



Food Establishment Inspection Report



Rhode Island Department of Health
 Office of Food Protection
 3 Capitol Hill Room 203 Providence, RI 02908
 Phone: (401) 222-2750 Fax:(401) 222-4775

No. of Risk Factor/Intervention Violations 9 Date 03/25/2011
 No. of Repeat Risk Factor/Intervention Violations 0 Time In 04:00 PM
 Score (optional) Time Out 07:30 PM

Establishment DEFUSCOS BAKERY	Address 1551 PLAINFIELD PIKE	City/State JOHNSTON, RI	Zipcode 02919	Telephone 4019466455
License/Permit # FPR03090	Permit Holder DEFUSCOS BAKERY	Purpose of Inspection Foodborne Illness Complaint	Est. Type Food Processor Wholesale	Risk Category Advanced Prep

TEMPERATURE OBSERVATIONS

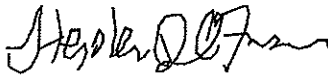
Item/Location	Temp	Item/Location	Temp	Item/Location	Temp
Ambient / Walk-In Cooler	35.0 ° F	salami / Walk-In Cooler	35.0 ° F	Eggs / Walk-In Cooler	36.0 ° F
calzones / on display for sale	70.0 ° F	vanilla pastry cream filling / cooling on floor	125.0 ° F	chocolate pastry cream filling / cooling on floor	119.0 ° F

OBSERVATIONS AND CORRECTIVE ACTIONS

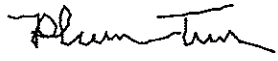
- Item Number Violations cited in this report must be corrected within the time frames below, or as stated in section 8-405.11 of the food code.
- 1 Violation of Code: [2-102.11] The Person in charge did not assure compliance with critical code requirements. New Violation. Correct By: 03/25/2011
 - 6 Violation of Code: [2-301.15] Per interview of staff, employees wash their hands in the three bay sink which did not have soap or paper towels. Food employees shall clean their hands in a designated handwashing sink, not in a service (mop)sink, warewashing or food prep sink. New Violation. Correct By: 03/27/2011
 - 8 Violation of Code: [5-203.11] The kitchen does not have a handsink that is conveniently located and/or readily accessible. Handsinks must be located to allow convenient use by employees in food preparation, food dispensing and warewashing areas. New Violation. Correct By: 03/25/2011
 - 8 Violation of Code: [6-501.18] The handsink in the bathroom does not have running water (hot or cold). New Violation. Correct By: 03/25/2011
 - 11 Violation of Code: [3-101.11] Ready to eat previously baked pastry shells used for zeppoles, eclairs, and cream puffs, were stored in boxes that were used to store raw shell eggs. All food items(shells) that were stored in these boxes are under embargo. New Violation. Correct By: 03/25/2011
 - 14 Violation of Code: [4-501.111] Staff failed to sanitize equipment and utensils after washing and rinsing them. After being cleaned, equipment and utensils must be sanitized at the 3-bay-sink. New Violation. Correct By: 03/25/2011
 - 14 Violation of Code: [4-602.12] The paddle to the dough mixer, knives, tips of pastry bags, trays, utensils, and filler equipment had an accumulation of food and debris. The food contact surfaces of equipment must be clean to sight and touch. New Violation. Correct By: 03/25/2011
 - 18 Violation of Code: [3-501.14] Pastry cream filling used for the zeppoles and eclairs, which was prepared in advance, was not cooled to 70 degrees in 2 hours and then to 41 degrees F within 4 hours. Owners stated that the white and chocolate cream were made at about 10:00am 3/25/11. The pastry creams were then put into 5 gallon buckets to cool on the floor. At time of inspection which was after 4:00pm the temperature of the light cream was 125 degrees F. and the temperature of the chocolate cream was 119 degrees F. The items were placed under embargo. At 7 pm these buckets of cream were observed to be 105-106 F. New Violation. Correct By: 03/25/2011
 - 20 Violation of Code: [3-501.16] Calzones that are made with a variety of cooked meats, vegetables, deli meats and cheese were held at 70-72 degrees F (ambient temperature) for sale. Potentially hazardous food must be held at 41 degrees F. or below except during preparation, cooking or cooling. The items were placed under embargo. New Violation. Correct By: 03/25/2011
 - 35 Violation of Code: [3-302.12] Working containers of flour and cornstarch are not labeled with the common name of the food. Working containers holding food or food ingredients that are removed from their original packages, such as flour, herbs, salt, sugar and spices must be labeled with the common name of the food. New Violation. Correct By: 03/25/2011
 - 37 Violation of Code: [3-305.11-12] Food products stored on the floor. New Violation. Correct By: 03/28/2011
 - 47 Violation of Code: [4-602.13] The nonfood-contact surfaces of the proofer, three bay sink, and storage containers have an accumulation of dust, dirt, food residue and other debris. New Violation. Correct By: 03/25/2011
 - 53 Violation of Code: [6-501.11-12] The floors and walls in the kitchen area have an accumulation of soil residue and food debris. The physical facilities shall be cleaned as often as necessary to keep them clean. Repeat Violation. Correct By: 03/25/2011
 - 54 Violation of Code: [6-202.11] Protective shielding is not provided for the lights in the (kitchen) area. Light bulbs must be shielded, coated, or otherwise shatter-resistant in areas where there is exposed food; clean equipment, utensils, and linens; or unwrapped single-service and single-use articles. New Violation. Correct By: 03/25/2011

