



ADAM H. PUTNAM  
COMMISSIONER

Florida Department of Agriculture and Consumer Services  
Division of Food Safety



Visit # 9999-7182-1214-67  
Bureau of Food Inspection  
Attention: Records Section  
3125 Conner Boulevard, C-26  
Tallahassee, FL 32399-1650

**FOOD SAFETY INSPECTION REPORT**

Chapter 500, Florida Statutes  
(850) 245-5520

Print Date: August 15, 2018

Food Entity Number: 299578  
Food Entity Name: L & W PROCESSING  
Date of Visit: August 13, 2018  
Food Entity Address: 592 SW Harvey Greene DR Madison, FL32340-4426  
Food Entity Mailing Address: 592 SW Harvey Greene DR Madison, FL 32340-4426  
Food Entity Type/Description: 323/ Alligator Processor  
Food Entity Owner: WAYNE ROBERTS DBA L & W PROCESSING  
Owner Code:

**INSPECTION SUMMARY - Met Inspection Requirements; Check Back Needed**

On August 13, 2018, L & W PROCESSING was inspected by TERRY TAYNTON, a representative of the Florida Department of Agriculture and Consumer Services. Violations observed during the inspection must be corrected to be in compliance with Chapter 500, Florida Statutes, and Rule 5K-4, Florida Administrative Code. A Department inspector will check-back to ensure compliance with Chapter 500, Florida Statutes, and Rule 5K-4, Florida Administrative Code.

**PERMIT APPLICATION INFORMATION**

The permit application information was verified with management or a qualified representative.

**COMPLIANCE KEY**

IN = In Compliance OUT = Not In Compliance N/O = Not Observed N/A = Not Applicable

**FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS**

<u>Violation Number</u>	<u>Compliance Status</u>	<u>Violation Description</u>
1	IN	Supervision: Person in Charge present, demonstrates knowledge, and performs duties
2	IN	Employee Health: Management, food employee and conditional employee; knowledge, responsibilities and reporting
3	IN	Employee Health: Proper use of restriction and exclusion
4	IN	Good Hygienic Practices: Proper eating, tasting, drinking, or tobacco use
5	IN	Good Hygienic Practices: No discharge from eyes, nose, and mouth
6	IN	Preventing Contamination by Hands: Hands clean and properly washed
7	IN	Preventing Contamination by Hands: No bare hand contact with ready-to-eat foods or approved alternate method properly followed
8	OUT	Preventing Contamination by Hands: Adequate handwashing sinks, properly supplied and accessible
9	IN	Approved Source: Food obtained from approved source
10	N/O	Approved Source: Food received at proper temperature
11	IN	Approved Source: Food in good condition, safe and unadulterated
12	N/A	Approved Source: Required records available: shellstock tags, parasite destruction
13	IN	Protection from Contamination: Food separated and protected
14	IN	Protection from Contamination: Food-contact surfaces: cleaned and sanitized



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**FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS**

<u>Violation Number</u>	<u>Compliance Status</u>	<u>Violation Description</u>
15	IN	Protection from Contamination: Proper disposition of returned, previously served, reconditioned, and unsafe food
16	N/O	Potentially Hazardous Food Time/Temperature: Proper cooking time and temperature
17	N/A	Potentially Hazardous Food Time/Temperature: Proper reheating procedures for hot holding
18	N/O	Potentially Hazardous Food Time/Temperature: Proper cooling time and temperatures
19	N/A	Potentially Hazardous Food Time/Temperature: Proper hot holding temperatures
20	N/O	Potentially Hazardous Food Time/Temperature: Proper cold holding temperatures
21	N/A	Potentially Hazardous Food Time/Temperature: Proper date marking and disposition
22	N/A	Potentially Hazardous Food Time/Temperature: Time as a public health control: procedures and records
23	IN	Consumer Advisory: Consumer advisory provided for raw or undercooked foods
24	N/A	Highly Susceptible Populations: Pasteurized Foods, Prohibited Re-service, and Prohibited Foods*
25	N/A	Chemical: Food additives: approved and properly used
26	IN	Chemical: Toxic substances properly identified, stored, and used
27	OUT	Conformance with Approved Procedures

**GOOD RETAIL PRACTICES**

<u>Violation Number</u>	<u>Compliance Status</u>	<u>Violation Description</u>
36	OUT	Prevention of Food Contamination: Insects, rodents, and animals not present
49	OUT	Physical Facilities: Plumbing installed; proper backflow devices

**SEAFOOD HACCP**

<u>Violation Number</u>	<u>Compliance Status</u>	<u>Violation Description</u>
123.11(b)	OUT	Sanitation Control Procedures
123.7(a)	OUT	Implementation: Corrective Action per Plan
123.8(a)	OUT	Records: Verification Reviewers Qualifications and Modifications
123.9(a)	OUT	Records





