



Florida Department of Agriculture and Consumer Services  
Division of Food Safety

**FOOD SAFETY INSPECTION REPORT**

WILTON SIMPSON  
COMMISSIONER

Chapter 500, Florida Statutes  
(850) 245-5520

Visit #: 9999-7182-2495-11  
Bureau of Food Inspection  
Attention: Business Center  
3125 Conner Boulevard, C-26  
Tallahassee, FL 32399-1650

Name: La Bodega Bestway  
Owner: Gemini L T A Group  
Type: Grocery Store < 15,000 sq ft  
Address: 11400 W Flagler ST Ste 119 Miami, FL 33174-4007

Establishment #: 273476  
Date of Visit: April 02, 2024  
Inspected By: JAMES ZHENG,  
JULIO AZPURUA

**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 April 18, 2024. 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> 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"/>
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 in the establishment as evidenced by violations noted on the inspection report: cold holding and hot holding temperatures, equipment sanitization and hand washing.	<input type="checkbox"/>
2 Pf	<b>Citation Description:</b> Person in charge does not correctly respond to questions that relate to preventing transmission of foodborne disease by a food employee who has a disease or medical condition that may cause foodborne disease, can not describe symptoms associated with diseases that are transmissible through food, or can not explain how to comply with reporting responsibilities and exclusion or restriction of food employees. 2-102.11(C)(2)-(3) and (17) Pf <b>Observation:</b> No employee health policy available in food establishment. Copy of employee health guidance and employee reporting agreement provided.	<input type="checkbox"/>
4	<b>Citation Description:</b> Employee eating, drinking or using tobacco where exposed food, clean equipment, utensils, and linens, unwrapped single service and single use articles or other items could become contaminated. 2-401.11 <b>Observation:</b> Food Service, Kitchen - food employees personal water and drink bottles stored on preparation tables along with wholesome foods, throughout the establishment. <b>Initial if all stated observations have been corrected:</b> _____	<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, Kitchen - food employees did not wash their hands prior to donning gloves and between entering/exiting the processing areas to handle food and clean utensils. COS employees washed their hands, and proper hand-washing procedures were discussed with the manager.</p>	☒
6 Pf	<p><b>Citation Description:</b> Food employee not cleaning hands in a handwash sink or approved automatic handwashing facility. Food employee cleaning hands in a sink used for food preparation or warewashing, or in a service sink. 2-301.15 Pf</p> <p><b>Observation:</b> Kitchen - employee observed washing hand inside the ware wash sink. COS, proper hand washing procedures were discussed with the person in charge, employees stop and washed their hands at proper hand wash sink.</p> <p><b>Initial if all stated observations have been corrected: COS</b></p>	☒
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 - big trash can blocking access to hand wash sink next to walk in cooler door. Deli area - floor stand juice blender stored directly in front of hand wash sink. Kitchen Area - Large spoon stored at hand wash sink. Food Service - multiple knives found inside hand wash sink located inside walk in cooler. COS, employee removed utensils.</p> <p><b>Initial if all stated observations have been corrected: _____</b></p>	☐
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> Kitchen area - No hand wash soap provided at hand sink next to bread ovens. COS, soap was provided at hand sink during inspection. Walk in cooler area - No hand soap provided at hand sink next to band saw. Deli area - No hand wash soap nor paper towels provided at hand sink.</p> <p><b>Initial if all stated observations have been corrected: _____</b></p>	☐
11 P	<p><b>Citation Description:</b> Food not safe, or is adulterated. 3-101.11 P</p> <p><b>Observation:</b> Food service- Multiple bags of dry pasta on shelves were infested with insects. COS, all bags of pasta voluntarily discarded by manager. Stop Sale and release issued. Kitchen area - Bag of Corn flour observed with bite marks underneath wooden preparation table. COS. Voluntary discarded by manager.</p>	☒
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 area - Uncovered trays of raw meat, raw chicken stored inside walk in cooler. COS, ham was covered properly. Kitchen area - Uncovered pieces of cooked pork, buckets of tamales mix and vegetables mix dough inside walk in cooler. Deli Area - Buckets containing fruit juices stored underneath deli cases without any lids or other protection.</p>	☐
13 P	<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</p> <p><b>Observation:</b> Kitchen area - Food employees wearing single-use gloves left the kitchen area to pick up ingredients in the walk in cooler and return to continue cooking , then handle clean utensils for orders without changing gloves between tasks. COS, food employee washed hands prior to continuing working.</p>	☒