Remarks **ONE SHOULD NOT ASSUME THAT BECAUSE A COMPLAINT INITIATED AN INSPECTION THAT THE COMPLAINT IS VALID.**
 Joint inspection with Rosa Morales, Senior Specialist, Cathy White and Phana Tum, Environmental Health Food Inspectors
 Owner, Stephen Defusco, described the process of making zeppole. Initially, he said that he used fresh eggs and added them to the hot liquid. He corrected this to say that custard filling is made with liquid eggs, not shell eggs.
 Shell eggs are used only for Zeppole pastry.
 -A handwritten report was generated and signed for the items that were placed under embargo.

Person in Charge (Signature) steve defuscos



Date: 03/25/2011



Inspector (Signature) Phana Tum (195)

Date: 03/25/2011

CPF00-12-03-PG2

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No. of Risk Factor/Invervention Violations	9	Date	03/25/2011
No. of Repeat Risk Factor/Intervention Violations	0	Time In	04:00 PM
Score (optional)		Time Out	07:30 PM

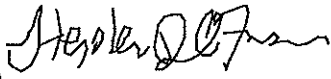
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License/Permit # FPR03090	Permit Holder DEFUSCOS BAKERY	Purpose of Inspection Foodborne Illness Complaint	Est. Type Food Processor Wholesale	Risk Category Advanced Prep

OBSERVATIONS AND CORRECTIVE ACTIONS

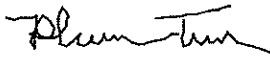
Item Number Violations cited in this report must be corrected within the time frames below, or as stated in section 8-405.11 of the food code.

- The owners stated that no employees have been sick recently.
 - Items were placed under embargo in the walk-in cooler.
 - The establishment will voluntarily shut down as of 5:00pm 3/25/11.
 - The permit holder/owners will need to come to RIDOH Office of Food Protection on 3/28/11 at 10:00am
 - The owners will meet inspectors on 3/26/11 at 11:00am to take samples.
- All food products manufactured at the facility will be recalled due to imminent hazard to public health.

ALERT! You are operating without a license and therefore are in violation of 21-27-10 of the General Laws of Rhode Island.
 Contact the Office of Food Protection within 24 hours. Failure to resolve this matter will result in enforcement action.
 Failure to resolve this matter will result in enforcement action.

Person in Charge (Signature) 

Date: 03/25/2011



Inspector (Signature) Phana Tum (195)

Date: 03/25/2011

**DIVISION OF FOOD PROTECTION & SANITATION
RHODE ISLAND DEPARTMENT OF HEALTH**

Providence, Rhode Island 02903

FPS: 569/4
Embargo No. 316028
Date 03/25/2011
Field Office East Bay

VOLUNTARY DISPOSAL: I, _____ have this day voluntarily destroyed, or caused to be destroyed, the merchandise described below and hereby release the R. I. Dept. of Health, Div. of Food Protection & Sanitation and its members, agents, and representatives from any and all liability. Said merchandise found in my possession was unfit for human consumption, or otherwise unlawful.

