FILED
Department of Business and Professional Regulation
Deputy Agency Clerk
CLERK Brandon Nichols
Date 5/15/2009
File # 2009-03696

DIV.-1107

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF HOTELS AND RESTAURANTS

2009 MAR 24 PM 2:51

FILED
2009 MAY 18 A 11:40
DIVISION OF ADMINISTRATIVE HEARINGS

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION, DIVISION OF HOTELS AND RESTAURANTS,

Petitioner,

vs.

LUL GRILL CAFÉ,

Respondent.
_____/

DOAH CASE NO.: 08-2657
H&R CASE NO.: 2007-068710
LICENSE NO.: 23-30106

FINAL ORDER

The Director, Division of Hotels and Restaurants, Department of Business and Professional Regulation (the Division), after consideration of the complete record of this case on file with the Division, enters this Final Order.

1. On December 27, 2007, the Department issued an Administrative Complaint attached hereto as exhibit "A."

2. On October 29, 2008, a hearing in this cause was held before the Honorable Claude Arrington, Administrative Law Judge, Division of Administrative Hearings.

3. On January 12, 2009, Honorable Claude Arrington issued a Recommended Order, a copy of which is attached as Exhibit "B." The Statement of the Issues, Preliminary Statement, Findings of Fact, Conclusions of Law, and Recommendation contained in the

Certified Article Number
7160 3901 9848 1640 2504
SENDERS RECORD

Recommended Order are hereby adopted *in toto* and incorporated herein by reference.

Based upon the foregoing, and being otherwise fully advised in the premises it is, hereby **ORDERED** that for Respondent's violations of Chapter 509, Florida Statutes, and/or the rules promulgated thereto the following penalty is imposed:

1. Respondent shall pay a fine in the amount of three thousand and five hundred dollars (**$3,500.00**), due and payable to the Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011, within thirty (30) calendar days of the date this Order is filed with the Agency Clerk.

2. Respondent will attend a Hospitality Education Program Workshop (HEP) on food service or lodging sanitation and safety within ninety (90) days of the filing of the Final Order incorporating this stipulation with the Department's agency clerk. The Hospitality Education Administrator will provide verification that Respondent has taken the class. Respondent agrees to an additional $250.00 fine if the HEP requirement is not completed within 90 days of the Final Order filing.

3. This Final Order shall become effective on the date of filing with the Agency Clerk.

DONE AND ORDERED this 26 day of March, 2009.

Bill L. Veach, Director
Department of Business and
Professional Regulation
Division of Hotels and Restaurants
1940 North Monroe Street
Tallahassee, Florida 32399-1015

NOTICE OF RIGHT TO APPEAL UNLESS WAIVED

Unless expressly waived, any party substantially affected by this final order may seek judicial review by filing an original Notice of Appeal with the Clerk of the Department of Business and Professional Regulation, and a copy of the notice, accompanied by the filing fees prescribed by law, with the clerk of the appropriate District Court of Appeal within thirty (30) days rendition of this order, in accordance with Rule 9.110, Fla. R. App. P., and Section 120.68, Florida Statutes.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via Certified U.S. Mail, Return Receipt Requested, to LUL GRILL CAFÉ c/o Eli Weinberg, 18288 Collins Avenue, No. 2, Sunny Isles Beach, Florida 33160; by regular U.S. Mail to the Honorable Carolyn S. Holifield, Administrative Law Judge, Division of Administrative Hearings, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060; and by hand delivery to Jessica Leigh, Assistant General Counsel, Department of Business and Professional Regulations, 1940 North Monroe Street, Tallahassee, Florida 32399-2202, this 15th day of May, 2009.

Brandon M. Nichols

For the Division of Hotels & Restaurants

7160 3901 9848 1640 2504

TO:

ELITE LUGGAGE CORPORATION
LUL GRILL CAFE
18288 COLLINS AVE #2
SUNNY ISLES BEACH, FLORIDA
33160

SENDER:

Dept. of Business & Prof. Regulation
Division of Hotels & Restaurants

REFERENCE:

License No. 2331106
License Type 2010
~~Case No. 2007068710~~

PS Form 3800, January 2005

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3-25-09

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF HOTELS AND RESTAURANTS

DEPARTMENT OF BUSINESS AND
PROFESSIONAL REGULATION
Petitioner,

vs.

