



NICOLE "NIKKI" FRIED
COMMISSIONER

Florida Department of Agriculture and Consumer Services
Division of Food Safety

FOOD SAFETY INSPECTION REPORT

Chapter 500, Florida Statutes
(850) 245-5520



Visit # 4092-6008-40
Bureau of Food Inspection
Attention: Business Center
3125 Conner Boulevard, C-26
Tallahassee, FL 32399-1650

Print Date: October 04, 2021

Food Entity Number: 102134
Food Entity Name: FAST TRACK # 0428
Date of Visit: October 04, 2021
Food Entity Address: 3907 SW State Road 14 Madison, FL 32340-4475
Food Entity Mailing Address: 3715 NW 97th Blvd Suite A Gainesville, FL 32606-7373
Food Entity Type/Description: 124/Convenience Store Significant FS AND/OR Packaged Ice
Food Entity Owner: LAND O'SUN MANAGEMENT CORP (LOS)

Owner Code: LOS

INSPECTION SUMMARY - Met Inspection Requirements - Abridged Inspection

On 10/4/2021, FAST TRACK # 0428 was inspected by KENNETH DAVIDSON, a representative of the Florida Department of Agriculture and Consumer Services. Any violations observed during this inspection must be corrected to be in 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 alternative method properly followed
8	OUT	PREVENTING CONTAMINATION BY HANDS: 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	OUT	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	TIME/TEMPERATURE CONTROL FOR SAFETY FOOD: Proper cooking time and temperatures
17	IN	TIME/TEMPERATURE CONTROL FOR SAFETY FOOD: Proper reheating procedures for hot holding
18	N/O	TIME/TEMPERATURE CONTROL FOR SAFETY FOOD: Proper cooling time and temperatures
19	IN	TIME/TEMPERATURE CONTROL FOR SAFETY FOOD: Proper hot holding temperatures
20	IN	TIME/TEMPERATURE CONTROL FOR SAFETY FOOD: Proper cold holding temperatures
21	OUT	TIME/TEMPERATURE CONTROL FOR SAFETY FOOD: Proper date marking and disposition
22	N/A	TIME/TEMPERATURE CONTROL FOR SAFETY FOOD: Time as a public health control: procedures and records
23	N/A	CONSUMER ADVISORY: Consumer advisory provided for raw or undercooked foods
24	IN	EMPLOYEE HEALTH: Procedures for responding to vomiting and diarrheal events
25	N/A	CHEMICAL: Food additives: approved and properly used
26	OUT	CHEMICAL: Toxic substances properly identified, stored, and used
27	N/A	CONFORMANCE WITH APPROVED PROCEDURES: Conformance with approved procedures
95	IN	SUPERVISION: Certified food protection manager

GOOD RETAIL PRACTICES

<u>Violation Number</u>	<u>Compliance Status</u>	<u>Violation Description</u>
43	OUT	PROPER USE OF UTENSILS: Single-use/single-service articles: properly stored and used
46	OUT	UTENSILS, EQUIPMENT AND VENDING: Warewashing facilities: installed, maintained, and used; test strips
47	OUT	UTENSILS, EQUIPMENT AND VENDING: Nonfood-contact surfaces clean

OBSERVATIONS AND CORRECTIVE ACTIONS

COS = Corrected on Site

P = Priority Citation

Pf = Priority Foundation Citation

(Directly Associated with Foodborne Illnesses) (Supports or Leads to a Priority Citation)

INSPECTION: RISK BASED

<u>Violation Number</u>	<u>Citation Description</u>	<u>COS Observation</u>
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INSPECTION: RISK BASED

**Violation
Number**

Citation Description

COS Observation

Pf

8

Handwashing sink or group of 2 adjacent handwashing sinks not provided with hand cleaning liquid, powder, or bar soap. Handwashing sink or group of adjacent handwashing sinks not provided with: individual, disposable towels; continuous towel system that supplies the user with a clean towel; a heated-air hand drying device; or a device that employs an air-knife system that delivers high velocity, pressurized air at ambient temperatures. 6-301.11 and 6-301.12 Pf

☒ ARBY'S - NO SOAP OR ANY MEANS OF DRYING HANDS AT HAND WASH SINK. COS - SOAP AND PAPER TOWELS WERE PROVIDED DURING THE INSPECTION.

14

Equipment food-contact surface or utensil not clean to sight and touch. 4-601.11(A) Pf

☒ ARBY'S - VEGETABLE SLICER HAS VISUAL FOOD DEBRIS ON HANDLE, BLADE, GUARD AND SLICER HOUSING. COS - SLICER WAS DISASSEMBLED AND WASHED, RINSED AND SANITIZED BEFORE THE COMPLETION OF THE INSPECTION.

Pf

21

Refrigerated, ready-to-eat, time/temperature control for safety food prepared and held for more than 24 hours not clearly marked to indicate the date or day by which the food shall be consumed, sold or discarded when held at 41°F or less for a maximum of 7 days; or the day of preparation not counted as day 1. 3-501.17(A) Pf

☒ ARBY'S - SLICED TOMATOES IN REACH IN COOLER DID NOT CONTAIN A DATE MARK. COS - DATE OF PREPARATION WAS VERIFIED BY MANAGEMENT AND PROPERLY DATE MARKED DURING THE INSPECTION.

