order to ensure sufficient concentration of quaternary ammonia in the resulting sanitizing water. In addition, quaternary ammonia sanitizer is most effective at a cool water temperature of 65-75 degrees F, while quaternary ammonia dry chemical pellet erodes/dissolved more effectively at hotter water temperatures.

Correct as soon as possible by replacing SMARTPOWER Solid Broad Range Sanitizer with an approved sanitizer.

Front service area

3-501.16 Priority	Except during preparation, cooking, or cooling, or when time is used as the public health control POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) shall be maintained: (A) 135°F or above, except that roasts properly cooked and cooled may be held at a temperature of 130°F; or (P) (B) At 41°F or less (P)	11/07/22
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Item(s):	Cold food item(s)	11/07/2022
Location:	under the counter 2 door prep cooler	11/07/2022
Problem(s):	Stored above 41 degrees F	
Correction(s):	Store below 41 degrees F.	

11/01/2022	Potentially hazardous foods being held cold shall be held at 41 degrees F or below to prevent the growth of pathogens. Observed potentially hazardous foods, including cream cheese, cold brew coffee, and dairy held 45-50 degrees F in the 2 door under counter cooler near the hand washing sink in the front prep area. Correct immediately by cold-holding potentially hazardous foods at 41 degrees F or below at all times and discarding any potentially hazardous foods held above 41 degree F for more than 4 hours.	
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4-501.11 Core	EQUIPMENT shall be maintained in a state of repair and condition that meets the requirements of the code.	11/07/22
Item(s):	equipment	11/07/2022
Location:	under the counter 2 door prep cooler	11/07/2022
Problem(s):	In poor repair	
Correction(s):	Repair/replace.	

11/01/2022	Equipment shall be maintained in a state of good repair. Observed the under counter, 2 door cooler near the hand washing sink in the front prep area unable to maintain contents of the cooler under 41 degrees F, including TCS foods such as cream cheese, cold brew, and dairy.	
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Front service area

Correct as soon as possible by repairing the above equipment items throughout the facility.

Closing Comments:

UM EH&S is now listing routine inspection reports for all campus food establishments on-line. Reports can be viewed at <http://ehs.umich.edu/campus-life-safety/food-safety/inspections/>

Person in charge (Name and Title)



Inspected By (Name and Title)



Nonda Mihas

This signature does not imply agreement or disagreement with any violation noted.