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**INSPECTION: GRP**

**Violation  
Number**

**Citation Description**

**COS Observation**

49

Plumbing system not maintained in good repair.  
5-205.15(B)

IT WAS OBSERVED DURING THE INSPECTION THAT THE DRAIN LINE FOR THE THREE COMPARTMENT SINK USED FOR CLEANING FOOD EQUIPMENT AND FOOD DRAINS OUT ONTO THE FLOOR AROUND THE REAR DOOR AND ALONG FRONT OF THE SINK IN A WALKING PATH , DRAIN LINE FOR SINK IS CUT OFF JUST UNDER THE FIRST COMPARTMENT ALLOWING THE WASTE WATER TO RUN OFF ONTO THE FLOOR , COS DRAIN LINE REPAIRED AND EXTENDED TO THE FLOOR DRAIN UNDER THE HAND SINK AND FISH PROCESSING TABLE DURING THE INSPECTION .

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**INSPECTION: SEAFOOD HACCP**

**Violation  
Number**

**Citation Description**

**COS Observation**



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**INSPECTION: SEAFOOD HACCP**

**Violation  
Number**

**Citation Description**

**COS Observation**

123.11(b)

Sanitation conditions and practices not monitored with sufficient frequency to assure conformance with Current Good Manufacturing Practices including: Protection of food, food packaging material, and food contact surfaces. 21 CFR 123.11(b)

SPECIFICALLY : IT WAS OBSERVED DURING INSPECTION THAT THERE IS A CONDENSATION LEAK AT THE ELBOW LEADING FROM THE CEILING MOUNTED COOLING UNIT DRIPPING ON TO THE FLOOR NEXT TO THE RACK WHERE FOOD PACKAGING BAGS ARE STORED IN CASES , IT WAS ALSO OBSERVED THAT THERE WERE FOUR GLUE STRIP FLY TAPES COVERED IN DEAD FLY'S HUNG DIRECTLY OVER THE PROCESSING TABLE WHERE ALLIGATORS ARE SKINNED , TRIMMED AND PACKAGED . ALSO OBSERVED IN THE ALLIGATOR FOR FOOD PROCESSING ROOM OLD DUSTY COB WEBBING BEHIND SCALE HEAD WHERE TRIM BUCKET IS PLACED AND OLD DUSTY COB WEBBING AT CEILING WALL JUNCTION NEXT TO ENTRY DOOR TO PROCESSING ROOM WHERE FOOD PASSES THROUGH . COS FLY GLUE STRIPS WERE REMOVED DURING INSPECTION, COBWEBS WERE REMOVED AND AREAS CLEANED DURING INSPECTION .



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**INSPECTION: SEAFOOD HACCP**

<u>Violation Number</u>	<u>Citation Description</u>	<u>COS</u>	<u>Observation</u>
123.11(b)	Sanitation control records do not accurately document the conditions or practices observed during the visit. 21 CFR 123.11(b)	<input type="checkbox"/>	SPECIFICALLY : SSOP MONITORING LOGS DATED 081418 RECORDED EMPLOYEE CLEAN UNIFORMS AND HAIR COVERS AS ACCEPTABLE YET THREE OF THE FOUR FOOD PROCESSING EMPLOYEES WERE OBSERVED NOT WEARING HAIR COVERS WHILE PROCESSING FOOD .
123.11(b)	Sanitation conditions and practices not monitored with sufficient frequency to assure conformance with Current Good Manufacturing Practices including: Maintenance of hand washing, hand sanitizing, and toilet facilities. 21 CFR 123.11(b)	<input checked="" type="checkbox"/>	SPECIFICALLY : IT WAS OBSERVED DURING THE INSPECTION THAT THE HAND SINK IN THE RECEIVING AREA THAT KNIFES WERE FOUND TO BE STORED IN THE BASIN TWICE ON 8-13-18 AND AGAIN ON 8-14-18 . IT WAS ALSO OBSERVED THAT THE AUGER TO THE GRINDER WAS STORED IN THE ONLY HAND SINK IN THE RAW MEAT PROCESSING ROOM . COS FOOD EQUIPMENT WAS REMOVED EACH TIME FOUND IN THE HAND WASHING SINKS .
123.7(a)	After a deviation from a critical limit, there was either no corrective action taken or the corrective action did not ensure affected product was not entered into commerce and/or the cause of the deviation was corrected. 21 CFR 123.7(a)	<input type="checkbox"/>	SPECIFICALLY : IT WAS FOUND DURING THE INSPECTION THAT THERE WERE TEETH MISSING FROM THE COMBS OF THE MECHANICAL CUBER USED FOR TENDERIZING RAW ALLIGATOR MEAT ;THIS WAS NOT RECORDED ON THERE CCP MONITORING LOG . AS THE EQUIPMENT HAD DAMAGE FROM A DIFFERENT PROCESS .