13 P	<p><b>Citation Description:</b> Different types of raw animal foods not separated from each other during storage, preparation, holding or display by using separate equipment, arranging food in equipment so that cross contamination is prevented, or preparing each type of food at different times or in separate areas. 3-302.11(A)(2) P</p> <p><b>Observation:</b> Food service - raw chicken stored over raw pork inside the walk-in cooler. COS, raw chicken was placed in the proper location. Retail - Raw pork sausages stored over raw beef steaks at reach in cooler. COS, all raw sausages were placed in proper location during inspection.</p>	<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> Food service - raw shell eggs stored over ready to eat pork loins inside the walk-in cooler. COS, eggs were relocated to a proper location.</p>	<input checked="" type="checkbox"/>
14	<p><b>Citation Description:</b> Food-contact surface of cooking or baking equipment not cleaned at least every 24 hours, or cavity or door seals of microwave oven not cleaned at least every 24 hours by using the manufacturer's recommended cleaning procedure. 4-602.12</p> <p><b>Observation:</b> Food service- dry food substances accumulated inside interior of the microwaves.</p> <p><b>Initial if all stated observations have been corrected:</b> _____</p>	<input type="checkbox"/>
14 Pf	<p><b>Citation Description:</b> Equipment food-contact surface or utensil not clean to sight and touch. 4-601.11(A) Pf</p> <p><b>Observation:</b> Deli area - Meat grinder attachment and utensil to push found with old food residue. COS, all food equipment and utensils were washed, rinsed, and sanitized.</p> <p><b>Initial if all stated observations have been corrected:</b> COS</p>	<input checked="" type="checkbox"/>
18 P	<p><b>Citation Description:</b> Cooked time/temperature control for safety food not cooled within 2 hours from 135°F to 70°F, or within a total of 6 hours from 135°F to 41°F or less. 3-501.14(A) P</p> <p><b>Observation:</b> Kitchen- When probe with an accurate thermometer found multiple containers with black beans cooked from the day before measuring out of temperature inside The Walk-in Cooler After More Than 6 hours of cooling. COS, see supplement, a stop sale and release order was issued for these items that were voluntarily discarded by management.</p>	<input checked="" 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 - fried ham croquettes 117*f and fish patties 118*f, were probed with a accurate thermometer inside of hot holding display case. Whole chicken 84-109°F, Pork chunks 112°F, chicken with potatoes 95°F, fish croquettes 96°F, beef croquettes 97°F, ground plantain 123-129°F, chicken wings 87-96°F and Pork ribs 105°F were probed inside steam table. COS, establishment voluntary discarded all products. Stop sale and release issued. See supplements. Kitchen, fried pork belly stored above oven found at 92-113°F. COS, was cooled to 41°F or below during the inspection.</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> Deli area - Multiple food items measured out of temperature at the display cold unit: Ham 44-46°F, Mortadela 44°F, white cheese 43°F, Turkey 45°F, pork loin 57°F, havarti cheese 44°F. COS, all food items were voluntarily discarded during inspection. Stop Sale and Release issued, see supplements. Retail area - multiple food item found out of temperature at open air cooler: raw chicken quarters 57°F, salted codfish 59°F, smoked ham 51°F, ground beef 58°F. Cos, cold down at 41°F during inspection.</p>	<input checked="" type="checkbox"/>
21 Pf	<p><b>Citation Description:</b> 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</p> <p><b>Observation:</b> Kitchen Area - No date mark available for cooked pork and cooked vegetable mix made two days ago inside the walk-in cooler. Food Service - No date mark available on smoked ham reheated with glaze and stored in deli case over 24 hours ago. COS, cooked black beans were voluntary discarded by management during inspection , all other food items were dated during inspection. Stop sale and release issued for cooked black beans due to another violation.</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> Establishment does not have written procedures for employees to follow when responding to a vomit or diarrhea event in the establishment.</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 used according to the manufacturer's use directions included in labeling or the conditions of certification for use of pest control materials, or not applied so that a hazard to people is not constituted or contamination including toxic residue due to drip, drain, fog, splash or spray on food, equipment, utensils, linens, or single-service or single-use articles is prevented. 7-202.12(A) (2)-(3) and (B) P</p> <p><b>Observation:</b> Kitchen area - Pesticide spray for house hold use only found next to the bag of dry rice. COS, employee moved to proper location.</p>	<input checked="" type="checkbox"/>
26 P	<p><b>Citation Description:</b> Medicine necessary for the health of an employee not located to prevent the contamination of food, equipment, utensils, linens, or single-service or single-use articles. 7-207.11(B) P</p> <p><b>Observation:</b> Retail area - Personal employee medicine bottle stored inside reach in cooler behind dessert products without any identification or segregated from the rest of the food items. COS, person in charge removed from the establishment.</p>	<input checked="" type="checkbox"/>
26	<p><b>Citation Description:</b> Employee personal care item not stored in designated dressing room or area, locker, or other suitable facility. 7-209.11</p> <p><b>Observation:</b> Deli Area - Personal skin care product found stored inside deli case. COS, employee discarded product during inspection.</p> <p><b>Initial if all stated observations have been corrected:</b> COS</p>	<input checked="" 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> Food service - fabuloso spray bottle stored above preparation table next to deli slicer. Kitchen area - WD40 oil spray and bottle of sanitizer stored on shelf above wrapping station. House hold spray pesticide stored next to bags of dry rice. COS, All product were placed in the proper location.</p>	<input checked="" type="checkbox"/>
26 Pf	<p><b>Citation Description:</b> Working container of poisonous or toxic materials taken from a bulk supply not clearly and individually identified with the common name of the material. 7-102.11 Pf</p> <p><b>Observation:</b> Deli, spray bottle with red substance as per employee Fabuloso not labeled above preparation table.</p> <p><b>Initial if all stated observations have been corrected:</b> _____</p>	<input 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 available in the establishment that cooks meat/poultry from raw.</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
31 Pf	<p><b>Citation Description:</b> Cooling of time/temperature control for safety food not accomplished by effective methods based on the type of food being cooled. 3-501.15(A) Pf</p> <p><b>Observation:</b> Kitchen area - black beans in house mixture stored in a large, deep containers with other containers not allowing cooling to be accomplished in the allowed time inside the walk in cooler. COS, product was voluntary discarded by management due to another citation (cooling).</p> <p><b>Initial if all stated observations have been corrected:</b> COS</p>	<input checked="" type="checkbox"/>