EMBARGO: The following items are hereby declared to be "EMBARGOED" under Sec. 21-31-6(a) of the R. I. Food, Drug and Cosmetics Act. It shall be UNLAWFUL FOR ANY PERSON TO REMOVE or DISPOSE or SELL SUCH DETAINED or EMBARGOED MERCHANDISE UNTIL PERMISSION FOR REMOVAL or DISPOSAL IS GIVEN BY A DULY AUTHORIZED AGENT of the R. I. Dept. of Health, or the COURT.

I, _____ agree that the following inventory is true & accurate and understand the conditions of the preceding paragraph.

CONDEMNATION: DISPOSAL and or DESTRUCTION: The following items are hereby declared to be a "NUISANCE" under Sec. 21-31-6(d) of the R. I. Food, Drug and Cosmetics Act and are therefore CONDEMNED

EMBARGO RELEASE: The products listed on EMBARGO No. 316028 Dated 03/25/2011 are hereby released from detention.

RECEIPT FOR DISPOSAL: I hereby acknowledge the receipt of the goods listed below for disposal. Method & Place of Destruction and/or Disposal

-Temperatures of food items were taken simultaneously using both of inspectors digital thermometer.
-A hand written report was generated and signed for this embargo.

Quantity	Inventory Description Codes	Reason for Action	Size	Wgt.	Value	Method
1. 5	meat, veggie, cheese pizza sticks	temp abuse				Embargo
2. 35	meat, veggie, and cheese calzones	temp abuse				Embargo
3. 12	cream filled eclairs	adulteration				Embargo
4. 11	large(30 doz egg boxes) of zeppoles shells	adulteration				Embargo
5. 3	large(30 doz egg boxes) of eclair shells	adulteration				Embargo
6. 1	large(30 doz egg box) of puff shells	adulteration				Embargo
7. 1	large(30 doz egg box) of mini eclair shells	adulteration				Embargo
8. 9	pastry bags and tips	adulteration				Embargo
9. 1192	finished zeppoles	adulteration				Embargo
10. 2	5 gal buckets cream filling	adulteration				Embargo
11.						
12.						
13.						
14.						
15.						
16.						

Firm Name DEFUSCOS BAKERY Address 1551 PLAINFIELD PIKE JOHNSTON RI 02919
License Number FPR03090 Representative & Title steve defuscos - owner
Agent Phana Tum DIV. of FOOD PROTECTION & SANITATION



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No. of Risk Factor/Intervention Violations	0	Date	12/28/2010
No. of Repeat Risk Factor/Intervention Violations	0	Time In	10:40 AM
Score (optional)	0.00	Time Out	11:40 AM

Establishment DEFUSCOS BAKERY	Address 1551 PLAINFIELD PIKE	City/State JOHNSTON, RI	Zipcode 02919	Telephone 4019466455
License/Permit # FPR03090	Permit Holder DEFUSCOS BAKERY	Purpose of Inspection Environmental Complaint	Est. Type Food Processor Wholesale	Risk Category Advanced Prep

TEMPERATURE OBSERVATIONS

Item/Location	Temp	Item/Location	Temp	Item/Location	Temp
cream puff / Walk-In Cooler	39.0 ° F	butter / Walk-In Cooler	39.0 ° F	r.sauce / Walk-In Cooler	40.0 ° F
Cheese / Storage	40.0 ° F	salami / Walk-In Cooler	40.0 ° F		

OBSERVATIONS AND CORRECTIVE ACTIONS

Item Number	Violations cited in this report must be corrected within the time frames below, or as stated in section 8-405.11 of the food code.
53	Violation of Code: [6-201.11-12] floor area walk in freezer needed housekeeping New Violation. Correct By: 12/29/2010
53	Violation of Code: [6-501.11-12] freezer door gasket loose fitting. New Violation. Correct By: 12/29/2010
Remarks	ONE SHOULD NOT ASSUME THAT BECAUSE A COMPLAINT INITIATED AN INSPECTION THAT THE COMPLAINT IS VALID. complaint.. cooler not operating, putting food in truck back area. no certified manager ; check showed walk in cooler working and temps good. loading of truck back area .. for delivery to defusco other bakery park ave cranston..walk in box and frig units GOOD.. quote person in charge, 1 worker out on compensation gave a problem.. person in charge LORI defusco..signed paper copy in file..

