



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 #: 9999-7182-2295-48  
Bureau of Food Inspection  
Attention: Business Center  
3125 Conner Boulevard, C-26  
Tallahassee, FL 32399-1650

Name: Pinecrest Bakery  
Owner: Pinecrest Bakery Llc  
Type: Retail Bakery w/FS  
Address: 11375 SW 40th ST Miami, FL 33165-4420

Establishment #: 361628  
Date of Visit: September 08, 2023  
Inspected By: JAMES ZHENG,  
CATALINA ORDONEZ

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 September 22, 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 No.	Citation Description and Observation	COS
1 Pf	<b>Citation Description:</b> No designated person in charge present at the establishment during all hours of operation. 2-101.11 Pf <b>Observation:</b> No designated person in charge was present at the beginning of the inspection. COS, manager arrived during inspection.	<input checked="" type="checkbox"/>
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> Person in charge does not ensure active managerial control as evidenced by violations noted on the inspection report: cooling; cold holding temperatures; consumer advisory, equipment sanitization.	<input type="checkbox"/>
1 Pf	<b>Citation Description:</b> Demonstration of knowledge not in compliance. At least one Priority violation observed during the inspection, the establishment does not have a certified food protection manager who has passed a test through a recognized accredited program, and the person in charge is unable to respond correctly to food safety questions relevant to the operation. 2-102.11(A), (B), (C)(1) and (4)-(16) Pf <b>Observation:</b> Person in charge does not demonstrate knowledge of the Food Code and Public Health principles as evidenced by: having at least 1 priority violation on the inspection report, having no certified food protection manager for the establishment, and is unable to respond correctly to food safety questions relevant to their food operation.	<input type="checkbox"/>
2 Pf	<b>Citation Description:</b> Person in charge does not ensure food employees and conditional employees are informed in a verifiable manner of their responsibility to report to the person in charge information about their health and activities as they relate to diseases that are transmissible through food. 2-103.11(O) Pf <b>Observation:</b> Employees are not informed of their reporting responsibilities as it relates to foodborne illnesses and symptoms in a verifiable manner. Copy of employee reporting agreement provided to owner.	<input type="checkbox"/>

6 P	<p><b>Citation Description:</b> Food employee not cleaning hands or exposed portions of arms immediately before engaging in food preparation including working with exposed food, clean equipment or utensils, or unwrapped single service or single use articles; after touching bare human body parts; after using the toilet room; after caring for or handling service animals or aquatic animals; after coughing, sneezing, using a handkerchief or tissue, using tobacco, eating or drinking; after handling soiled equipment or utensils; during food preparation as often as necessary to remove soil and prevent cross contamination; before donning gloves to initiate a task that involves working with food; or after engaging in other activities that contaminate the hands. 2-301.14 P</p> <p><b>Observation:</b> Food service- Food employees did not wash hands between work at register and preparing sandwiches. COS, employee was instructed on proper hand washing procedures and washed hands prior to continuing.</p>	<input checked="" type="checkbox"/>
7 P	<p><b>Citation Description:</b> Food employee contacting exposed ready-to-eat foods with bare hands or not using suitable utensils; alternate method not approved or approved but not followed to allow food employees to have bare hand contact with exposed ready-to-eat food; or food employee contacting exposed ready-to-eat food with bare hands at the time it is being added to other food items as an ingredient without cooking/heating the final product to the required temperature to allow bare hand contact. 3-301.11(B) P</p> <p><b>Observation:</b> Food service- Food employee handled washed oranges. COS, food employee voluntarily discarded oranges. Stop sale order and release issued, see supplements.</p>	<input checked="" type="checkbox"/>
8 Pf	<p><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</p> <p><b>Observation:</b> Food service- Food employees washed wiping clothes at hand sink located next to orange juice machine. Paper receipts were found inside hand sink located next to the ware wash sink. Processing- Plastic equipment stored inside hand sink located next to ware wash sink. Kitchen: Food employee washed tomatoes inside hand sink in the kitchen area. COS, Proper usage of hand sink was discussed with the person in charge and hand sink were made accessible during inspection.</p> <p><b>Initial if all stated observations have been corrected:</b> COS</p>	<input checked="" type="checkbox"/>
8 Pf	<p><b>Citation Description:</b> 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</p> <p><b>Observation:</b> Food service- No paper towels provided at hand sink located next to orange juice machine.</p> <p><b>Initial if all stated observations have been corrected:</b> _____</p>	<input 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> Kitchen- Raw beef stored over precooked meat pastries inside walk in cooler. COS, raw beef were placed in proper location during inspection.</p>	<input checked="" type="checkbox"/>
13	<p><b>Citation Description:</b> Food not protected from cross contamination by storage in packages, covered containers or wrappings. 3-302.11(A)(4)</p> <p><b>Observation:</b> Food service- Cleaned oranges used for fresh juice stored uncovered on holding tray of orange juice machine. COS, oranges were covered 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 service- In use steam wand has not been sanitized after more than 4 hours. COS, steam wand was washed, rinsed, and sanitized.</p>	<input checked="" type="checkbox"/>
18 P	<p><b>Citation Description:</b> Time/temperature control for safety food prepared from ingredients at ambient temperature not cooled within 4 hours to 41°F or less. 3-501.14(B) P</p> <p><b>Observation:</b> Food service- Multiple ham and cheese sandwiches made today in the morning and stored at ambient temperature next to the toaster did not achieved 41°F within 4 hours. COS, all food items were voluntarily discarded during inspection. Stop sale order and release issued. See supplements.</p>	<input type="checkbox"/>