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> Retail- Store made products (flan, arroz con leche, desserts) placed inside retail display cold unit at customer reach missing labeling requirements: ingredients and sub-ingredients, net weight, manufacturer information (name, city, state, zip). The store is selling juices made from commercially processed fruit pulp, some of the sub-ingredients are missing from the labels. COS, establishment remove items from retail sale to be sold behind the counter.</p>	<input checked="" type="checkbox"/>
35	<p><b>Citation Description:</b> Food offered in a way that misleads or misinforms the consumer; or food or color additives, colored overwraps, or lights used to misrepresent the true appearance, color, or quality of a food. 3-601.12</p> <p><b>Observation:</b> Retail area - Red light been used to display raw meats in the retail cold unit.</p> <p><b>Initial if all stated observations have been corrected:</b> _____</p>	<input 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> Kitchen- Container of salt not labeled with common food name. Food service area - found spray bottle inside walk in cooler hanging next to the band saw as per employee with mineral oil not labeled.</p> <p><b>Initial if all stated observations have been corrected:</b> _____</p>	<input type="checkbox"/>
36	<p><b>Citation Description:</b> Outer opening not protected against the entry of insects and rodents by filling or closing holes and other gaps along floors, walls, and ceilings; closed, tight-fitting windows; and solid, self-closing, tight-fitting doors. Windows or doors kept open for ventilation or other purposes not protected against the entry of insects and rodents by 16 mesh to 1 inch screens; properly designed and installed air curtains to control flying insects; or other effective means. 6-202.15</p> <p><b>Observation:</b> Back room - air curtain present but not working at the time of the inspection when exit back door was open during inspector visit. COS, exit door was closed to prevent the entry of flying insects.</p> <p><b>Initial if all stated observations have been corrected:</b> COS</p>	<input checked="" type="checkbox"/>
36	<p><b>Citation Description:</b> Dead or trapped birds, insects, rodents, or other pests not removed from control devices and the premises at a frequency that prevents their accumulation, decomposition, or the attraction of pests. 6-501.112</p> <p><b>Observation:</b> Kitchen and food service area - multiple dead roaches found beneath the equipment, tables, and rolling carts.</p> <p><b>Initial if all stated observations have been corrected:</b> _____</p>	<input type="checkbox"/>
36	<p><b>Citation Description:</b> The presence of insects, rodents, and other pests not controlled to eliminate their presence on the premises by eliminating harborage conditions. 6-501.111(D)</p> <p><b>Observation:</b> Out door area - Observed accumulated trash, dirt and litter around back door perimeters areas. Kitchen - multiple old and unnecessarily materials/equipment , items stored in multiples racks between the kitchen and restroom areas.</p> <p><b>Initial if all stated observations have been corrected:</b> _____</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> Retail area - multiple live flies flying around raw onion at vegetables department.</p> <p><b>Initial if all stated observations have been corrected:</b> _____</p>	<input type="checkbox"/>

36 P	<p><b>Citation Description:</b> 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</p> <p><b>Observation:</b> Kitchen, Food service and Deli area- Live roaches were found crawling in various areas of the establishment: In the kitchen, including under the table where dry food is stored, in crevices on outside of commercial oven; found rodent droppings and bitten bag of corn flour underneath preparation table. Deli area: between the deli display cases and inside display case door frames; Food Service: nesting inside wall shelving fixtures. COS, areas were clean and sanitized and food establishment has implemented a pest control program.</p>	<input checked="" type="checkbox"/>
37	<p><b>Citation Description:</b> Food not stored at least 6 inches above the floor; in a clean, dry location; or food stored where it is exposed to splash, dust or other contamination. 3-305.11</p> <p><b>Observation:</b> Food Service - multiple boxes of food stored on walk in freezer floor exposed to splash.</p> <p><b>Initial if all stated observations have been corrected:</b> _____</p>	<input type="checkbox"/>
37	<p><b>Citation Description:</b> Food stored in a locker room, toilet room, dressing room, garbage room or mechanical room; or under sewer lines that are not shielded to intercept potential drips, leaking water lines or sprinkler heads, lines on which water has condensed, open stairwells or other sources of contamination. 3-305.12</p> <p><b>Observation:</b> Food service area - multiple boxes of cassava stored under dripping water from leaking condensing unit located inside the walk-in cooler. COS, boxes were moved to an appropriate location.</p> <p><b>Initial if all stated observations have been corrected:</b> COS</p>	<input checked="" type="checkbox"/>
37 Pf	<p><b>Citation Description:</b> Product held for credit, redemption, or return to the distributor not segregated and held in designated area that is separated from food, equipment, utensils, linens, and single-service and single-use articles. 6-404.11 Pf</p> <p><b>Observation:</b> Food Service - found multiple food items (milk, yogurt, hams) held for credit inside the walk in cooler not segregated or in designated area.</p> <p><b>Initial if all stated observations have been corrected:</b> _____</p>	<input 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> Kitchen and food service area - Food employees engaged in food preparation with no hair restraint.</p> <p><b>Initial if all stated observations have been corrected:</b> _____</p>	<input type="checkbox"/>
41	<p><b>Citation Description:</b> During pauses in food preparation or dispensing, utensil not stored on a clean portion of the food preparation table or cooking equipment; in running water of sufficient velocity to flush particles to the drain when used with moist foods; in a clean, protected location when used only with food that is not time/temperature control for safety food; or in a container of water maintained at 135°F or greater. 3-304.12(C)-(F)</p> <p><b>Observation:</b> Kitchen area -In-use knives and spoons are stored between equipment and unclean walls throughout the kitchen.</p> <p><b>Initial if all stated observations have been corrected:</b> _____</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> Kitchen area - cup with no handle stored inside container with direct contact with salt at preparation table next to hand wash sink.</p> <p><b>Initial if all stated observations have been corrected:</b> _____</p>	<input type="checkbox"/>
42	<p><b>Citation Description:</b> Cleaned equipment or utensils, or laundered linens 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. Clean equipment or utensils not stored in a self-draining position that allows air drying, or not covered or inverted. 4-903.11(A) and (B)</p> <p><b>Observation:</b> Kitchen area - No splash guard present between the hand sink and the preparation table were food was observed. Food Service - No splash guard present between hand sink and three compartment sink.</p> <p><b>Initial if all stated observations have been corrected:</b> _____</p>	<input type="checkbox"/>