LUL GRILL CAFE
Respondent.
_____/

License No. 2331106
License Type 2010
Case No. 2007068710

ADMINISTRATIVE COMPLAINT

The DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION, DIVISION OF HOTELS AND RESTAURANTS, ("Petitioner"), files this Administrative Complaint against LUL GRILL CAFE, ("Respondent"), and says:

1. Petitioner is the state agency charged with regulating the operation of public lodging establishments and public food service establishments, pursuant to Section 20.165 and Chapter 509, Florida Statutes.
2. Respondent is, and has been at all times material hereto, licensed by or subject to the jurisdiction of the Division of Hotels and Restaurants. The respondent's business address of record is 18288 COLLINS AVE #2, SUNNY ISLES BEACH, FLORIDA 33160.The mailing address of record is LUL GRILL CAFE, at 18288 COLLINS AVE #2, SUNNY ISLES BEACH, FLORIDA 33160.
3. Inspection of this establishment conducted pursuant to Sec. 509.032, Florida Statutes, revealed violations of the provisions of Chapter 509, Florida Statutes, and / or the rules promulgated thereto governing operation of the establishment. The violation(s) found and applicable law are described in Exhibit "A," attached hereto and incorporated herein by reference. Inspection documents are attached as Exhibit "B", incorporated herein by reference.

WHEREFORE, Petitioner respectfully requests entry of an Order imposing one or more of the following penalties: administrative fine not to exceed $1,000 per offense; mandatory attendance at Respondent's expense at an educational program sponsored by the Department's Hospitality Education Program; suspension, revocation, or refusal of a license issued pursuant to this Chapter, and/or any other relief authorized by Chapter 509, Florida Statutes, or the rules promulgated thereto.

Signed December 27, 2007

Carlos M. Lezcano

Carlos Lezcano, Deputy District Manager
By delegation of the Director, or designee
Division of Hotels & Restaurants
Department of Business & Professional Regulation

COUNSEL FOR THE DEPARTMENT:
Charles F. Tunnicliff, Lead Attorney
Florida Bar No. 0153831
Department of Business & Professional Regulation
1940 North Monroe Street
Tallahassee, Florida 32399-1007

CERTIFICATE OF SERVICE

BY CERTIFIED U.S. MAIL, ARTICLE NUMBER: **7160 3901 9849 9961 4688**

I HEREBY CERTIFY that a true and correct copy of the foregoing ADMINISTRATIVE COMPLAINT has been hand served by me on this_____ day of _____, 2008.

_____ Received by:_____
Inspector's Signature Operator's Signature

_____ _____
Title Title

Exhibit A

License Number: 2331106
License Type: 2010 PERMANENT FOOD SERVICE
Case Number: 2007068710

"FC" as cited herein references specific provisions of the Food Code, Recommendations of the United States Public Health Service, Food and Drug Administration, incorporated by Chapter 61C, Florida Administrative Code. "NFPA" as cited herein references specific provisions of the National Fire Protection Association Life Safety Code, incorporated by reference at Chapter 4A-3, "Fire Prevention, General Provisions", Florida Administrative Code, and 61C-1.004(5), Florida Administrative Code.

"*" denotes a critical violation.

It is alleged that on October 9, 2007, and December 12, 2007, the licensee was in violation of Florida Statute 509(FS) and/or the Rules of the Division of Hotels and Restaurants, Florida Administrative Code (FAC), in the following particulars. Copy(s) of the report(s) for the above referenced inspection(s) are attached hereto and incorporated by reference as Exhibit B.

