



Florida Department of Agriculture and Consumer Services
Division of Food Safety

FOOD SAFETY INSPECTION REPORT

Visit #: 9999-7182-1976-72
Bureau of Food Inspection
Attention: Business Center
3125 Conner Boulevard, C-26
Tallahassee, FL 32399-1650

NICOLE "NIKKI" FRIED
COMMISSIONER

Chapter 500, Florida Statutes
(850) 245-5520

Name: Smoothie King
Owner: Related Group Flagler Llc
Type: Health Food Store w/FS
Address: 9231 W FLAGLER ST # C-103 MIAMI, FL 33174

Establishment #: 371496
Date of Visit: August 12, 2022
Inspected By: JAMES ZHENG

INSPECTION SUMMARY - Re-Inspection Required

The following violations observed during the inspection must be corrected to be in compliance with Chapter 500, 581, and 583, Florida Statutes, and Rule 5K-4, Florida Administrative Code. A Department inspector will return for a reinspection on about August 26, 2022. The failure to correct the violations by this date may result in the imposition of the maximum penalties provide in Chapter 500 Florida Statutes, including an administrative fine and the suspension or revocation of your food permit. The reinspection visit is due to documented citations that pose a risk of foodborne illness.

NOTICE OF FEES

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

OBSERVATIONS AND CORRECTIVE ACTIONS

COS = Corrected on Site

P = Priority Citation
(Directly Associated with Foodborne Illnesses)

Pf = Priority Foundation Citation
(Supports or Leads to a Priority)

INSPECTION: RISK BASED

| Violation Number | Citation Description and Observation | COS |
|------------------|---|--------------------------|
| 24 Pf | Citation Description: Establishment does not have written procedures for employees to follow when responding to an event that involves the discharge of vomitus or diarrhea onto surfaces at the food establishment, or procedures do not address specific actions employees must take to minimize the spread of contamination and the exposure of employees, consumers, food, and surfaces to vomitus or fecal matter. 2-501.11 Pf Observation: No written procedures available for employees to follow when an event involving vomitus or diarrhea occurs. | <input type="checkbox"/> |

INSPECTION: GRP

| Violation Number | Citation Description and Observation | COS |
|------------------|---|--------------------------|
| 36 Pf | Citation Description: Premises not maintained free of insects and other pests; or not controlled to eliminate their presence on the premise by routinely inspecting incoming shipments of food and supplies; routinely inspecting the premises for evidence of pests; and using methods, if pests are found, such as trapping devices or other means of pest control. 6-501.111 (A)-(C) Pf Observation: Backroom - several small flying insects observed flying around backroom in between storage racks. | <input type="checkbox"/> |
| 36 P | Citation Description: Premises not maintained free of roaches and rodents; or not controlled to eliminate their presence on the premise by routinely inspecting incoming shipments of food and supplies; routinely inspecting the premises for evidence of pests; and using methods, if pests are found, such as trapping devices or other means of pest control. 6-501.111 (A)-(C) P Observation: Food service - live roach observed in corner of the underside of stainless steel rolling table kept next to register. Stop-use order issued for all receiving and all receiving areas. See supplements. | <input type="checkbox"/> |

Citation Description: Physical facilities not cleaned as often as necessary to keep them clean, or cleaning not done during periods when the least amount of food is exposed such as after closing. 6-501.12

Observation: Food service - several small dead roaches observed on floor in the space underneath the blender rinsing station.

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

COMMENTS

Visit conducted to verify compliance of food safety citations observed during previous inspection.

Re-inspection visit required due to pests. Food establishment can visit <https://foodpermit.fdacs.gov> or contact the Business Center at (850) 245-5520 to request food safety inspector visit for written release when all affected areas have been adequately cleaned and sanitized. In addition, food establishment must develop and implement a pest management control program.

The original Stop-Use Order/Stop-Sale Order placed during inspection on 7/29/2022 remains in effect.

Stop Use Order issued. Food establishment can visit <https://foodpermit.fdacs.gov> or contact the Business Center at (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.

If evidence of pest infestation is observed on the next scheduled inspection, a Stop-sale of all food items will be issued.

A copy of this report has been provided to the person in charge of the food establishment and will be available online at <https://foodpermit.fdacs.gov/Reports/SearchFoodEntity.aspx>.



JAMES ZHENG, SANITATION AND SAFETY SPECIALIST

MARCEL ORTEGA, MANAGER

Name and Title of Whom This Report was Issued



Florida Department of Agriculture and Consumer Services
Division of Food Safety

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FOOD SAFETY INSPECTION SUPPLEMENTAL REPORT

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

**NICOLE "NIKKI" FRIED
COMMISSIONER**

Visit #: 99997182197672

Food Entity #: 371496
Food Entity Name: SMOOTHIE KING
Date Of Visit: August 12, 2022
Inspected By: JAMES ZHENG
Food Entity Location Address: 9231 W FLAGLER ST # C-103 MIAMI, FL 33174
Food Entity Mailing Address: 9231 W FLAGLER ST # C-103 MIAMI, FL 33174
Food Entity Type/Description: 137/Health Food Store w/FS
Food Entity Owner: RELATED GROUP FLAGLER LLC

STOP USE ORDER

SUPPLEMENTAL KEY #:
329361

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: All receiving of food products
Brand Name: N/A
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 500.10 Adulterated.* Prevention of Food Contamination: Insects, rodents, and animals not present.

Comments: All affected areas must be adequately cleaned and sanitized. In addition, the food establishment must develop and implement a pest management control program. Contact the Business Center at (850) 245-5520 or FoodSafety@FDACS.gov to request a Food Safety Inspector visit for written release.



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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 ON DESTROYED PRODUCTS

I, _____ the person in charge of SMOOTHIE KING 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

A copy of this report has been provided to the person in charge of the food establishment.

I acknowledge receipt of a copy of this document.

Signature of FDACS Representative

JAMES ZHENG, SANITATION AND SAFETY SPECIALIST

Signature of Representative

MARCEL ORTEGA, MANAGER

Print Name and Title