Pf

21

Refrigerated, ready-to-eat, time/temperature control for safety food prepared and packaged by a food processing plant not clearly marked, when opened onsite and held for more than 24 hours, to indicate the date or day by which the food shall be consumed, sold, or discarded when held at 41°F or less for a maximum of 7 days; or the day the original container is opened onsite not counted as day 1. 3-501.17(B) Pf

☒ RETAIL AREA - DAIRY FRENCH VANILLA IN COFFEE CREAMER DISPENSER WAS NOT DATE MARKED. COS - DATE OF OPENING WAS APPLIED TO THE CREAMER DURING THE INSPECTION.

Pf



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INSPECTION: RISK BASED

**Violation
Number**

Citation Description

COS Observation

26

Poisonous or toxic materials not stored to prevent contamination of food, equipment, utensils, linens, and single-service and single-use articles by separating the poisonous or toxic material by spacing or partitioning, or locating the poisonous or toxic material in an area that is not above food, equipment, utensils, linens, and single-service and single-use articles. 7-201.11 P

☒ ARBY'S - OBSERVED RESTROOM CLEANER ON PREPARATION TABLE NEXT TO TO-GO BAGS AND SINGLE USE ARTICLES. COS - CLEANER WAS ADEQUATELY RELOCATED DURING THE INSPECTION. RETAIL BACK ROOM AREA - HAND SOAP AND SANITIZER WAS STORED ABOVE ASSORTED SOFT DRINKS. COS - DRINKS WERE RELOCATED DURING THE INSPECTION.

P

INSPECTION: GRP

**Violation
Number**

Citation Description

COS Observation

43

Single-service or single-use articles not stored in a clean, dry location; at least 6 inches above the floor; or where they are not exposed to splash, dust, or other contamination. 4-903.11(A)

☐ RETAIL BACK ROOM AREA - BOX OF SINGLE USE CUPS ARE STORED DIRECTLY ON THE FLOOR. OUTSIDE STORAGE SHED - BOX OF SINGLE USE DRINK LIDS ARE STORED DIRECTLY ON THE FLOOR.

46

Warewashing equipment; sinks, basins or other receptacles used for washing or rinsing raw food or laundering wiping cloths; or drainboards or equipment used to substitute for drainboards not cleaned before use, throughout the day at a frequency necessary to prevent recontamination of equipment and utensils and ensure the equipment performs its intended function, and at least every 24 hours when used. 4-501.14

☐ ARBY'S - HAND NOZZLE TO THE WARE WASH SINK HAS A STICKY SUBSTANCE AND MINERALIZATION RESIDUE.

47

Nonfood-contact surface of equipment not cleaned at a frequency necessary to preclude accumulation of soil residue. 4-602.13

☐ ARBY'S RETAIL AREA - CABINETS UNDERNEATH THE SODA MACHINE HAVE FOOD AND SPILLAGE RESIDUE AND BUILDUP INSIDE.

NOTICE OF FEES

To review your account balance or to renew your permit, please visit our Food Permit Center at
<https://FoodPermit.FDACS.gov>.



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COMMENTS

Due to COVID-19, today's summarized inspection was conducted using risk-based methodology focusing on food safety parameters that are directly associated with sanitation and public health

Reducing Illness was provided to the establishment.

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)

KENNETH DAVIDSON, ENVIRONMENTAL SPECIALIST I

(Signature of Representative)

MARCUS JOSEPH, MANAGER

Print Name and Title



NICOLE "NIKKI" FRIED
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FOOD SAFETY INSPECTION SUPPLEMENTAL REPORT

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

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RELEASE NOTICE

SUPPLEMENTAL KEY #:
24287

You are hereby notified that the following item on which a STOP USE ORDER was issued on 06/22/2011 by YOLANDA SYLVE is hereby released.

Article: IMPING CLOTH SANITIZER BUCKETS
Brand Name: DEALER
Lot #: # Of Pkgs:

Size Of Pkg:

Total Weight:

Invoice #:

Invoice Date:

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 500.04; FS 500.172 UNSANITARY EQUIPMENT* SANITATION RINSE: CLEAN, TEMPERATURE, CONCENTRATION, TIME. EQUIPMENT AND UTENSILS SANITIZED

Disposition: EQUIPMENT WAS REMOVED FROM SERVICE

Comments:

ACKNOWLEDGEMENT

I acknowledge receipt of a copy of this document.

(Signature of FDACS Representative)

KENNETH DAVIDSON, ENVIRONMENTAL SPECIALIST I

(Signature of Representative)

MARCUS JOSEPH, MANAGER

Print Name and Title

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.

**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.

HEARING WAIVER AND WAIVER OF RIGHTS


I, N/A the person in charge of FAST TRACK # 0428 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.

N/A

(Signature)

ACKNOWLEDGEMENT

I acknowledge receipt of a copy of this document.


(Signature of FDACS Representative)

KENNETH DAVIDSON, ENVIRONMENTAL SPECIALIST I


(Signature of Representative)

MARCUS JOSEPH, MANAGER
Print Name and Title