* 1. 02-13-1 3-603.11 FC:: CONSUMPTION OF ANIMAL FOODS THAT ARE RAW, UNDERCOOKED, OR NOT OTHERWISE PROCESSED TO ELIMINATE PATHOGENS. (A) EXCEPT AS SPECIFIED IN PARAGRAPH 3-401.11(C) AND SUBPARAGRAPH 3-401.11(D)(3) AND UNDER PARAGRAPH 3-801.11(C), IF AN ANIMAL FOOD SUCH AS BEEF, EGGS, FISH, LAMB, MILK, PORK, POULTRY, OR SHELLFISH IS SERVED OR SOLD RAW, UNDERCOOKED, OR WITHOUT OTHERWISE BEING PROCESSED TO ELIMINATE PATHOGENS, EITHER IN READY-TO-EAT FORM OR AS AN INGREDIENT IN ANOTHER READY-TO-EAT FOOD, THE PERMIT HOLDER SHALL INFORM CONSUMERS OF THE SIGNIFICANTLY INCREASED RISK OF CONSUMING SUCH FOODS BY WAY OF A DISCLOSURE AND REMINDER, AS SPECIFIED IN PARAGRAPHS (B) AND (C) OF THIS SECTION, USING BROCHURES, DELI CASE OR MENU ADVISORIES, LABEL STATEMENTS, TABLE TENTS, PLACARDS, OR OTHER EFFECTIVE WRITTEN MEANS. (B) DISCLOSURE SHALL INCLUDE: (1) A DESCRIPTION OF THE ANIMAL-DERIVED FOODS, SUCH AS "OYSTERS ON THE HALF SHELL (RAW OYSTERS)," "RAW-EGG CAESAR SALAD," AND "HAMBURGERS (CAN BE COOKED TO ORDER);" OR (2) IDENTIFICA OF THE ANIMAL-DERIVED FOODS BY ASTERISKING THEM TO A FOOTNOTE THAT STATES THAT THE ITEMS ARE SERVED RAW OR UNDERCOOKED, OR CONTAIN (OR MAY CONTAIN) RAW OR UNDERCOOKED INGREDIENTS. (C) REMINDER SHALL INCLUDE ASTERISKING THE ANIMAL-DERIVED FOODS REQUIRING DISCLOSURE TO A FOOTNOTE THAT STATES: (1) REGARDING THE SAFETY OF THESE ITEMS, WRITTEN INFORMATION IS AVAILABLE UPON REQUEST; (2) CONSUMING RAW OR UNDERCOOKED MEATS, POULTRY, SEAFOOD, SHELLFISH, OR EGGS MAY INCREASE YOUR RISK OF FOODBORNE ILLNESS; OR (3) CONSUMING RAW OR UNDERCOOKED MEATS, POULTRY, SEAFOOD, SHELLFISH, OR EGGS MAY INCREASE YOUR RISK OF FOODBORNE ILLNESS, ESPECIALLY IF YOU HAVE CERTAIN MEDICAL CONDITIONS.

CONSUMER ADVISORY FOR RAW/UNDERCOOKED ANIMAL PRODUCTS NOT PROVIDED.

* 2. 08A-22-1 3-302.11(A)(1) FC:: (A) FOOD SHALL BE PROTECTED FROM CROSS CONTAMINATION BY: (1) SEPARATING RAW ANIMAL FOODS DURING STORAGE, PREPARATION, HOLDING, AND DISPLAY FROM: (A) RAW READY-TO-EAT FOOD INCLUDING OTHER RAW ANIMAL FOOD SUCH AS FISH FOR SUSHI OR MOLLUSCAN SHELLFISH, OR OTHER RAW READY-TO-EAT FOOD SUCH AS VEGETABLES, AND (B) COOKED READY-TO-EAT FOOD;

OBSERVED IMPROPER HORIZONTAL SEPARATION OF RAW ANIMAL FOODS. CHICKEN STORED OVER BEEF AND OTHER FOODS WITH A LOWER MINIMUM COOKING TEMPERATURE.

* 3. 09-04-1 3-301.11(B) FC:: (B) EXCEPT WHEN WASHING FRUITS AND VEGETABLES AS SPECIFIED UNDER SECTION 3-302.15 OR WHEN OTHERWISE APPROVED, FOOD EMPLOYEES' MAY NOT CONTACT EXPOSED, READY-TO-EAT FOOD WITH THEIR BARE HANDS AND SHALL USE SUITABLE UTENSILS SUCH AS DELI TISSUE, SPATULAS, TONGS, SINGLE-USE GLOVES, OR DISPENSING EQUIPMENT.

3.

