

Inspection Report



Establishment Name:	Burger House
Establishment Address:	40 Welford Road, Leicester LE2 7AA
Food Business Operator:	Mr Ayham Dogan & Mr Yakub Avul

Reference:	13/00291/CP
Date:	22 July 2013
Inspection Date:	18 July 2013
Next Inspection:	May 2014

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On 18th July 2013 I revisited the above premises with Food safety Team Manager Mr David Barclay Rhodes.

All items requiring your attention are listed in the attached report. The items listed in this report are contraventions of current legal requirements, except where indicated as **Advice**. The contraventions should be put right within the timescales indicated, which begin on the date that you receive this report.

For further information and advice about food safety, visit www.leicester.gov.uk/food or contact me directly.

No.	Regulation	Contravention	Action Required	Timescale
Food Safety Procedures				
1	Regulation (EC) No 852/2004 Article 5	The documented procedures in place to control food hazards at critical points were not adequate as the Safer Food Better Business pack (SFBB) was not on site and could not be checked.	The SFBB pack and diary need to be fully completed and kept on site for inspection.	Immediate
Advice		Your temperature records were not found on site. The records that you keep prove that you are carrying out necessary checks on food safety and may be used in your defence in legal action taken against you. Therefore, it is recommended that you ensure that any records that you keep are up-to-date and accurate. Temperature records need to be kept on site.		
Cleaning and Maintenance				
2	Regulation (EC) No 852/2004 Annex II Chapter I Paragraph 1	The following were dirty: <ul style="list-style-type: none"> The wall floor junction under the sinks The wall behind the chest freezer 	These items must be cleaned (and disinfected) and maintained in a clean condition.	Immediate
Advice		It is recommended that you draw up a cleaning schedule. This will help you ensure that all aspects of your operation are covered by: <ul style="list-style-type: none"> allocating specific tasks to your staff; specifying what cleaning materials should be used and the method; specifying how often items/areas should be cleaned; specifying any safety precautions for staff. 		

No.	Regulation	Contravention	Action Required	Timescale
	Advice	Make sure you always have a good supply of cleaning chemicals, materials and equipment. It can be helpful to put a reminder in your diary of when you should buy more. Staff are more likely to clean properly if the right cleaning chemicals, materials and equipment are available.		

Rooms where Food is Prepared, Treated or Processed

3	Regulation (EC) No 852/2004 Annex II Chapter II Paragraph 1(a)	In the preparation room there was a gap at the wall floor junction under the fridge and freezer.	The gap needs to be blocked with a washable material e.g. silicone sealant.	Immediate
4	Regulation (EC) No 852/2004 Annex II Chapter II Paragraph 1(b)	If you decide to prepare pizza dough in the first floor storeroom some structural works will need to be undertaken.	The wall behind the mixer and preparation surface needs to be smooth, washable and easy to clean, e.g. ceramic tiles or plastic or metal cladding. The floor surface needs to be smooth and easy to clean e.g. vinyl, lino or resin flooring.	When works commence

Equipment

5	Regulation (EC) No 852/2004 Annex II Chapter V Paragraph 1(a)	<p>In the walk in fridge :</p> <ul style="list-style-type: none"> • The fan surround was damaged and bare metal • There was duct tape on the inside surfaces of the door (that had been painted white) • There was black mould around the door 	<ul style="list-style-type: none"> • The fan surround needs to be repainted with a smooth, hammerite metal paint • The duct tape needs to be removed • The black mould needs to be removed and the area cleaned 	Immediate
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No.	Regulation	Contravention	Action Required	Timescale
	Advice	The chopping boards were laid flat and stacked together after washing. This could lead to the development of black mould on the boards. The boards need to be air dried individually and not stacked e.g. in a board rack.		
Risks of Food Contamination				
6	Regulation (EC) No 852/2004 Annex II Chapter IX Paragraph 3	No separate area was identified for the handling of raw meat to control cross contamination by E.coli.	A temporary clean area needs to be identified where raw meat is handled separately from other foods.	Immediate
7	Regulation (EC) No 852/2004 Annex II Chapter IX Paragraph 3	In the walk in fridge dough was stored in a black bag.	Black bags and carrier bags must not be used to store food as they are not food grade containers	Immediate
8	The Food Labelling Regulations 1996	Halal Turkey Bacon was found with a use by date of 10.6.13. It had been frozen in house but not re dated. It is an offence to sell or possess food that has passed its use by date.	Check the fridges daily and dispose of any out of date food. If you freeze food in house check first that it is suitable for freezing. Ensure you freeze it before its use by date expires and always label it with a date of freezing. You can keep food frozen in house for up to 3 months.	Immediate
9	Regulation (EC) No 852/2004 Annex II Chapter IX Paragraph 3	The probe thermometer was not sanitised or disinfected before use. This created a risk of contamination.	The probe must be cleaned and disinfected before use.	Immediate
	Advice	There was no system of delivery checks in operation. It is recommended that quality checks are carried out on all stock deliveries, and in the case of chilled or frozen food deliveries ensure that all products are received at the correct temperatures.		