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**INSPECTION: SEAFOOD HACCP**

<u>Violation Number</u>	<u>Citation Description</u>	<u>COS</u>	<u>Observation</u>
123.8(a)	Critical control point monitoring and/or corrective action records not reviewed within one week of the day that the records are made. 21 CFR 123.8(a)(3)	<input type="checkbox"/>	SPECIFICALLY : RAW ALLIGATOR MEAT CRITICAL CONTROL POINT MONITORING LOGS FOR THE MECHANICAL TENDERIZER WITH A HAZARD OF METAL INCLUSION ARE NOT BEING REVIEWED WITHIN 1 WEEK OF THE RECORD BEING MADE . MONITORING CRITICAL CONTROL POINT AT RECEIVING OF ALLIGATOR RECEIVED FROM A GEORGIA TRAPPER WAS NOT REVIEWED WITH IN 1 WEEK OF RECEIPT .
123.9(a)	Records do not include all of the information required by the regulation. 21 CFR 123.9(a)	<input type="checkbox"/>	SPECIFICALLY : SSOP AND CCP MONITORING RECORDS FOR RAW ALLIGATOR DO NOT INCLUDE ALL OF THE REQUIRED INFORMATION . NAME OF PROCESSOR AND LOCATION
123.9(a)	Processing or other information was not entered on your records at the time it was observed. 21 CFR 123.9(a)	<input type="checkbox"/>	SPECIFICALLY CRITICAL CONTROL POINT MONITORING WHERE A FOOD SAFETY HAZARD HAS BEEN IDENTIFIED FOR THE LAST 64 ENTRY'S ONLY 9 OF THESE HAS A DATE THE OBSERVATION WAS MADE AND NONE HAVE THE TIME WHEN THE OBSERVATION TOOK PLACE . CRITICAL CONTROL POINT OF RECEIVING OF ALLIGATOR TAG # 1841660 FROM GEORGIA ALSO WAS NOT ENTERED WITH AT THE DATE ALLIGATOR WAS RECEIVED .



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A Supplemental Report was also issued during the visit which includes important information for management.

**COMMENTS**

Rita.johnson@Freshfromflorida.com - contact about your process for r.o.p of ready to eat foods

Stop Sale Order issued. Food establishment can call 850-245-5520 when corrections have been made and/or when required documents have been obtained to request food safety inspector visit for written release of product.

Stop Use Order issued. Food establishment can call 850-245-5520 when corrections have been made and/or when required documents have been obtained to request food safety inspector visit for written release of equipment.

**ACKNOWLEDGMENT**

I acknowledge receipt of a copy of this document, and I further acknowledge that I have verified the location and mailing addresses on the first page of this document are correct, or I have written the correct information on the first page of this document.

(Signature of FDACS Representative)

(Signature of Representative)

TERRY TAYNTON, ENVIRONMENTAL SPECIALIST II

Lemuel Roberts JR

Print Name and Title





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**FOOD SAFETY INSPECTION SUPPLEMENTAL REPORT**

Florida Statutes, Chapter 500.172, 500.174  
(850) 245-5520



**ADAM H. PUTNAM**  
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Print Date: August 15, 2018

Visit #:99997182121467

Food Entity #: 299578  
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Food Entity Owner: WAYNE ROBERTS DBA L & W PROCESSING  
Owner Code:

**STOP SALE ORDER**

You are hereby ordered to withhold from movement, sale or use subject to further instructions from an authorized agent of the Florida Department of Agriculture and Consumer Services, the goods or equipment listed below.

Article: Alligator / Pork Sausage  
Brand Name: L & W Processing  
Lot #: # Of Pkgs: 7      Size Of Pkg: 7      Total Weight: 7  
Invoice #:  
Invoice Date: 8/14/2018 12:00:0

Manufacturer: L & W Processing  
Distributor:

The primary reason and condition that caused the product or equipment stop sale or stop use and determined dangerous, unwholesome, fraudulent, or insanitary was: FS 500; FAC 5K-4 HAACP PLAN MISSING OR INCOMPLETE\* Conformance with Approved Procedures

Comments: CALL 850-245-5520 WHEN CORRECTIONS HAVE BEEN MADE TO REQUEST FOOD SAFETY INSPECTOR VISIT FOR WRITTEN RELEASE OF PRODUCT.