OBSERVED BARE-HAND CONTACT OF READY-TO-EAT FOOD BY EMPLOYEES AND ESTABLISHMENT HAS NO APPROVED ALTERNATIVE OPERATING PROCEDURE IN EFFECT. CORRECTED ON SITE.

* 4. 31-09-1 5-205.11(A) FC:: (A) A HANDWASHING LAVATORY SHALL BE MAINTAINED SO THAT IT IS ACCESSIBLE AT ALL TIMES FOR EMPLOYEE USE.

5.

HANDWASH SINK NOT ACCESSIBLE FOR EMPLOYEE USE AT ALL TIMES. DISHWASHING AREA.

5. 36-15-1 6-501.12(A) FC:: (A) CLEANING, FREQUENCY AND RESTRICTIONS. THE PHYSICAL FACILITIES SHALL BE CLEANED AS OFTEN AS NECESSARY TO KEEP THEM CLEAN.

6

OBSERVED FOOD DEBRIS ACCUMULATED ON KITCHEN FLOOR.

6. 37-04-1 61C-1.004(6) FAC:: (6) ALL BUILDING STRUCTURAL COMPONENTS, ATTACHMENTS AND FIXTURES SHALL BE KEPT IN GOOD REPAIR, CLEAN AND FREE OF OBSTRUCTIONS.

10

OBSERVED WALL SOILED WITH ACCUMULATED BLACK DEBRIS IN DISHWASHING AREA.

7. 38-07-1 6-202.11 FC:: LIGHT BULBS, PROTECTIVE SHIELDING. (A) EXCEPT AS SPECIFIED IN PARAGRAPH (B) OF THIS SECTION, LIGHT BULBS SHALL BE SHIELDED, COATED, OR OTHERWISE SHATTER-RESISTANT IN AREAS WHERE THERE IS EXPOSED FOOD; CLEAN EQUIPMENT, UTENSILS, AND LINENS; OR UNWRAPPED SINGLE-SERVICE AND SINGLE-USE ARTICLES. (B) SHIELDED, COATED, OR OTHERWISE SHATTER-RESISTANT BULBS NEED NOT BE USED IN AREAS USED ONLY FOR STORING FOOD IN UNOPENED PACKAGES, IF: (1) THE INTEGRITY OF THE PACKAGES CAN NOT BE AFFECTED BY BROKEN GLASS FALLING ONTO THEM; AND (2) THE PACKAGES ARE CAPABLE OF BEING CLEANED OF DEBRIS FROM BROKEN BULBS BEFORE THE PACKAGES ARE OPENED. (C) AN INFRARED OR OTHER HEAT LAMP SHALL BE PROTECTED AGAINST BREAKAGE BY A SHIELD SURROUNDING AND EXTENDING BEYOND THE BULB SO THAT ONLY THE FACE OF THE BULB IS EXPOSED.

8

LIGHTS MISSING THE PROPER SHIELD, SLEEVE COATINGS OR COVERS IN WALK-IN COOLER.

* 8. 53B-08-1 509.049 FAC: FOOD SERVICE EMPLOYEE TRAINING. THE DIVISION SHALL ADOPT, BY RULE, MINIMUM FOOD SAFETY PROTECTION STANDARDS FOR THE TRAINING OF ALL FOOD SERVICE EMPLOYEES WHO ARE RESPONSIBLE FOR THE STORAGE, PREPARATION, DISPLAY, OR SERVING OF FOODS TO THE PUBLIC IN ESTABLISHMENTS REGULATED UNDER THIS CHAPTER. THESE STANDARDS SHALL NOT INCLUDE AN EXAMINATION, BUT SHALL PROVIDE FOR A FOOD SAFETY TRAINING CERTIFICATE PROGRAM FOR FOOD SERVICE EMPLOYEES TO BE ADMINISTERED BY A PRIVATE NONPROFIT PROVIDER CHOSEN BY THE DIVISION. ANY FOOD SAFETY TRAINING PROGRAM ESTABLISHED AND ADMINISTERED TO FOOD HANDLER EMPLOYEES PRIOR TO THE EFFECTIVE DATE OF THIS ACT SHALL BE SUBMITTED BY THE OPERATOR TO THE DIVISION FOR ITS REVIEW AND APPROVAL. IT SHALL BE THE DUTY OF THE LICENSEE OF THE PUBLIC FOOD SERVICE ESTABLISHMENT TO PROVIDE TRAINING IN ACCORDANCE WITH THE DESCRIBED RULE TO ALL EMPLOYEES UNDER THE LICENSEE'S SUPERVISION OR CONTROL. THE LICENSEE MAY DESIGNATE A CERTIFIED FOOD SERVICE MANAGER TO PERFORM THIS FUNCTION AS AN AGENT OF THE LICENSEE. FOOD SERVICE EMPLOYEES MUST RECEIVE CERTIFICATION PURSUANT TO THIS SECTION BY JANUARY 1, 2001. FOOD SERVICE EMPLOYEES HIRED AFTER NOVEMBER 1, 2000, MUST RECEIVE CERTIFICATION WITHIN 60 DAYS AFTER EMPLOYMENT. CERTIFICATION PURSUANT TO THIS SECTION SHALL REMAIN VALID FOR 3 YEARS.