45	<p><b>Citation Description:</b> Nonfood-contact surface of equipment exposed to splash, spillage, or other food soiling or that requires frequent cleaning not constructed of a corrosion-resistant, nonabsorbent, and smooth material. 4-101.19</p> <p><b>Observation:</b> Kitchen and food service area - heavily rusted shelves inside both walk-in coolers. Retail area - mold like substance on cardboard used as air barrier separator on several shelves at reach in cooler were eggs are stored. Kitchen area - soiled cardboard used as self liners on preparation tables and racks, as well inside both walk in coolers.</p> <p><b>Initial if all stated observations have been corrected:</b> _____</p>	<input type="checkbox"/>
45	<p><b>Citation Description:</b> Equipment not maintained in good repair or condition; equipment component not kept intact, tight, and adjusted in accordance with manufacturer's specifications; or cutting or piercing part of can opener not kept sharp to minimize the creation of metal fragments that can contaminate food when a container is opened. 4-501.11</p> <p><b>Observation:</b> Retail- Marc Brand open air cold unit housing raw meats and sausages found in disrepair with an ambient temperature of 50-53°F and is unable to maintain time/temperature control for safety foods at an internal temperature of 41°F or less. Stop Use Issued. See Supplement. Deli area- display cold unit housing deli meats, cheeses and juices mixtures found with an ambient temperature of 44-46°F and is unable to maintain time/temperature control for safety foods at an internal temperature of 41°F or less. See Supplement, a stop use order is in effect for this unit. No temperature dependent products may be placed in this unit until released by an inspector. When corrections have been made and unit is able to maintain food items at an internal temperature of 41°F or less, call 850-245-5520 to request an inspector visit for a written release.</p> <p><b>Initial if all stated observations have been corrected:</b> _____</p>	<input type="checkbox"/>
46	<p><b>Citation Description:</b> 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</p> <p><b>Observation:</b> Kitchen area - found three compartment sink with visible grime and mold-like residue inside basin around the edges. COS, Three compartment sink was cleaned during the inspection and checked by the inspector.</p> <p><b>Initial if all stated observations have been corrected:</b> COS</p>	<input checked="" 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> Kitchen and food service area. - Drain boards at the ware wash sink are not large enough to accommodate all soiled and cleaned items accumulated during hours of operation (Big Frying Pots, Steam Table Full Trays Containers).</p> <p><b>Initial if all stated observations have been corrected:</b> _____</p>	<input type="checkbox"/>
47	<p><b>Citation Description:</b> Nonfood-contact surface of equipment has an accumulation of dust, dirt, food residue or other debris. 4-601.11(C)</p> <p><b>Observation:</b> Kitchen area - Burned on grease deposits and carbon residue encrusted on the exterior of multiple baking trays.</p> <p><b>Initial if all stated observations have been corrected:</b> _____</p>	<input type="checkbox"/>
47	<p><b>Citation Description:</b> Nonfood-contact surface of equipment not cleaned at a frequency necessary to preclude accumulation of soil residue. 4-602.13</p> <p><b>Observation:</b> Kitchen area- Old food residue, grease and grime encrusted on the shelves and legs of the racks inside the walk in cooler. Deli area - food residue and dirt accumulation on door frames inside display cold cases.</p> <p><b>Initial if all stated observations have been corrected:</b> _____</p>	<input type="checkbox"/>
49	<p><b>Citation Description:</b> Plumbing system not maintained in good repair. 5-205.15(B)</p> <p><b>Observation:</b> Kitchen area - no sink stoppers available for ware wash sinks, observed employees using rags and plastic film to fix leaking existing stoppers. Food service area - condensing unit located closest hand wash sink inside the walk-in cooler found to be consistently dripping water.</p> <p><b>Initial if all stated observations have been corrected:</b> _____</p>	<input type="checkbox"/>

51	<p><b>Citation Description:</b> Toilet room located inside the food establishment not completely enclosed or not provided with a tight-fitting self-closing door. 6-202.14</p> <p><b>Observation:</b> Backroom area - Employees unisex restroom door is not self-closing.</p> <p><b>Initial if all stated observations have been corrected:</b> _____</p>	<input type="checkbox"/>
51	<p><b>Citation Description:</b> Door to toilet room opens directly into an area where food is exposed to airborne contamination. 5K-4.004(3)(d)</p> <p><b>Observation:</b> Backroom area - vestibule between unisex employee restroom not enclosed all the way up to the ceiling as a effective enclosure to prevent contamination throughout the food preparation areas nearby. COS, establishment completed and installed the wall all the way up to the ceiling.</p>	<input checked="" type="checkbox"/>
52	<p><b>Citation Description:</b> Receptacles and waste handling units for refuse, recyclables, and returnables not kept covered with tight-fitting lids or doors when located outdoors; or indoor receptacles that contain food not kept covered when not in continuous use or after they are filled. 5-501.113</p> <p><b>Observation:</b> Outside Grounds - Dumpster with lids kept open during the inspection.</p> <p><b>Initial if all stated observations have been corrected:</b> _____</p>	<input type="checkbox"/>
52	<p><b>Citation Description:</b> Drains in receptacles or waste handling units for refuse, recyclables, and returnables do not have drain plugs in place. 5-501.114</p> <p><b>Observation:</b> Outside Grounds - no drain plug available at the bottom of the dumpster.</p> <p><b>Initial if all stated observations have been corrected:</b> _____</p>	<input type="checkbox"/>
53	<p><b>Citation Description:</b> Floor and wall junctures not coved and closed to no larger than one thirty-second inch in areas where cleaning methods other than water flushing are used for cleaning floors; or floors not provided with drains and graded to drain, or the floor and wall junctures not coved and sealed in areas where water flush cleaning methods are used. 6-201.13</p> <p><b>Observation:</b> Food service - floor not provided with enough drains or leveling its not effective as a evidence of water accumulated and also draining underneath deli cases into retail area. Wall junctures not coved and sealed where water flushing was observed during inspection.</p> <p><b>Initial if all stated observations have been corrected:</b> _____</p>	<input type="checkbox"/>
53	<p><b>Citation Description:</b> Physical facilities not maintained in good repair. 6-501.11</p> <p><b>Observation:</b> Observed multiple ceiling tiles missing or with water damaged throughout the entire establishment. Food service - crack floor tiles observed entering the walk in cooler. Kitchen area - multiple holes observed on walls and behind storage of dry grains. Retail area - big hole observed on the wall behind raw meats reach in cooler.</p> <p><b>Initial if all stated observations have been corrected:</b> _____</p>	<input type="checkbox"/>
53	<p><b>Citation Description:</b> After use, mop not placed in a position that allows air-drying without soiling walls, equipment or supplies. 6-501.16</p> <p><b>Observation:</b> Back room - Wet mop stored inside yellow mop bucket not held to air dry.</p> <p><b>Initial if all stated observations have been corrected:</b> _____</p>	<input type="checkbox"/>
53	<p><b>Citation Description:</b> 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</p> <p><b>Observation:</b> Kitchen area - observed accumulated dust, trash and food residue underneath equipment. Deli area, observed old food and dust underneath wooden counters and between and below display cases. Food service - accumulated old food, old single service items and dirt below food serving counter. Ice build up accumulated on the walk-in freezer door, and from the condensing unit drain line.</p> <p><b>Initial if all stated observations have been corrected:</b> _____</p>	<input type="checkbox"/>
53	<p><b>Citation Description:</b> Premises not free of litter and items that are unnecessary to the operation or maintenance of the establishment such as equipment that is nonfunctional or no longer used. 6-501.114</p> <p><b>Observation:</b> Food service area - deli slicer as per manager in disrepair, not operable stored above preparation table. Kitchen area - multiple pieces of equipment in not in use, piled on racks. Retail - big commercial stand alone blender near dairy reach in cooler.</p> <p><b>Initial if all stated observations have been corrected:</b> _____</p>	<input type="checkbox"/>
54	<p><b>Citation Description:</b> Exhaust ventilation hood system in food preparation or warewashing area not designed to prevent grease or condensation from draining or dripping onto food, equipment, utensils, linens, or single-service and single-use articles. 4-204.11</p> <p><b>Observation:</b> Kitchen Area - main cooking range hood missing grease drip collector.</p> <p><b>Initial if all stated observations have been corrected:</b> _____</p>	<input type="checkbox"/>