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Owner Code:

**STOP USE ORDER**

You are hereby ordered to withhold from movement, sale or use subject to further instructions from an authorized agent of the Florida Department of Agriculture and Consumer Services, the goods or equipment listed below.

Article: Alligatorpork sausage cooking outside in s  
Brand Name: L & W smokers  
Lot #: # Of Pkgs: 2                      Size Of Pkg:                      Total Weight:  
Invoice #:  
Invoice Date:

Manufacturer: L & W  
Distributor:

The primary reason and condition that caused the product or equipment stop sale or stop use and determined dangerous, unwholesome, fraudulent, or insanitary was: FS 500.04; FS 500.172 UNSANITARY EQUIPMENT\* Preventing Contamination by Hands: Adequate handwashing sinks, properly supplied and accessible

Comments: CALL 850-245-5520 WHEN READY FOR RELEASE OF EQUIPMENT

**STOP USE ORDER**

You are hereby ordered to withhold from movement, sale or use subject to further instructions from an authorized agent of the Florida Department of Agriculture and Consumer Services, the goods or equipment listed below.

Article: vacuum sealer  
Brand Name: vac master  
Lot #: Vacuum                      # Of Pkgs:                      Size Of Pkg:                      Total Weight:  
sealing ready to                      Invoice #:  
eat foods                      Invoice Date:  
requiring time  
temperature for  
food safety  
control , stop  
use

Manufacturer:  
Distributor:

The primary reason and condition that caused the product or equipment stop sale or stop use and determined dangerous, unwholesome, fraudulent, or insanitary was: FS 500; FAC 5K-4 HAACP PLAN MISSING OR INCOMPLETE\* Conformance with Approved Procedures



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Comments: CALL 850-245-5520 TO REQUEST FOOD SAFETY INSPECTOR VISIT FOR WRITTEN RELEASE WHEN APPROPRIATE DOCUMENTATION HAS BEEN OBTAINED.

Vacuum packaging of ready to eat foods requiring temperature for control .

When the department or its duly authorized agent finds, or has probable cause to believe, that any food or food-processing equipment is in violation of this chapter or any rule adopted under this chapter so as to be dangerous, unwholesome, fraudulent, or insanitary within the meaning of this chapter, an agent of the department may issue and enforce a stop-sale, stop-use, removal, or hold order, which order gives notice that such article or processing equipment is, or is suspected of being, in violation and has been detained or embargoed and which order warns all persons not to remove, use, or dispose of such article or processing equipment by sale or otherwise until permission for removal, use, or disposal is given by the department or the court. It is unlawful for any person to remove, use, or dispose of such detained or embargoed article or processing equipment by sale or otherwise without such permission in accordance with 500.172 (1) Florida Statutes.

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**AN ADMINISTRATIVE HEARING IS AVAILABLE FOR ALL ORDERS, NOTICES, AND REPORTS IN THIS SUPPLEMENTAL REPORT**

If you wish to contest the Department's action, you have the right to request an administrative hearing to be conducted in accordance with Sections 120.569 and 120.57, Florida Statutes and to be represented by counsel or other qualified representative. Your request for hearing must contain:

1. Your name, address, and telephone number, and facsimile number (if any).
2. The name, address, and telephone number, and facsimile number of your attorney or qualified representative (if any) upon whom service of pleadings and other papers shall be made.
3. A statement that you are requesting an administrative hearing and dispute the material facts alleged by the department, in which case you must identify the material facts that are in dispute (formal hearing), or that you request an administrative hearing and that you do not dispute the facts alleged by the department (informal hearing).
4. A statement of when (date) you received the Notice and the file number of this Notice.

Your request for a hearing must be received at the address shown on this Notice within twenty-one (21) days of receipt of this Notice. If you fail to obtain a Release from this Notice or fail to request an administrative hearing within the twenty-one (21) day deadline you waive your right to a hearing and the Department may enter a Final Order imposing up to the maximum penalties as authorized by Florida Law.

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**HEARING WAIVER AND WAIVER OF RIGHTS**

I, \_\_\_\_\_ the person in charge of L & W PROCESSING hereby waive a notice and a hearing as provided in Chapter 120, Florida Statutes and waive all rights as provided on the last page of this report.

\_\_\_\_\_  
(Signature)


**ACKNOWLEDGEMENT**

I acknowledge receipt of a copy of this document.



\_\_\_\_\_  
(Signature of FDACS Representative)

TERRY TAYNTON, ENVIRONMENTAL SPECIALIST II  
\_\_\_\_\_



\_\_\_\_\_  
(Signature of Representative)

Lemuel Roberts JR  
\_\_\_\_\_  
Print Name and Title

*D. W. A. C. S.*