1.

NO PROOF OF REQUIRED EMPLOYEE TRAINING PROVIDED.

EXHIBIT
A
4 of 4

 EXHIBIT B

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF HOTELS AND RESTAURANTS
www.MyFlorida.com/dbpr/hr

FOLLOW-UP INSPECTION REQUIRED
Inspector determined violations require further review, but are not an immediate threat to the public.

CALL BACK INSPECTION REPORT
LEGAL NOTICE

Failure to comply with this Notice may initiate an administrative complaint that may result in suspension or revocation of your license and fines.

12/12/07 01:03 PM Callback Inspection Date and Time	Warning Inspection Reason	2331106 SEAT License Number
ELITE LUGGAGE CORPORATION Owner Name	ADMINISTRATIVE COMPLAINT recomme	786.42 Area Code/Telephone Number
LUL GRILL CAFE Business Name	Inspection Result	
30 Number of Units	Requested Callback Date/Time	10/09/2007 Initial Warning Date
18288 COLLINS AVE #2 Address / City / State / Zip / etc.		SUNNY ISLES BEACH, 33160

Comments

The following item(s) have been recommended for Administrative Complaint:

Violation: 53B-08-1

No proof of required employee training provided. All public food service establishments must provide the division with proof of employee training upon request, including, but not limited to, at the time of any division inspection of the establishment. Pro

Violation: 38-07-1

Lights missing the proper shield, sleeve coatings or covers. walking cooler

Violation: 37-04-1

12-12-07
Date

Signature of Recipient
Recipient: Eli Weinberg
Title owner
Phone: 3059330199

Inspector Signature
For further information please contact:
Daniel Unold
8240 NW 52 Terr. #101 Miami, Fl 33166
850-487-1395

DBPR Form HR 5022-005

License Number
SEAT 2331106

Business Name
LUL GRILL CAFE

Inspection Date
12/12/07 01:03 PM

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF HOTELS AND RESTAURANTS
www.myflorida.com/dbpr

CALL BACK INSPECTION REPORT
LEGAL NOTICE

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Observed wall soiled with accumulated black debris in dishwashing area.

Violation: 36-15-1

Observed food debris accumulated on kitchen floor.

Violation: 36-12-1

Floors not constructed easily cleanable. Cardboard used and not daily changed

Violation: 31-09-1

Handwash sink not accessible for employee use at all times. dishwashing area

Violation: 23-07-1

Observed gaskets with slimy/mold-like build-up. walking cooler

Violation: 22-27-1

Observed food-contact surfaces encrusted with grease and/or soil deposits. prep tables by cooking line

Violation: 22-19-1

Observed interior of microwave soiled.

Violation: 09-04-1

Observed bare hand contact of ready-to-eat food by employees and establishment has no approved Alternative Operating Procedure in effect. Corrected On Site.

Violation: 08A-22-1

Observed improper horizontal separation of raw animal foods chicken over beef and other foods with less needed cooking temperature

Violation: 02-13-1

Consumer advisory for raw/undercooked animal products not provided.

The following item(s) are in compliance:

Violation: 53A-01-1

Manager lacking proof of Food Manager Certification.

Violation: 47-06-1

Observed extension cord in use for non-temporary period.

