



WILTON SIMPSON  
COMMISSIONER

Florida Department of Agriculture and Consumer Services  
Division of Food Safety

FOOD SAFETY INSPECTION REPORT

Chapter 500, Florida Statutes  
(850) 245-5520

Visit #: 9999-7182-2100-86  
Bureau of Food Inspection  
Attention: Business Center  
3125 Conner Boulevard, C-26  
Tallahassee, FL 32399-1650

Name: Sushi With Gusto  
Owner: Lwin Family Co Llc  
Type: Seafood Market Retail  
Address: 1800 West Ave Miami Beach, FL 33139-1432

Establishment #: 403360  
Date of Visit: February 16, 2023  
Inspected By: JAMES ZHENG,  
PEDRO LLANOS

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 March 02, 2023. 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
1 Pf	<b>Citation Description:</b> A pattern of non-compliance is demonstrated with regard to the duties of the person in charge. 2-103.11(A)-(N) and (P) Pf <b>Observation:</b> Observed a pattern of non-compliance as evidenced by cold holding, sanitization, and lack of vomit & Diarrhea clean up procedures.	<input type="checkbox"/>
2 P	<b>Citation Description:</b> The establishment does not require food employees or conditional employees to report to the person in charge information about their health and activities as they relate to reportable symptoms, diagnosis, past illnesses or history of exposure to diseases that are transmissible through food. Food employee or conditional employee does not report necessary additional information such as date of onset of symptoms or illness, or diagnosis without symptoms. 2-201.11(A) P <b>Observation:</b> Person in charge couldn't not answer questions related to food borne illnesses and symptoms. Employee health guide provided.	<input type="checkbox"/>
8 Pf	<b>Citation Description:</b> Handwashing sink not maintained so that it is accessible at all times for employee use or is used for purposes other than handwashing, or an automatic handwashing facility not used in accordance with manufacturer's instructions. 5-205.11 Pf <b>Observation:</b> Food Prep Area: Hand wash sink used to fill cup of ice with water.	<input type="checkbox"/>
13 P	<b>Citation Description:</b> Single-use gloves not used for only one task, used for another purpose, or not discarded when damaged or soiled or when interruptions occur in the operation. 3-304.15(A) P <b>Observation:</b> Food Prep Area: Observed food worker moving books and shelving before preparing sushi without changing gloves. COS: Hands were washed and donned new gloves when instructed.	<input checked="" type="checkbox"/>

13 P	<p><b>Citation Description:</b> Raw animal food not separated during storage, preparation, holding or display from ready-to-eat raw animal food, other raw ready-to-eat food, cooked ready-to-eat food, or fruits and vegetables before they are washed. 3-302.11(A)(1) P</p> <p><b>Observation:</b> Backroom Area: Raw Ahi tuna stored directly above cream cheese in walk-in cooler. COS: Ahi tuna was moved to appropriate location during inspection.</p>	<input checked="" type="checkbox"/>
14 P	<p><b>Citation Description:</b> Equipment food-contact surface or utensil used with time/temperature control for safety food not cleaned throughout the day at least every 4 hours. Exception criteria for an alternative cleaning frequency not met. 4-602.11(C) P</p> <p><b>Observation:</b> Food Prep Area: Cutting boards and knives in use since 7AM not yet washed, rinsed, and sanitized at 11:30AM. COS: All items were brought to the three compartment sink for proper cleaning, rinsing and sanitizing.</p>	<input checked="" type="checkbox"/>
20 P	<p><b>Citation Description:</b> Cold held time/temperature control for safety food not maintained at 41°F or below. 3-501.16(A)(2) P</p> <p><b>Observation:</b> Retail Area: Pre-packaged food items including Chef special, California roll and California roll brown displayed in reach-in cooler found with internal temperature between 42 - 49 degrees F when checked with an accurate probe thermometer because of overstacking. COS: Food items were taken into a freezer to lower temperature.</p>	<input checked="" type="checkbox"/>
24 Pf	<p><b>Citation Description:</b> 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</p> <p><b>Observation:</b> Written procedures for cleanup of vomit or diarrhea events not available at time of inspection.</p>	<input type="checkbox"/>

#### INSPECTION: GRP

Violation Number	Citation Description and Observation	COS
31	<p><b>Citation Description:</b> Time/temperature control for safety food that is cooling is not loosely covered or uncovered to facilitate heat transfer from the surface of the food, or not arranged in equipment to provide maximum heat transfer through the container walls. 3-501.15(B)</p> <p><b>Observation:</b> Backroom Area: Sushi packages cooling inside walk in cooler tightly covered and stacked. COS: Sushi was moved freezer and placed flat on rolling rack during Inspection.</p>	<input checked="" type="checkbox"/>
33	<p><b>Citation Description:</b> Reduced oxygen packaged fish that bears a label indicating it is to be kept frozen until time of use not removed from the reduced oxygen environment prior to thawing under refrigeration, or prior to or immediately upon completion of thawing under cold running water. 3-501.13(E)</p> <p><b>Observation:</b> Backroom Area: Vacuum packed raw Ahi Tuna being thawed sealed inside walk in cooler. COS: Tuna was unsealed during inspection.</p>	<input checked="" type="checkbox"/>
35	<p><b>Citation Description:</b> Working container holding a food or food ingredient that is not readily and unmistakably recognized and has been removed from its original packaging for use in the establishment is not identified with the common name of the food. 3-302.12</p> <p><b>Observation:</b> Food Prep Area: Observed multiple squeeze bottles not labeled with common name of food located on counter of prep table.</p>	<input type="checkbox"/>
36 Pf	<p><b>Citation Description:</b> 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</p> <p><b>Observation:</b> Food Prep Area: Numerous small, flying insects observed around prep table.</p>	<input type="checkbox"/>
41	<p><b>Citation Description:</b> During pauses in food preparation or dispensing, utensil stored in food that is not time/temperature control for safety food not stored with their handles above the top of the food within containers or equipment that can be closed. 3-304.12(B)</p> <p><b>Observation:</b> Food Prep Area: Scoop stored inside rice bin between uses found with handle in contact with the rice.</p>	<input type="checkbox"/>

#### COMMENTS

Trainee present during inspection. All violations verified by primary inspector.

Employee Health Guidelines, Reporting Agreement and Clean Up of Vomit and Diarrhea handouts emailed.

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.

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, ENVIRONMENTAL SPECIALIST II



MAUNG SMITH, PERSON IN CHARGE

Name and Title of Whom This Report was Issued

*Pedro Llanos*