54	<p><b>Citation Description:</b> Ventilation hood systems and devices not sufficient in number and capacity to prevent grease or condensation from collecting on walls and ceilings. 4-301.14</p> <p><b>Observation:</b> Kitchen area - observed accumulated grease and condensation on walls, vents, ceiling around hood and exhaust fan located above preparation table.</p> <p><b>Initial if all stated observations have been corrected:</b> _____</p>	<input type="checkbox"/>
54	<p><b>Citation Description:</b> Light bulb not shielded, coated, or otherwise shatter-resistant in an area where there is exposed food, clean equipment, utensils, and linens, or unwrapped single-service and single-use articles. Infrared or other heat lamp not protected against breakage by a shield surrounding and extending beyond the bulb so that only the face of the bulb is exposed. 6-202.11</p> <p><b>Observation:</b> Kitchen Area - observed 2x4 lamp fixtures above cooking range area with plastic cover broken and in disrepair, leaving entire bulbs exposed. Food service area - melted plastic bulb observed above chicken rotisserie equipment.</p> <p><b>Initial if all stated observations have been corrected:</b> _____</p>	<input type="checkbox"/>
54	<p><b>Citation Description:</b> Dressing rooms not used by employees who regularly change their clothes in the establishment, or lockers or other suitable facilities not used for the orderly storage of employee clothing or other possessions. 6-501.110</p> <p><b>Observation:</b> Deli area - observed employees personal food items stored commingled on shelves with food held for retail sales. COS, person in charge removed all employees personal food items and discarded during inspection.</p> <p><b>Initial if all stated observations have been corrected:</b> COS</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.

Please note each observation that has been corrected.

Copy of guidance for written procedures for the clean-up of vomiting and diarrheal events provided  
Employee Health Guidelines and reporting agreement provided.

Stop Use Order issued for open a cooler at retail during inspection for 04.02.2024. 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. Failure to comply with the request for written release may or will result in Administrative Action.

The affected storage areas must be completely cleared of all merchandise, cleaned and sanitized by the next inspection; no other merchandise may be added to the storage area, or a Broken Stop-use will be issued.  
If evidence of pest infestation is observed on the next inspection, a Stop-Use Order will be issued on all receiving areas of the establishment, and the establishment will no longer be allowed to receive additional food items, a Stop-Use Order of all processing equipment will be issued, and a Stop-Sale Order of all exposed food items will be issued until the infestation is eradicated. A copy of the Pest Control Plan Checklist has been provided to the establishment

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. Failure to comply with the request for written release may or will result in Administrative Action. In addition, food establishment must develop and implement a pest management control program.

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

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



JULIO AZPURUA, SANITATION AND SAFETY SPECIALIST.



---

ODALIS BELTRAN, PERSON IN CHARGE

Name and Title of Whom This Report was Issued



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

**WILTON SIMPSON  
COMMISSIONER**

Visit #: 99997182249511

Food Entity #: 273476  
Food Entity Name: LA BODEGA BESTWAY  
Date Of Visit: April 02, 2024  
Inspected By: JAMES ZHENG  
Food Entity Location Address: 11400 W Flagler ST Ste 119 Miami, FL 33174-4007  
Food Entity Mailing Address: 11400 W Flagler ST Ste 119 Miami, FL 33174-4007  
Food Entity Type/Description: 112/Grocery Store < 15,000 sq ft  
Food Entity Owner: GEMINI L T A GROUP

**RELEASE NOTICE**

SUPPLEMENTAL KEY #:  
336668

You are hereby notified that the following item on which a STOP USE ORDER was issued on 04/02/2024 by JAMES ZHENG is hereby released.