19 P	<p><b>Citation Description:</b> Hot held time/temperature control for safety food not maintained at 135°F or above, or roast cooked or reheated to a temperature and for a time specified for cooking roast in the Food Code not hot held at 130°F or above. 3-501.16(A)(1) P</p> <p><b>Observation:</b> Food service- Multiple food items measured out of temperature inside the hot holding unit: beef empanadas 128-132°F, chicken empanada 131°F, ham and cheese empanada 129°F, ham and cheese pastry 120-128°F, colombian beef empanada 127°F, beef pastry 123°F, cheese tequeno 130-132°F, ham croquettes 126°F, ham and cheese bread 126°F, cheese bread 130°F, cod croquette 128°F, cheese croquette 128°F. COS, all food items were voluntarily discarded during inspection. Stop sale order and release issued. See supplements.</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> Kitchen- Multiple food items measured out of temperature inside the preparation cold unit: cheese 45°F, sausage 43°F. COS, all food items were voluntarily discarded during inspection. Stop sale order and release issues. See supplements. Food service- Gallon of milk was found at 45°F on top of preparation table. COS, gallon of milk was placed under proper refrigeration.</p>	<input checked="" type="checkbox"/>
21 Pf	<p><b>Citation Description:</b> 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</p> <p><b>Observation:</b> Food service- No date mark available for commercially processed bread pudding, flan and cheesecake stored inside display cold unit. COS, all food items were date marked properly during inspection.</p>	<input checked="" type="checkbox"/>
23 Pf	<p><b>Citation Description:</b> Disclosure for animal food that is raw, undercooked, or not otherwise processed to eliminate pathogens and served or sold in a ready-to-eat form or as an ingredient in another ready-to-eat food does not include a description of the animal-derived food or identification of the animal-derived food by asterisking it to a footnote that states that the items are served raw or undercooked, or contain (or may contain) raw or undercooked ingredients. 3-603.11(B) Pf</p> <p><b>Observation:</b> Food service- No disclosure of foods cooked to order (eggs and steak) posted in the establishment at the point of sale.</p> <p><b>Initial if all stated observations have been corrected:</b> _____</p>	<input 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> Food establishment does not have written procedures for employees to follow when responding to an event involving the discharge of vomitus/diarrhea. Copy of guidance for written procedures for the clean-up of vomiting and diarrheal events provided.</p> <p><b>Initial if all stated observations have been corrected:</b> _____</p>	<input type="checkbox"/>
26 P	<p><b>Citation Description:</b> 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</p> <p><b>Observation:</b> Kitchen- Several bottles of chemicals stored over a box with tuna cans next to the hand sink. COS, tuna cans were moved to proper location.</p>	<input checked="" type="checkbox"/>
95	<p><b>Citation Description:</b> Establishment does not have a certified food protection manager who has passed a test through a recognized accredited program. 5K-4.021(1), F.A.C.</p> <p><b>Observation:</b> No Certified Food Protection Manager at food establishment.</p> <p><b>Initial if all stated observations have been corrected:</b> _____</p>	<input type="checkbox"/>

