

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

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

Petitioner,

v.

SZECHUAN PANDA,

Respondent.

Final Order No. BPR-2008-10994 Date: 12-23-08

FILED

Department of Business and Professional Regulation
AGENCY CLERK

Sarah Wachman, Agency Clerk

By: Brandon M. Nichol

DOAH CASE NO.: 08-2658

H&R CASE NO.: 2008-024115

LICENSE NO.: 11-01952

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 April 25, 2008, the Department issued an Administrative Complaint attached hereto as exhibit "A."

2. On August 5, 2008, a hearing in this cause was held before the Honorable Ella Jane P. Davis, Administrative Law Judge, Division of Administrative Hearings.

3. On November 19, 2008, the Honorable Ella Jane P. Davis 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

Certified Article Number

7160 3901 9845 8311 8608

SENDERS RECORD

contained in the 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 Section 509, Florida Statutes, and/or the rules promulgated thereto the following penalty is imposed:

1. Respondent's Hotel and Restaurant license is hereby revoked, effective the first Monday after thirty (30) days from the date this final order is filed with the Agency Clerk of the Department of Business and Professional Regulation, Division of Hotels and Restaurants.

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

DONE AND ORDERED this 11 day of Dec, 2008.



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 to Szechuan Panda c/o Yu Zeng Kang, 3830 Southwest 13th Street, Gainesville, Florida 32608; by regular U.S. Mail to the Honorable Ella Jane P. Davis, Administrative Law Judge, Division of Administrative Hearings, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060; and by hand delivery to Charles F. Tunnickliff, Chief Professions Attorney, Department of Business and Professional Regulations, 1940 North Monroe Street, Tallahassee, Florida 32399-2202, this 23rd day of December, 2008.


For the Division of Hotels
and Restaurants

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

DEPARTMENT OF BUSINESS AND
PROFESSIONAL REGULATION

Petitioner,

vs.

SZECHUAN PANDA

Respondent.

License No. 1101952

License Type 2010

Case No. 2008024115

ADMINISTRATIVE COMPLAINT

The DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION, DIVISION OF HOTELS AND RESTAURANTS, ("Petitioner"), files this Administrative Complaint against SZECHUAN PANDA, ("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 3830 SW 13 ST, GAINESVILLE, FLORIDA 32608. The mailing address of record is SZECHUAN PANDA, at 3830 SW 13 ST, GAINESVILLE, FLORIDA 32608.
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 April 25, 2008



Steven von Bodungen, District Manager

By delegation of the Director, or designee

Division of Hotels & Restaurants

Department of Business & Professional Regulation

COUNSEL FOR THE DEPARTMENT:

Charles F. Tunncliff, 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: _____

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.

Inspector's Signature

Title

Received by: _____

Operator's Signature

Title

Case Number: 2008024115 File Number: 194391

License Number: 1101952 2010

SZECHUAN PANDA

District Number: 05

Form revised 07.19.07

EXHIBIT

A

Exhibit A

License Number: 1101952
License Type: 2010 PERMANENT FOOD SERVICE
Case Number: 2008024115

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 December 19, 2007, March 5, 2008, March 6, 2008, March 24, 2008, March 30, 2008 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. 03A-07-1 3-501.16(A) FC:: (A) EXCEPT DURING PREPARATION, COOKING, OR COOLING, OR WHEN TIME IS USED AS THE PUBLIC HEALTH CONTROL AS SPECIFIED UNDER SECTION 3-501.19, AND EXCEPT AS SPECIFIED IN PARAGRAPH (B) OF THIS SECTION, POTENTIALLY HAZARDOUS FOOD SHALL BE MAINTAINED: (1) AT 135 DEGREES FAHRENHEIT OR ABOVE, EXCEPT THAT ROASTS COOKED TO A TEMPERATURE AND FOR A TIME SPECIFIED IN PARAGRAPH 3-401.11(B) OR REHEATED AS SPECIFIED IN PARAGRAPH 3-403.11(E) MAY BE HELD AT A TEMPERATURE OF 130 DEGREES FAHRENHEIT OR ABOVE; OR (2) AT A TEMPERATURE SPECIFIED IN THE FOLLOWING: (A) 41 DEGREES FAHRENHEIT OR LESS;

OBSERVED POTENTIALLY HAZARDOUS FOOD COLD HELD AT GREATER THAN 41°F. DUCKS ON RACK BY WALKIN FREEZER AT 60°F. REPEAT VIOLATION.