Article: KITCHEN ALL PROCESSING AREA AND EQUIPMENT.  
Brand Name: N/A  
Lot #: N/A # Of Pkgs: N/A Size Of Pkg: N/A Total Weight: N/A  
Invoice #: N/A  
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.

Disposition: Affected areas were cleaned, sanitized, checked, and released and food entity has implemented a pest management control program.

Comments:



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Division of Food Safety

Bureau of Food Inspection  
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COMMISSIONER**

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Food Entity Type/Description: 112/Grocery Store < 15,000 sq ft  
Food Entity Owner: GEMINI L T A GROUP

**ACKNOWLEDGEMENT**

(Signature of FDACS Representative)

JAMES ZHENG, ENVIRONMENTAL SPECIALIST II

I acknowledge receipt of a copy of this document.

(Signature of Representative)

ODALIS BELTRAN, PERSON IN CHARGE

Print Name and Title

JULIO AZPURUA, SANITATION AND SAFETY SPECIALIST.



Florida Department of Agriculture and Consumer Services  
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**RELEASE NOTICE**

SUPPLEMENTAL KEY #:  
336668

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Article: FOOD SERVICE AREA ALL PROCESSING EQUIPMENT.  
Brand Name: N/A  
Lot #: N/A # Of Pkgs: N/A Size Of Pkg: N/A Total Weight: N/A  
Invoice #: N/A  
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.

Disposition: Affected areas were cleaned, sanitized, checked, and released and food entity has implemented a pest management control program.

Comments:



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Food Entity Type/Description: 112/Grocery Store < 15,000 sq ft  
Food Entity Owner: GEMINI L T A GROUP

**ACKNOWLEDGEMENT**

(Signature of FDACS Representative)

JAMES ZHENG, ENVIRONMENTAL SPECIALIST II

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**RELEASE NOTICE**

SUPPLEMENTAL KEY #:  
336668

You are hereby notified that the following item on which a STOP USE ORDER was issued on 04/02/2024 by JAMES ZHENG is hereby released.

Article: DELI AREA ALL PROCESSING EQUIPMENTS  
Brand Name: N/A  
Lot #: N/A # Of Pkgs: N/A Size Of Pkg: Total Weight: N/A  
Invoice #: N/A  
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.

Disposition: Affected areas were cleaned, sanitized, checked, and released and food entity has implemented a pest management control program.

Comments:



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**ACKNOWLEDGEMENT**

(Signature of FDACS Representative)

JAMES ZHENG, ENVIRONMENTAL SPECIALIST II

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**RELEASE NOTICE**

SUPPLEMENTAL KEY #:  
336640

You are hereby notified that the following item on which a STOP USE ORDER was issued on 04/02/2024 by JAMES ZHENG is hereby released.

Article: DELI DISPLAY CASE  
Brand Name: N/A  
Lot #: N/A # Of Pkgs: N/A Size Of Pkg: N/A Total Weight: N/A  
Invoice #: N/A  
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.\* Utensils, Equipment and Vending: Food and nonfood-contact surfaces cleanable, properly designed, constructed, and used.

Disposition: Equipment was obtained, repaired or replaced, checked, and released.

Comments:



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Food Entity Owner: GEMINI L T A GROUP

**ACKNOWLEDGEMENT**

(Signature of FDACS Representative)

JAMES ZHENG, ENVIRONMENTAL SPECIALIST II

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Food Entity Owner: GEMINI L T A GROUP

**STOP SALE ORDER AND RELEASE**

SUPPLEMENTAL KEY #:  
336686

You are hereby notified that the following item on which a STOP SALE ORDER AND RELEASE was issued on 04/02/2024 by JAMES ZHENG is hereby released.

Article: BAG OF FLOUR AND BAG OF PASTA  
Brand Name: n/a  
Lot #: N/A # Of Pkgs: VARIOUS Size Of Pkg: N/A Total Weight: N/A  
Invoice #: n/a  
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.\* Approved Source: Food in good condition, safe and unadulterated.

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

Comments: Voluntary Discarded.



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Food Entity Type/Description: 112/Grocery Store < 15,000 sq ft  
Food Entity Owner: GEMINI L T A GROUP

**STOP SALE ORDER AND RELEASE**

SUPPLEMENTAL KEY #:  
336633

You are hereby notified that the following item on which a STOP SALE ORDER AND RELEASE was issued on 04/02/2024 by JAMES ZHENG is hereby released.

Article: Cooked Black Beans  
Brand Name: N/A  
Lot #: n/a # Of Pkgs: Various Size Of Pkg: n/a Total Weight: n/a  
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:



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**WILTON SIMPSON  
COMMISSIONER**

Visit #: 99997182249511

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Food Entity Type/Description: 112/Grocery Store < 15,000 sq ft  
Food Entity Owner: GEMINI L T A GROUP

**STOP SALE ORDER AND RELEASE**

SUPPLEMENTAL KEY #:  
336667

You are hereby notified that the following item on which a STOP SALE ORDER AND RELEASE was issued on 04/02/2024 by JAMES ZHENG is hereby released.

Article: VARIOUS COLD ITEMS (HAM & CHEESES)  
Brand Name: N/A  
Lot #: N/A # Of Pkgs: VARIOUS Size Of Pkg: N/A Total Weight: N/A  
Invoice #: N/A  
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 cold holding temperatures.

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

Comments: Voluntarily discarded by management.



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Food Entity Owner: GEMINI L T A GROUP

**STOP SALE ORDER AND RELEASE**

SUPPLEMENTAL KEY #:  
336642

You are hereby notified that the following item on which a STOP SALE ORDER AND RELEASE was issued on 04/02/2024 by JAMES ZHENG is hereby released.

Article: TAMALES MIXTURES  
Brand Name: LA BODEGA BEST WAY  
Lot #: N/A # Of Pkgs: VARIOUS Size Of Pkg: N/A Total Weight: N/A  
Invoice #: N/A  
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.\* Food Temperature Control: Proper cooling methods used; equipment for temperature control.