INSPECTION: GRP

Violation No.	Citation Description and Observation	COS
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35	<p><b>Citation Description:</b> Food packaged on site not labeled with: the common name of the food or an adequate descriptive identity statement; if made from two or more ingredients, a list of ingredients and sub-ingredients in descending order of predominance by weight; an accurate declaration of the net quantity of contents; the name and place of business of the manufacturer, packer, or distributor; or nutritional labeling as specified in 21 CFR 101 and 9 CFR 317 Subpart B. 3-602.11(B)(1)-(4) and (6)</p> <p><b>Observation:</b> Food service- Store-made packages of crackers were found unlabeled on the front counter at customer reach missing all labeling requirements: product name, ingredients and sub-ingredients, net weight, manufacturer information (name, city, state, zip). COS, products were placed behind the counter for sale.</p>	<input checked="" type="checkbox"/>
38	<p><b>Citation Description:</b> Food employee not wearing a hair restraint such as a hat, hair covering or net, beard restraint, or clothing that covers body hair, that is designed and worn to effectively keep their hair from contacting exposed food; clean equipment, utensils, and linens; and unwrapped single-service and single-use articles. 2-402.11</p> <p><b>Observation:</b> Processing, Food service- Food employees were not wearing a hair restraint while engaging in food preparation.</p> <p><b>Initial if all stated observations have been corrected:</b> _____</p>	<input type="checkbox"/>
39	<p><b>Citation Description:</b> Cloths in-use for wiping counters and other equipment surfaces not held between uses in a chemical sanitizer solution at a proper concentration as specified in the Food Code. 3-304.14(B)(1)</p> <p><b>Observation:</b> Food service, Kitchen- Wet in use wiping clothes stored on food preparation tables, not held in sanitizer solution between use.</p> <p><b>Initial if all stated observations have been corrected:</b> _____</p>	<input type="checkbox"/>
46	<p><b>Citation Description:</b> Drainboards, utensil racks, or tables not large enough to accommodate all soiled and cleaned items that accumulate during hours of operation or not provided for necessary utensil holding before cleaning and after sanitizing. 4-301.13</p> <p><b>Observation:</b> Food service- No drain boards available at ware wash sink to accommodate all soiled and cleaned items accumulated during hours of operation.</p> <p><b>Initial if all stated observations have been corrected:</b> _____</p>	<input type="checkbox"/>
49 Pf	<p><b>Citation Description:</b> Plumbing system not installed to preclude backflow of a solid, liquid, or gas contaminant into the water supply system at each point of use, including on a hose bibb, by providing an air gap or installation of an approved backflow prevention device. 5-203.14 Pf</p> <p><b>Observation:</b> Processing- Backflow preventer device missing at mop sink.</p> <p><b>Initial if all stated observations have been corrected:</b> _____</p>	<input type="checkbox"/>
50 P	<p><b>Citation Description:</b> Sewage not disposed through an approved facility that is a public sewage treatment plant or an individual sewage disposal system that is sized, constructed, maintained, and operated according to law. 5-403.11 P</p> <p><b>Observation:</b> Processing, Food service- Observed sewage back up of soapy water at indirect connection of ware wash sink when compartment was draining when in use by establishment. COS, back up was fixed by plumber during inspection.</p>	<input checked="" type="checkbox"/>

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

## COMMENTS

When citations have been corrected and initialed, an electronic copy of the completed report may be emailed to [FoodSafety@FDACS.gov](mailto:FoodSafety@FDACS.gov).

Please note each observation that has been corrected.

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

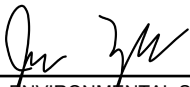
Copy of guidance for written procedures for the clean-up of vomiting and diarrhea events provided.

Re-inspection visit required issued for food establishment. A re-inspection will be conducted on or about 14 days.

Copy of certified food manager documentation, cooling handout provided.

Employee Health Guidelines and reporting agreement provided.

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>.