* 2. 03B-03-1 3-501.16 (A)(1) FC:: (A) EXCEPT DURING PREPARATION, COOKING, OR COOLING, OR WHEN TIME IS USED AS THE PUBLIC HEALTH CONTROL AS SPECIFIED UNDER SECTION 3-501.19, AND EXCEPT AS SPECIFIED IN PARAGRAPH (B) OF THIS SECTION, POTENTIALLY HAZARDOUS FOOD SHALL BE MAINTAINED: (1) AT 135 DEGREES FAHRENHEIT OR ABOVE, EXCEPT THAT ROASTS COOKED TO A TEMPERATURE AND FOR A TIME SPECIFIED IN PARAGRAPH 3-401.11(B) OR REHEATED AS SPECIFIED IN PARAGRAPH 3-403.11(E) MAY BE HELD AT A TEMPERATURE OF 130 DEGREES FAHRENHEIT OR ABOVE;

OBSERVED POTENTIALLY HAZARDOUS FOOD NOT HELD AT 135°F OR ABOVE. CHICKEN AT 92°F ON RACK BY WALKIN FREEZER. REPEAT VIOLATION.

* 3. 08A-28-1 3-305.11 FC:: FOOD STORAGE. (A) EXCEPT AS SPECIFIED IN PARAGRAPHS (B) AND (C) OF THIS SECTION, FOOD SHALL BE PROTECTED FROM CONTAMINATION BY STORING THE FOOD: (1) IN A CLEAN, DRY LOCATION; (2) WHERE IT IS NOT EXPOSED TO SPLASH, DUST, OR OTHER CONTAMINATION; AND (3) AT LEAST 6 INCHES ABOVE THE FLOOR. (B) FOOD IN PACKAGES AND WORKING CONTAINERS MAY BE STORED LESS THAN 6 INCHES ABOVE THE FLOOR ON CASE LOT HANDLING EQUIPMENT AS SPECIFIED UNDER SECTION 4-204.122. (C) PRESSURIZED BEVERAGE CONTAINERS, CASED FOOD IN WATERPROOF CONTAINERS SUCH AS BOTTLES OR CANS, AND MILK CONTAINERS IN PLASTIC CRATES MAY BE STORED ON A FLOOR THAT IS CLEAN AND NOT EXPOSED TO FLOOR MOISTURE.

OBSERVED FOOD STORED ON THE FLOOR. WALKIN FREEZER. INSPECTIONS DATED 12/19/07, 03/05/08 AND 03/24/08.

* 08A-29-1 3-302.11(A)(4) FC:: (A) FOOD SHALL BE PROTECTED FROM CROSS CONTAMINATION BY: (4) STORING THE FOOD IN PACKAGES, COVERED CONTAINERS, OR WRAPPINGS;

* denotes critical violation
Case Number: 2008024115
License Number: 1101952
SZECHUAN PANDA

District: 05
License Type: 2010
File Number: 194391

Exhibit A

OBSERVED UNCOVERED FOOD IN THE HOLDING UNIT/DRY STORAGE AREA. WALKIN COOLERS. REPEAT VIOLATION.

* 4. 09-01-1 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.

OBSERVED IMPROPER USE OF BOWL/PLASTIC CONTAINER WITH NO HANDLE USED TO DISPENSE READY-TO-EAT FOOD. INSPECTIONS DATED 12/19/07, 03/05/08 AND 03/24/08.

5. 10-04-1 3-304.12(E) FC:: IN-USE UTENSILS, BETWEEN-USE STORAGE. DURING PAUSES IN FOOD PREPARATION OR DISPENSING, FOOD PREPARATION AND DISPENSING UTENSILS SHALL BE STORED: (E) IN A CLEAN, PROTECTED LOCATION IF THE UTENSILS, SUCH AS ICE SCOOPS, ARE USED ONLY WITH A FOOD THAT IS NOT POTENTIALLY HAZARDOUS;

OBSERVED IN-USE UTENSIL FOR NON-POTENTIALLY HAZARDOUS FOOD NOT STORED IN A CLEAN, PROTECTED LOCATION. BETWEEN TABLES. INSPECTIONS DATED 12/19/07, 03/05/08 AND 03/24/08.