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

Comments: Voluntarily discarded by management.



Florida Department of Agriculture and Consumer Services  
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Food Entity Owner: GEMINI L T A GROUP

**STOP SALE ORDER AND RELEASE**

SUPPLEMENTAL KEY #:  
336634

You are hereby notified that the following item on which a STOP SALE ORDER AND RELEASE was issued on 04/02/2024 by JAMES ZHENG is hereby released.

Article: VARIOUS (HOT FOODS)  
Brand Name: N/A  
Lot #: N/A # Of Pkgs: VARIOUS. Size Of Pkg: N/A Total Weight: N/A  
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: Voluntarily discarded by management.



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

**WILTON SIMPSON  
COMMISSIONER**

Visit #: 99997182249511

Food Entity #: 273476  
Food Entity Name: LA BODEGA BESTWAY  
Date Of Visit: April 02, 2024  
Inspected By: JAMES ZHENG  
Food Entity Location Address: 11400 W Flagler ST Ste 119 Miami, FL 33174-4007  
Food Entity Mailing Address: 11400 W Flagler ST Ste 119 Miami, FL 33174-4007  
Food Entity Type/Description: 112/Grocery Store < 15,000 sq ft  
Food Entity Owner: GEMINI L T A GROUP

**STOP USE ORDER**

SUPPLEMENTAL KEY #:  
336640

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: RETAIL OPEN AIR COOLER  
Brand Name: MARC  
Lot #: N/A # Of Pkgs: N/A Size Of Pkg: N/A Total Weight: N/A  
Invoice #: N/A  
Invoice Date:  
Manufacturer: MARC  
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.\* Utensils, Equipment and Vending: Food and nonfood-contact surfaces cleanable, properly designed, constructed, and used.

Comments: To request a Food Safety Inspector visit for written release when corrections have been made for request release of equipment, contact the Business Center at (850) 245-5520 or FoodSafety@FDACS.gov.



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, ODALIS BELTRAN the person in charge of LA BODEGA BESTWAY 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, ENVIRONMENTAL SPECIALIST II

  
Signature of Representative  
ODALIS BELTRAN, PERSON IN CHARGE  
Print Name and Title

  
JULIO AZPURUA, SANITATION AND SAFETY SPECIALIST.



Florida Department of Agriculture and Consumer Services  
Division of Food Safety

Bureau of Food Inspection  
3125 Conner Boulevard C-26  
Tallahassee, FL 32399-1650  
(850) 245-5520

**STOP-SALE, OR STOP-USE ORDER**

WILTON SIMPSON  
COMMISSIONER

Section 500.172, 500.174 Florida Statutes  
Rule 5K-4.035, F.A.C.

Establishment Name: La Bodega Bestway Date: 04/02/2024  
Establishment Address: 11400 W Flagler St #119, Miami, FL 33174 Establishment Number: 273476

I.  STOP SALE ORDER  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.

Name of Article	Brand Name	Lot No. or Other Identification	No. and Size of Pkgs.	Weight	<input type="checkbox"/>
<u>Black beans</u>	<u>N/A</u>	<u>N/A</u>	<u>3 buckets</u>	<u>Bulk</u>	

Reason: Other  
It is unlawful for any person to remove, use, or dispose of such detained or embargoed article or processing equipment by sale or otherwise until permission for removal, use, or disposal is given by the Department or the court.

**Administrative Hearing Available**

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 this 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.

II.  RELEASE NOTICE

Product was released by authorized agent of FDACS James Zheng On Date 04/02/2024  
Condition of release: Voluntarily discarded by management

III.  VOLUNTARY DESTRUCTION

The product(s) listed above have been voluntarily destroyed by  Owner  Person in Charge  
Products destroyed were covered by Stop Sale  Yes  No Date: 04/02/2024  
Reason: Other

**Hearing Waiver and Waiver of Rights on Destroyed Products**

I, Odalis Beltran residing at 11400 W Flagler St #119, Miami, FL 33174 the person in charge of La Bodega Bestway hereby waive a notice and a hearing, as provided in Chapter 120, F.S., and waive all rights in releasing or voluntarily destroying the products listed above.  
O. Beltran  
(Signature)

**ACKNOWLEDGEMENT OF RECEIPT OF SUPPLEMENTAL REPORT**

I ACKNOWLEDGE RECEIPT OF A COPY OF THIS DOCUMENT  
James Zheng (Inspector Name and Title) Sanitation and Safety Specialist  
Odalis Beltran (Signature of Person in charge) Person in Charge  
(Please Print Name & Title)





Florida Department of Agriculture and Consumer Services  
Division of Food Safety

Bureau of Food Inspection  
3125 Conner Boulevard C-26  
Tallahassee, FL 32399-1650  
(850) 245-5520

**STOP-SALE, OR STOP-USE ORDER**

WILTON SIMPSON  
COMMISSIONER

Section 500.172, 500.174 Florida Statutes  
Rule 5K-4.035, F.A.C.

Establishment Name: La Bodega Bestway Date: 04/02/2024  
Establishment Address: 11400 W Flagler St #119, Miami, FL 33174 Establishment Number: 273476

I.  STOP SALE ORDER       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.

Name of Article	Brand Name	Lot No. or Other Identification	No. and Size of Pkgs.	Weight	<input type="checkbox"/>
<u>Various Hot Foods</u>	<u>N/A</u>	<u>N/A</u>	<u>AAA-JZ Bulk</u>	<u>Bulk</u>	

Reason: Out of Temperature - Hot  
It is unlawful for any person to remove, use, or dispose of such detained or embargoed article or processing equipment by sale or otherwise until permission for removal, use, or disposal is given by the Department or the court.

**Administrative Hearing Available**

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 this 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.