Person in Charge (Signature)	Date: 12/28/2010
<i>Arthur De Blasio</i>	
Inspector (Signature) Arthur Deblasio (197)	Date: 12/28/2010



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No. of Risk Factor/Intervention Violations	3	Date	04/23/2010
No. of Repeat Risk Factor/Intervention Violations	2	Time In	11:45 AM
Score (optional)	0.00	Time Out	12:50 PM

Establishment DEFUSCOS BAKERY	Address 1551 PLAINFIELD PIKE	City/State JOHNSTON, RI	Zipcode 02919	Telephone 4019466455
License/Permit # FPR03090	Permit Holder DEFUSCOS BAKERY	Purpose of Inspection Routine	Est. Type Food Processor Wholesale	Risk Category Cook/Serve

TEMPERATURE OBSERVATIONS

Item/Location	Temp	Item/Location	Temp	Item/Location	Temp
Ambient / freezer	00.0 ° F	Ambient / Walk-In Cooler	39.0 ° F		

OBSERVATIONS AND CORRECTIVE ACTIONS

Item Number	Violations cited in this report must be corrected within the time frames below, or as stated in section 8-405.11 of the food code.
1	Violation of Code: [2-101.11] The establishment does not employ a full-time, on site manager certified in food safety. Each food establishment where potentially hazardous foods are prepared shall employ at least one (1) full-time , onsite manager certified in food safety who is at least eighteen(18)years of age. Repeat Violation. Correct By: 04/26/2010
8	Violation of Code: [6-501.18] The handsink in the kitchen was blocked by aprons. A handwashing sink shall be accessible at all times for employee use. Repeat Violation. Correct By: 04/23/2010
13	Violation of Code: [3-302.11] Boxes stored on the floor. New Violation. Correct By: 04/23/2010
47	Violation of Code: [4-602.13] The nonfood-contact surfaces of the (door to the walk-in) have an accumulation of dust, dirt, food residue and other debris. New Violation. Correct By: 04/23/2010
51	Violation of Code: [6-301.20] Hand sink is lacking paper towels. New Violation. Correct By: 04/25/2010
Remarks	FDA Inspection.
	Interviewee signed a written copy of inspection.
	Facility only delivers to self-owned retails stores in RI.
	Needs to register with the FDA Bioterrorism Act.
	FACILITY WILL FOLLOW THRU WITH "FMC" REQUIREMENTS.
ALERT!	You are operating without a license and therefore are in violation of 21-27-10 of the General Laws of Rhode Island.
	Contact the Office of Food Protection within 24 hours. Failure to resolve this matter will result in enforcement action.
	Failure to resolve this matter will result in enforcement action.

Person in Charge (Signature)	Date: 04/23/2010
<i>Kimberly A Seita</i>	
Inspector (Signature) Kimberly Seita (184)	Date: 04/23/2010



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No. of Risk Factor/Intervention Violations	3	Date	06/02/2009
No. of Repeat Risk Factor/Intervention Violations	0	Time In	09:15 AM
Score (optional)		Time Out	10:00 AM

Establishment DEFUSCOS BAKERY	Address 1551 PLAINFIELD PIKE	City/State JOHNSTON, RI	Zipcode 02919	Telephone (401) 946-6455
License/Permit # FPR03090	Permit Holder DEFUSCOS BAKERY	Purpose Routine	Est. Type Food Processor Wholesale	Risk Category Cook/Serve

FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS

Select designated compliance status (IN, OUT, NO, 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
Demonstration of Knowledge			
1	OUT		
Certified manager as required; compliance with Code or correct responses.			
Employee Health			
2	IN		
Management awareness; policy present			
3	IN		
Proper use of reporting, restriction & exclusion			
Good Hygienic Practices			
4	IN		
Proper eating, tasting, drinking or tobacco use			
5	IN		
No discharge from eyes, nose or mouth			
Preventing Contamination by Hands			
6	IN		
Hands clean & properly washed			
7	IN		
No bare hand contact with ready to eat (RTE) foods.			
8	OUT		X
Adequate handwashing facilities supplied and accessible			
Approved Source			
9	IN		
Food obtained from approved source			
10	N/O		
Food received at proper temperature			
11	IN		
Food in good condition, safe & unadulterated			
12	N/A		
Required records available: shellstock tags, parasite destruction			
Protection from Contamination			
13	IN		
Food separated & protected			
14	IN		
Food-contact surfaces: cleaned & sanitized			
15	IN		
Proper disposition of returned, previously served, reconditioned & unsafe food			

Compliance Status		COS	R
Potentially Hazardous Food Time/Temperature			
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 & records			
Consumer Advisory			
23	N/A		
Consumer advisory posted for raw or undercooked foods			
Highly Susceptible Populations			
24	N/A		
Pasteurized foods used; prohibited foods not offered			
Chemical			
25	IN		
Food additives: approved & properly used			
26	IN		
Toxic substances properly identified, stored & used			
Conformance with Approved Procedures			
27	N/A		
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 the appropriate box for COS and/or R COS=corrected on-site during visit R=repeat violation

Compliance Status		COS	R
Safe Food and Water			
28	IN		
Pasteurized eggs used when required			
29	IN		
Water & ice from approved source			
30	IN		
Variance obtained for specialized processing methods			
Food Temperature Control			
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 & accurate			
Food Identification			
35	IN		
Food properly labeled; original container			
Prevention of Food Contamination			
36	IN		
Insects, rodents & animals not present; no unauthorized persons			
37	IN		
Contamination prevented during food preparation, storage & display			
38	IN		
Personal cleanliness			
39	IN		
Wiping cloths: properly used & stored			
40	IN		
Washing fruits & vegetables			

Compliance Status		COS	R
Proper Use of Utensils			
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			
Utensils, Equipment and Vending			
45	IN		
Food & non-food contact surfaces cleanable, properly designed, constructed & used			
46	IN		
Warewashing facilities: installed, maintained & used; test strips			
47	IN		
Non-food contact surfaces clean			
Physical Facilities			
48	IN		
Hot & cold water available; adequate pressure			
49	IN		
Plumbing installed; proper backflow devices			
50	IN		
Sewage & waste water properly disposed			
51	IN		
Toilet facilities: properly constructed, supplied & cleaned			
52	IN		
Garbage & refuse properly disposed; facilities maintained			
53	IN		
Physical facilities installed, maintained & clean			
54	IN		
Adequate ventilation & lighting; designated areas used			

Person in Charge (Signature)

Date: 06/02/2009

Kimberly A Seita

Inspector (Signature) Kimberly Seita (184)

Follow-up:

Follow-up Date:



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Score (optional)		Time Out	10:00 AM

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TEMPERATURE OBSERVATIONS

Item/Location	Temp	Item/Location	Temp	Item/Location	Temp
Ambient / Walk-In Cooler	38.0 ° F	Ambient / Walk-in freezer	-02.0 ° F		

OBSERVATIONS AND CORRECTIVE ACTIONS

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8	Violation of Code: [6-301.11] Soap was not available at the handsink in the kitchen. Hand sinks must be provided with a supply of hand cleaning liquid, powder, or bar soap. Corrected On-Site. New Violation. Correct By: 06/08/2009
8	Violation of Code: [6-301.11] The handsink in the kitchen was lacking paper towels. Corrected On-Site. New Violation. Correct By: 06/08/2009
Remarks	FDA Inspection. Owner signed a written copy of this inspection. Pest control once a month. Gave information packet on registering with the FDA Bioterrorism. Approved. Meets the minimum requirments of the RIDOH.

Person in Charge (Signature)	Date: 06/02/2009
<i>Kimberly A Seita</i>	
Inspector (Signature) Kimberly Seita (184)	Date: 06/02/2009