* 6. 22-27-1 4-601.11(A) FC:: EQUIPMENT FOOD-CONTACT SURFACES AND UTENSILS SHALL BE CLEAN TO SIGHT AND TOUCH.

OBSERVED FOOD CONTACT SURFACES ENCRUSTED WITH GREASE AND OR SOIL DEPOSITS. FOOD CONTAINER. INSPECTIONS DATED 12/19/07 AND 03/05/08.

7. 23-03-1 4-601.11(C) FC:: (C) NONFOOD-CONTACT SURFACES OF EQUIPMENT SHALL BE KEPT FREE OF AN ACCUMULATION OF DUST, DIRT, FOOD RESIDUE, AND OTHER DEBRIS.

OBSERVED BUILDUP OF GREASE ON NONFOOD CONTACT SURFACE. FOOD CONTAINERS. INSPECTIONS DATED 12/19/07 AND 03/05/08.

* 8. 35A-03-1 6-501.112 FC:: REMOVING DEAD OR TRAPPED BIRDS, INSECTS, RODENTS, AND OTHER PESTS. DEAD OR TRAPPED BIRDS, INSECTS, RODENTS, AND OTHER PESTS SHALL BE REMOVED FROM CONTROL DEVICES AND THE PREMISES AT A FREQUENCY THAT PREVENTS THEIR ACCUMULATION, DECOMPOSITION, OR THE ATTRACTION OF PESTS.

OBSERVED DEAD ROACHES ON PREMISE. 15 TO 18 FOUND THROUGHOUT THE BUSINESS. INSPECTIONS DATED 12/19/07, 03/05/08 AND 03/24/08.

* 35A-05-1 6-501.111 FC:: CONTROLLING PESTS. THE PRESENCE OF INSECTS, RODENTS, AND OTHER PESTS SHALL BE CONTROLLED TO MINIMIZE THEIR PRESENCE ON THE PREMISES BY: (A) ROUTINELY INSPECTING INCOMING SHIPMENTS OF FOOD AND SUPPLIES; (B) ROUTINELY INSPECTING THE PREMISES FOR EVIDENCE OF PESTS; (C) USING METHODS, IF PESTS ARE FOUND, SUCH AS TRAPPING DEVICES OR OTHER MEANS OF PEST CONTROL AS SPECIFIED UNDER SECTIONS 7-202.12, 7-206.12, AND 7-206.13; AND (D) ELIMINATING HARBORAGE CONDITIONS.

OBSERVED ROACH ACTIVITY AS EVIDENCED BY LIVE ROACHES IN THE FOLLOWING LOCATIONS; ONE IN THE WAIT AREA, ONE BY THE COOKIES, ONE ON THE FRONT OF THE PREP TABLE AND ONE UNDER THE BUFFET. INSPECTIONS DATED 12/19/07 AND 03/05/08.

9. 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.

OBSERVED WALL SOILED WITH ACCUMULATED BLACK DEBRIS IN DISHWASHING AREA. INSPECTIONS DATED 12/19/07 AND 03/05/08.

* 10. 45-35-1 NFPA 1, 13.1.5 AND 10.2.2:: DETAILED RECORDS DOCUMENTING ALL SYSTEMS AND EQUIPMENT TESTING AND MAINTENANCE SHALL BE KEPT BY THE PROPERTY OWNER AND SHALL BE MADE AVAILABLE UPON REQUEST FOR REVIEW BY THE AHJ. THE AHJ SHALL BE PERMITTED TO REQUIRE THE OWNER, OPERATOR, OR OCCUPANT TO PROVIDE TESTS OR TEST

* denotes critical violation
Case Number: 2008024115
License Number: 1101952
SZECHUAN PANDA

District: 05
License Type: 2010
File Number: 194391

Exhibit A

REPORTS, WITHOUT EXPENSE TO THE AHJ, AS PROOF OF COMPLIANCE WITH THE INTENT OF THIS CODE.

OBSERVED NO CURRENT HOOD FIRE SUPPRESSION SYSTEM INSPECTION REPORT AVAILABLE. INSPECTIONS DATED 12/19/07 AND 03/05/08.