No.	Regulation	Contravention	Action Required	Timescale
	Advice	There was no stock control system for food prepared on the premises. It is recommended that a system of date coding for high-risk foods is introduced to ensure stock is rotated and is not used beyond its shelf-life.		
	Advice	Products that have a short shelf life when opened (e.g. cheese) should be labelled with the date of opening and used within a set period e.g. 7 days.		
Wrapping and Packaging of Foodstuffs				
	Advice	You should store your takeaway containers facing downward to prevent objects falling in and causing contamination of food.		
Food Hygiene Training				
10	Regulation (EC) No 852/2004 Annex II Chapter XII Paragraph 1	The level of food hygiene awareness amongst food handling staff was inadequate. The certificate for Mr Dogan was dated 2009 and Mr Avuls' certificate was not available.	Ensure that all food handlers engaged in your food business are supervised, instructed and/or trained in food hygiene matters as necessary, bearing in mind the type of work which they do. Level II certificates last for 3 years, not for life therefore Mr Dogan requires retraining. Mr Avul may require retraining if his certificate is over 3 years old.	September 2013

No.	Regulation	Contravention	Action Required	Timescale
Temperature Control				
11	Food Hygiene (England) Regulations 2006, Schedule 4, Regulation 30, Paragraph 2(1)	The freezer in the rear room had broken down and ready to eat foods in the unit were being stored at 13C. No attempt had been made to move foods to another unit.	<p>If a freezer breaks down all food needs to be checked. Any that is still frozen must be moved immediately into another freezer e.g. the chest freezer. Any food that has defrosted must be treated as refrigerated food and kept at 8C or below and used within 3 days.</p> <p>I moved frozen meat products into the chest freezer and as all other products were 13C I told Mr Avul they must be used by close of business that day or disposed of.</p>	Immediate
12	Food Hygiene (England) Regulations 2006, Schedule 4, Regulation 30, Paragraph 2(1)	The temperature of the foods stored in the 2 refrigerators in the shop was too high (13-14C). These foods are likely to support the growth of food poisoning bacteria or the formation of toxins and must not be stored above 8°C.	<p>I instructed Mr Avul to dispose of all foods in the units at the end of the evening as they could not be kept overnight.</p> <p>Both units are within an enclosed counter and there is insufficient ventilation for the fridge motors. Holes should be cut in the front of the counter to allow ventilation to the fridges.</p>	Immediate
13	Food Hygiene (England) Regulations 2006, Schedule 4, Regulation 30, Paragraph 2(1)	The bench fridge was not working and chips in the unit were 14C.	Either adjust or service the refrigerator. If the refrigerator is not able to hold high-risk foods at or below 8°C, it must be replaced.	Immediate

No.	Regulation	Contravention	Action Required	Timescale
	Advice	Check the cooking process is adequate by periodically checking the centre temperature of the food using a probe thermometer. It is advisable to keep a record of the checks.		
	Advice	Reheating should raise the centre temperature of the food to a minimum of 75°C.		
	Advice	Probe thermometers should be checked regularly for accuracy. Pure water and ice mixture should measure between -1°C to +1°C, and pure boiling water should measure between 99°C and 101°C. If the thermometer appears not to be working correctly, it should be replaced or sent for service. For further advice refer to the manufacturers instructions.		

Health and Safety

14	Health and Safety at Work etc : Act 1974	The food mixer and chest freezer in the rear preparation room were blocking the rear traffic route and fire escape.	The food mixer needs to be moved to a lower level	Immediate
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Food Standards

Allergens

Advice	Some of the ingredients you use may be or may contain known allergens. Where products are produced and sold directly to customers allergy labelling is not currently required. There are 14 named allergens and you need to know the contents of all food produced on site so you can correctly advise customers on allergens. There is a page in the Safer Food Better Business pack which lists the allergens and gives details on which foods they are normally found in.
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Material in contact with food

Advice

Ensure that the plastic storage containers that you use are suitable for their purpose. Some containers are not suitable for use in the microwave or for storing certain types of food because chemicals from the plastic can migrate into the food and cause harm to health.