License Number
SEAT 2331106

Business Name
LUL GRILL CAFE

Inspection Date
12/12/07 01:03 PM

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF HOTELS AND RESTAURANTS
www.myflorida.com/dbpr

CALL BACK INSPECTION REPORT
LEGAL NOTICE

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Violation: 45-39-1

Portable fire extinguisher not properly mounted at least 4 inches off the floor and the top no higher than 5 feet off the floor.

Violation: 37-06-1

Observed wall soiled with accumulated grease. By oven

Violation: 36-13-1

Observed grease accumulated under cooking equipment.

Violation: 31-12-1

Observed handwash sink used for purposes other than handwashing.

Violation: 29-11-1

Observed leaking pipe at plumbing fixture. under hand sink

Violation: 22-28-1

Observed interior of reach-in cooler soiled with accumulation of food residue.

Violation: 22-25-1

Observed buildup of soiled material on mixer head.

Violation: 22-22-1

Observed encrusted material on can opener.

Violation: 22-17-1

Observed soiled reach-in cooler gaskets.

Violation: 04-01-1

Cold holding equipment incapable of maintaining potentially hazardous food at proper temperatures.

Violation: 03A-07-1

Observed potentially hazardous food cold held at greater than 41 degrees Fahrenheit.

Violation: 02-07-1

Observed processed ready-to-eat, potentially hazardous food held more than 24 hours not properly date marked after opening.

Violation: 01B-25-1

License Number
SEAT 2331106

Business Name
LUL GRILL CAFE

Inspection Date
12/12/07 01:03 PM

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF HOTELS AND RESTAURANTS
www.myflorida.com/dbpr

CALL BACK INSPECTION REPORT
LEGAL NOTICE

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Observed food with mold-like growth. Corrected On Site. food thrown away cabbage

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF HOTELS AND RESTAURANTS
www.myflorida.com/dbpr

FOOD SERVICE INSPECTION REPORT
LEGAL NOTICE

Failure to comply with this Notice may initiate an administrative complaint that may result in suspension or revocation of your license and fines.

10/09/07 10:20 AM Inspection Date and Time	Routine Inspection Reason	2331106 SEAT License Number
ELITE LUGGAGE CORPORATION Owner Name	WARNING: Violations in the operation of your establishment must be corrected by:	786.426.4555 Area Code/Telephone Number
LUL GRILL CAFE Business Name	Inspection Result 12/10/2007 08:00 AM Callback Date/Time	License Expiration
Number of Units		
18288 COLLINS AVE #2	SUNNY ISLES BEACH, 33160	

Address / City / State / Zip / etc.

Item 03: Food Temperatures	Item 53a: Cert. Food Managers	Item 20: Warewashing Sanitization	Item 45: Fire Extinguishers and Fire Suppression Systems Dates
*Poultry, reach in cooler, 51 Degrees F. *Poultry, walk in cooler, 47 Degrees F. *Beef, reach in cooler, 53 Degrees F. *Dressings, PHF, walk in cooler, 45 Degrees F. Dairy products, reach in cooler, 40 Degrees F. Pasta/rice, reach in cooler, 41 Degrees F.			A Hood Suppression type Fire Extinguisher, found in/at kitchen has a certification date of 8/07 A Class ABC type Fire Extinguisher, found in/at kitchen has a certification date of 1/07 A Class K type Fire Extinguisher, found in/at kitchen has a certification date of 1/07

NOTE: Items marked above with an asterisk (*) indicate a violation

Inspector's Comments

No Boiler On Site.

I acknowledge receipt of this inspection form and comments.

10-09-07
Date

Signature of Recipient

Recipient: Tamir Levi
Title Employee
Phone: 3059330199

Inspector Signature
For further information please contact:

Daniel Unold
8240 NW 52 Terr. #101 Miami, Fl 33166
850-487-1395

STATUS	SOURCE	STATUS	PHF TEMPERATURE CONTROL
In	*01a Approved source	Out	*03a Cold food at proper temperatures during storage, display, service,
Out	*01b Wholesome, sound condition		
Out	*02 Original container; properly labeled, date marking	N/O	*03b Hot food at proper temperature
N/A	*02-11 Consumer advisory on raw/undercooked oysters	N/O	*03c Foods properly cooked/reheated
Out	*02-13 Consumer advisory on raw/undercooked animal	N/O	*03d Foods properly cooled
		Out	*04 Facilities to maintain product temperature
			*05 Thermometers provided and conspicuously placed
			*06 Potentially hazardous foods properly thawed

Violations marked with an asterisk are critical violations. Items marked IN are in compliance. Items Marked OUT are violations. Specific details of violation are listed on subsequent pages. Items marked N/A are Not Applicable. Items Marked as N/O are Not Observed, and were not being conducted at the time of inspection.