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JAMES ZHENG, ENVIRONMENTAL SPECIALIST II

CATALINA ORDONEZ, ENVIRONMENTAL SPECIALIST II



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ADRIAN RODRIGUEZ, PERSON IN CHARGE

Name and Title of Whom This Report was Issued



WILTON SIMPSON  
COMMISSIONER

Florida Department of Agriculture and Consumer Services  
Division of Food Safety

Bureau of Food Inspection  
Attention: Business Center  
3125 Conner Boulevard, C-26  
Tallahassee, FL 32399-1650

**FOOD SAFETY INSPECTION SUPPLEMENTAL REPORT**

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

Visit #: 99997182229548

Food Entity #: 361628  
Food Entity Name: PINECREST BAKERY  
Date Of Visit: September 08, 2023  
Inspected By: JAMES ZHENG  
Food Entity Location Address: 11375 SW 40th ST Miami, FL 33165-4420  
Food Entity Mailing Address: 21657 South Dixie Highway Miami, FL 33170  
Food Entity Type/Description: 141/Retail Bakery w/FS  
Food Entity Owner: PINECREST BAKERY LLC

**STOP SALE ORDER AND RELEASE**

SUPPLEMENTAL KEY #:  
332793

You are hereby notified that the following item on which a STOP SALE ORDER AND RELEASE was issued on 09/08/2023 by JAMES ZHENG is hereby released.

Article:	orange		
Brand Name:	Pinecrest Bakery		
Lot #:	# Of Pkgs: 1	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.\* Preventing Contamination By Hands: No bare hand contact with ready-to-eat foods or approved alternative method properly followed.

Disposition: Product was voluntarily destroyed by food entity management and witnessed by inspector.

Comments:



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(850) 245-5520

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Inspected By: JAMES ZHENG  
Food Entity Location Address: 11375 SW 40th ST Miami, FL 33165-4420  
Food Entity Mailing Address: 21657 South Dixie Highway Miami, FL 33170  
Food Entity Type/Description: 141/Retail Bakery w/FS  
Food Entity Owner: PINECREST BAKERY LLC

**STOP SALE ORDER AND RELEASE**

SUPPLEMENTAL KEY #:  
332799

You are hereby notified that the following item on which a STOP SALE ORDER AND RELEASE was issued on 09/08/2023 by JAMES ZHENG is hereby released.

Article:	Ham and cheese sandwiches		
Brand Name:	Pinecrest Bakery		
Lot #:	# Of Pkgs: various	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.\* Time/Temperature Control for Safety Food: Proper cooling time and temperatures.

Disposition: Product was voluntarily destroyed by food entity management and witnessed by inspector.

Comments:



WILTON SIMPSON  
COMMISSIONER

Florida Department of Agriculture and Consumer Services  
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Bureau of Food Inspection  
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Tallahassee, FL 32399-1650

**FOOD SAFETY INSPECTION SUPPLEMENTAL REPORT**

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

Visit #: 99997182229548

Food Entity #: 361628  
Food Entity Name: PINECREST BAKERY  
Date Of Visit: September 08, 2023  
Inspected By: JAMES ZHENG  
Food Entity Location Address: 11375 SW 40th ST Miami, FL 33165-4420  
Food Entity Mailing Address: 21657 South Dixie Highway Miami, FL 33170  
Food Entity Type/Description: 141/Retail Bakery w/FS  
Food Entity Owner: PINECREST BAKERY LLC

**STOP SALE ORDER AND RELEASE**

SUPPLEMENTAL KEY #:  
332798

You are hereby notified that the following item on which a STOP SALE ORDER AND RELEASE was issued on 09/08/2023 by JAMES ZHENG is hereby released.

Article:	Various, pastries, empanadas		
Brand Name:	Pinecrest Bakery		
Lot #:	# Of Pkgs: Various	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.\* Time/Temperature Control for Safety Food: Proper hot holding temperatures.

Disposition: Product was voluntarily destroyed by food entity management and witnessed by inspector.

Comments:



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:

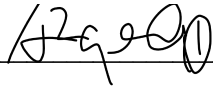
1. Your name, address, and telephone number, and facsimile number (if any).
2. The name, address, and telephone number, and facsimile number of your attorney or qualified representative (if any) upon whom service of pleadings and other papers shall be made.
3. A statement that you are requesting an administrative 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 ON DESTROYED PRODUCTS**

I, ADRIAN RODRIGUEZ the person in charge of PINECREST BAKERY 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.

  
\_\_\_\_\_  
Signature of FDACS Representative

JAMES ZHENG, ENVIRONMENTAL SPECIALIST II

I acknowledge receipt of a copy of this document.

  
\_\_\_\_\_  
Signature of Representative

ADRIAN RODRIGUEZ, PERSON IN CHARGE

\_\_\_\_\_  
Print Name and Title

CATALINA ORDONEZ, ENVIRONMENTAL SPECIALIST II