II.  RELEASE NOTICE

Product was released by authorized agent of FDACS James Zheng On Date 04/02/2024  
Condition of release: Voluntary discarded by management

III.  VOLUNTARY DESTRUCTION

The product(s) listed above have been voluntarily destroyed by  Owner  Person in Charge  
Products destroyed were covered by Stop Sale  Yes  No Date: 04/02/2024  
Reason: Out of Temperature - Hot

**Hearing Waiver and Waiver of Rights on Destroyed Products**

I, Odalis Beltran residing at 11400 W Flagler St #119, Miami, FL 33174 the person in charge of La Bodega Bestway hereby waive a notice and a hearing, as provided in Chapter 120, F.S., and waive all rights in releasing or voluntarily destroying the products listed above.  
O. Beltran  
(Signature)

**ACKNOWLEDGEMENT OF RECEIPT OF SUPPLEMENTAL REPORT**

I ACKNOWLEDGE RECEIPT OF A COPY OF THIS DOCUMENT.  
James Zheng (Inspector Name and Title) Julio Azpurua Sanitation and Safety Specialist  
Odalis Beltran (Please Print Name & Title) Person in Charge  
FDACS-14215 Rev. 04/19





Florida Department of Agriculture and Consumer Services  
Division of Food Safety

Bureau of Food Inspection  
3125 Conner Boulevard C-26  
Tallahassee, FL 32399-1650  
(850) 245-5520

**STOP-SALE, OR STOP-USE ORDER**

WILTON SIMPSON  
COMMISSIONER

Section 500.172, 500.174 Florida Statutes  
Rule 5K-4.035, F.A.C.

Establishment Name: La Bodega Bestway Date: 04/02/2024  
Establishment Address: 11400 W Flayler St #119, Miami, FL 33174 Establishment Number: 773476

I.  STOP SALE ORDER  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.

Name of Article	Brand Name	Lot No. or Other Identification	No. and Size of Pkgs.	Weight	<input type="checkbox"/>
<u>Various hams and cheeses</u>	<u>MA</u>	<u>MA</u>	<u>Bulk</u>	<u>Bulk</u>	

Reason: Out of Temperature - Cold

It is unlawful for any person to remove, use, or dispose of such detained or embargoed article or processing equipment by sale or otherwise until permission for removal, use, or disposal is given by the Department or the court.

**Administrative Hearing Available**

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 this 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.

II.  RELEASE NOTICE

Product was released by authorized agent of FDACS James Zheng On Date 04/02/2024

Condition of release: Voluntarily discarded by management

III.  VOLUNTARY DESTRUCTION

The product(s) listed above have been voluntarily destroyed by  Owner  Person in Charge

Products destroyed were covered by Stop Sale  Yes  No

Date: 04/02/2024

Reason: Out of Temperature - Cold

**Hearing Waiver and Waiver of Rights on Destroyed Products**

I, Odalis Beltran residing at 11400 W Flayler St #119, Miami, FL 33174 the person in charge of La Bodega Bestway hereby waive a notice and a hearing, as provided in Chapter 120, F.S., and waive all rights in releasing or voluntarily destroying the products listed above.

O. Beltran  
(Signature)

**ACKNOWLEDGEMENT OF RECEIPT OF SUPPLEMENTAL REPORT**

I ACKNOWLEDGE RECEIPT OF A COPY OF THIS DOCUMENT.

James Zheng  
(Signature of FDACS Representative)

Julia Azpura  
(Inspector Name and Title) Sanitation and Safety Specialist

Odalis Beltran  
(Signature of Person in charge)

Odalis Beltran, Person in Charge  
(Please Print Name & Title)





Florida Department of Agriculture and Consumer Services  
Division of Food Safety

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**STOP-SALE, OR STOP-USE ORDER**

WILTON SIMPSON  
COMMISSIONER

Section 500.172, 500.174 Florida Statutes  
Rule 5K-4.035, F.A.C.

Establishment Name: La Bodega Bestway Date: 04/02/2024  
Establishment Address: 11400 W Flagler St #119, Miami, FL 33174 Establishment Number: 273476

I.  STOP SALE ORDER  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.

Name of Article	Brand Name	Lot No. or Other Identification	No. and Size of Pkgs.	Weight	<input type="checkbox"/>
Bag of corn flour	NA	NA	1 bag	Bulk	
Bags of pasta	NA	NA	Bulk	Bulk	

Reason: Adulterated  
It is unlawful for any person to remove, use, or dispose of such detained or embargoed article or processing equipment by sale or otherwise until permission for removal, use, or disposal is given by the Department or the court.

**Administrative Hearing Available**  
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 this Notice and the file number of this Notice.  
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II.  RELEASE NOTICE  
Product was released by authorized agent of FDACS James Zheng On Date 04/02/2024  
Condition of release: Voluntarily discarded by management

III.  VOLUNTARY DESTRUCTION  
The product(s) listed above have been voluntarily destroyed by  Owner  Person in Charge  
Products destroyed were covered by Stop Sale  Yes  No Date: 04/02/2024  
Reason: Adulterated

**Hearing Waiver and Waiver of Rights on Destroyed Products**  
I, Odalis Beltran residing at 11400 W Flagler St #119, Miami, FL 33174 the person in charge of La Bodega Bestway hereby waive a notice and a hearing, as provided in Chapter 120, F.S., and waive all rights in releasing or voluntarily destroying the products listed above.  
Odalis Beltran  
(Signature)

**ACKNOWLEDGEMENT OF RECEIPT OF SUPPLEMENTAL REPORT**

I ACKNOWLEDGE RECEIPT OF A COPY OF THIS DOCUMENT.  
Jan 31 (Signature of FDACS Representative) Odalis Beltran (Signature of Person in charge)  
James Zheng / Julio Aparicio (Inspector Name and Title) Odalis Beltran, Person in Charge (Please Print Name & Title)  
Environmental Specialist II Sanitation and Safety Specialist