DBPR Form HR 5022-016

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF HOTELS AND RESTAURANTS
www.myflorida.com/dbpr

License Number
SEAT 2331106
Business Name
LUL GRILL CAFE
Inspection Date
10/09/07 10:20 AM

FOOD SERVICE INSPECTION REPORT
LEGAL NOTICE

Failure to comply with this Notice may initiate an administrative complaint that may result in suspension or revocation of your license and fines.

STATUS	PHF TEMPERATURE CONTROL
In	*07 Unwrapped or potentially hazardous food not re-served
Out	*08a Food protection during storage, preparation, display, service, transportation
In	*08b Cross-contamination, equipment, personnel, storage
	*08c Potential for cross-contamination; storage practices; damaged food segregated
Out	*09 Foods handled with minimum contact
	10 In use food dispensing utensils properly stored
STATUS	**PERSONNEL**
In	*11 Personnel with infections restricted
In	*12a Hands washed and clean, good hygienic practices (observed), alternative operating plan
In	*12b Proper hygienic practices, eating/drinking/smoking (evidence)
	13 Clean clothes, hair restraints
STATUS	**FOOD EQUIPMENT AND UTENSILS**
	14 Food contact surfaces designed, constructed, maintained, installed, located
	15 Non-food contact surfaces designed, constructed, maintained, installed, located
	*16 Dishwashing facilities designed, constructed, operated 1. Wash 2. Rinse 3. Sanitize
	*17 Thermometers, gauges, test kits provided
	18 Pre-flushed, scraped, soaked
	19 Wash, rinse water clean, proper temperature
	*20a Sanitizing concentration
	*20b Sanitizing temperature
	21 Wiping cloths clean, used properly, stored
Out	*22 Food contact surfaces of equipment and utensils clean
Out	23 Non-food contact surfaces clean
	24 Storage/handling of clean equipment, utensils
STATUS	**SINGLE SERVICE ARTICLES**
	25 Service items properly stored, handled, dispensed
	26 Single service articles not re-used
STATUS	**WATER AND SEWAGE/PLUMBING**
	*27 Water source safe, hot and cold under pressure
	*28 Sewage and waste water disposed properly
Out	29 Plumbing installed and maintained
	*30 Cross-connection, back siphonage, backflow
STATUS	**TOILET AND HANDWASHING FACILITIES**
Out	*31 Toilet and handwashing facilities, number, convenient, designed, installed
In	*32 Restrooms with self-closing doors, fixtures operate properly, facility clean, supplied with handsoap, disposable towels or hand drying devices, tissue, covered waste

STATUS	GARBAGE AND REFUSE DISPOSAL
	33 Containers covered, adequate number, insect and rodent proof, emptied at proper intervals, clean
	34 Outside storage area clean, enclosure properly constructed
STATUS	**INSECT AND RODENT CONTROL**
	*35a Presence of insects/rodents. Animals prohibited
	*35b Outer openings protected from insects, rodent proof
STATUS	**FLOORS, WALLS, CEILINGS**
Out	36 Floors properly constructed, clean, drained, coved
Out	37 Walls, ceilings, and attached equipment, constructed, clean
Out	38 Lighting provided as required. Fixtures shielded
	39 Rooms and equipment - vented as required
STATUS	**OTHER AREAS**
	40 Employee lockers provided and used, clean
In	*41a Toxic items properly stored
In	*41b Toxic items labeled and used properly
	42 Premises maintained, free of litter, unnecessary articles. Cleaning and maintenance equipment properly stored. Kitchen restricted to authorized personnel
	43 Complete separation from living/sleeping area, laundry
	44 Clean and soiled linen segregated and properly stored
STATUS	**SAFETY**
Out	*45 Fire extinguishers - proper and sufficient
	*46 Exiting system - adequate, good repair
Out	*47 Electrical wiring - adequate, good repair
	*48 Gas appliances - properly installed, maintained
	*49 Flammable/combustible materials - properly stored
STATUS	**GENERAL**
	*50 Current license properly displayed
	51 Other conditions sanitary and safe operation
	*52 False/misleading statements published or advertised relating to food/beverage
Out	*53a Food management certification valid
Out	*53b Employee training validation
	54 Florida Clean Indoor Air Act
	55 Automatic Gratuity Notice
	56 Copy of Chapter 509, Florida Statutes, available
STATUS	**GENERAL**
	57 Hospitality Education Program Information provided
	Total Number of COS Violations: 2 Total Number of Repeat Violations:

Violations marked with an asterisk are critical violations. Items marked IN are in compliance. Items Marked OUT are violations. Specific details of violation are listed on subsequent pages. Items marked N/A are Not Applicable. Items Marked as N/O are Not Observed, and were not being conducted at the time of inspection.

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF HOTELS AND RESTAURANTS
www.myflorida.com/dbpr

License Number
SEAT 2331106
Business Name
LUL GRILL CAFE
Inspection Date
10/09/07 10:20 AM

FOOD SERVICE INSPECTION REPORT
LEGAL NOTICE

Failure to comply with this Notice may initiate an administrative complaint that may result in suspension or revocation of your license and fines.

Violation(s):

53A-01-1:Manager lacking proof of Food Manager Certification.

53B-08-1:No proof of required employee training provided. All public food service establishments must provide the division with proof of employee training upon request, including, but not limited to, at the time of any division inspection of the establishment. Pro

01B-25-1:Observed food with mold-like growth. Corrected On Site. food thrown away cabbage

02-07-1:Observed processed ready-to-eat, potentially hazardous food held more than 24 hours not properly date marked after opening.

02-13-1:Consumer advisory for raw/undercooked animal products not provided.

03A-07-1:Observed potentially hazardous food cold held at greater than 41 degrees Fahrenheit.

08A-22-1:Observed improper horizontal separation of raw animal foods chicken over beef and other foods with less needed cooking temperature

22-28-1:Observed interior of reach-in cooler soiled with accumulation of food residue.

22-25-1:Observed buildup of soiled material on mixer head.

22-22-1:Observed encrusted material on can opener.

22-19-1:Observed interior of microwave soiled.

22-17-1:Observed soiled reach-in cooler gaskets.

22-27-1:Observed food-contact surfaces encrusted with grease and/or soil deposits. prep tables by cooking line

38-07-1:Lights missing the proper shield, sleeve coatings or covers. walking cooler

29-11-1:Observed leaking pipe at plumbing fixture. under hand sink

31-12-1:Observed handwash sink used for purposes other than handwashing.

09-04-1:Observed bare hand contact of ready-to-eat food by employees and establishment has no approved Alternative Operating Procedure in effect. Corrected On Site.

37-04-1:Observed wall soiled with accumulated black debris in dishwashing area.

37-06-1:Observed wall soiled with accumulated grease. By oven

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF HOTELS AND RESTAURANTS
www.myflorida.com/dbpr

License Number
SEAT 2331106
Business Name
LUL GRILL CAFE
Inspection Date
10/09/07 10:20 AM

FOOD SERVICE INSPECTION REPORT
LEGAL NOTICE

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04-01-1:Cold holding equipment incapable of maintaining potentially hazardous food at proper temperatures.

36-15-1:Observed food debris accumulated on kitchen floor..

36-13-1:Observed grease accumulated under cooking equipment.

36-12-1:Floors not constructed easily cleanable. Cardboard used and not daily changed

23-07-1:Observed gaskets with slimy/mold-like build-up. walking cooler

31-09-1:Handwash sink not accessible for employee use at all times. dishwashing area

45-39-1:Portable fire extinguisher not properly mounted at least 4 inches off the floor and the top no higher than 5 feet off the floor.

47-06-1:Observed extension cord in use for non-temporary period.