11.51-11-1 61C-1.004(9)(D) FAC:: (D) CARBON DIOXIDE AND HELIUM TANKS SHALL BE ADEQUATELY SECURED SO AS TO PRECLUDE ANY DANGER TO SAFETY.
OBSERVED CARBON DIOXIDE/HELIUM TANKS NOT ADEQUATELY SECURED. INSPECTIONS DATED 12/19/07 AND 03/05/08.

* denotes critical violation
Case Number: 2008024115
License Number: 1101952
SZECHUAN PANDA

District: 05
License Type: 2010
File Number: 194391



EXHIBIT B

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.

03/30/08 11:04 PM
 Callback Inspection Date and Time
 HUNGAT INC
 Owner Name
 SZECHUAN PANDA
 Business Name
 189
 Number of Units
 3830 SW 13 ST
 Address / City / State / Zip / etc.

Warning
 Inspection Reason
 ADMINISTRATIVE COMPLAINT recommended.
 Inspection Result
 Requested Callback Date/Time

1101952 SEAT
 License Number
 352-336-6464
 Area Code/Telephone Number
 03/24/2008
 Initial Warning Date
 GAINESVILLE, 32608

Comments

[Empty box for comments]

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

- Violation: 31-09-1
 Handwash sink not accessible for employee use at all times.PAN IN BOWL OFFPREP AREA HWS.
- Violation: 30-02-1
 Vacuum breaker missing at hose bibb.HOSE BIBB ON FAUCET OF WAITE AREA HAND WASH SINK.
- Violation: 26-02-1
 Observed reuse of single-service articles.USED AS A SCOOP IN COOKED

03-30-08

Date

Signature of Recipient

Recipient: YU ZENG KANG

Title: OWNER

Phone: 352 336 6464

Inspector Signature

For further information please contact:

Daniel Fulton

Senior Sanitation and Safety Specialist 7960 Arling

850-487-1395/ Fax 904-727-5558



EXHIBIT B

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

Page 2 of 3

License Number
SEAT 1101952

Business Name
SZECHUAN PANDA

Inspection Date
03/30/08 11:04 PM

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.

CHICKEN.

Violation: 22-20-1

Observed buildup of slime in the interior of ice machine.

Violation: 08A-29-1

Observed uncovered food in holding unit/dry storage area.WIC'S

Violation: 06-04-1

Observed potentially hazardous food thawed at room temperature. TRAY OF CHICKEN THAWING ON COUNTER.

Violation: 03B-03-1

Potentially hazardous food not held at 135 degrees Fahrenheit or above. CHICKEN, PORK AND BEEF IN BUFFET ARE AT 109 to 123 F.

Violation: 03A-07-1

Observed potentially hazardous food cold held at greater than 41 degrees Fahrenheit. CHICKEN AND PORK IN TOP OF RIC IS AT 44 to 48 F. UNIT IS BEING WORKED ON DURING INSPECTION.

The following item(s) are in compliance:

Violation: 35A-03-1

Observed dead roaches on premises. 15 to 18 FOUND THROUGH-OUT BUSINESS.

Violation: 24-07-1

Cleaned and sanitized equipment, utensils, linens or single-service not properly stored. FOOD END UP BUFFET AREA.

Violation: 12B-07-1

Observed an open beverage container on a food preparation table or over/next to clean equipment/utensils.

Violation: 10-04-1

Non-use utensil for nonpotentially hazardous food not stored in a clean, protected location. TONGS HANGING FROM STOVE HANDLE.

Violation: 10-04-1

Non-use utensil for nonpotentially hazardous food not stored in a clean, protected location. BETWEEN TABLES.

Violation: 09-01-1

Observed improper use of bowl/plastic food container or other container with no handle used to dispense ready-to-eat food.



EXHIBIT B

Page 3 of 3

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

License Number
SEAT 1101952
Business Name
SZECHUAN PANDA
Inspection Date
03/30/08 11:04 PM

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.

Violation: 08A-28-1

Observed food stored on floor.WIF.

Violation: 02-22-1

Ready-to-eat, potentially hazardous food prepared on site and held more than 24 hours with not properly date marked.WIC.



EXHIBIT B

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

**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.

03/24/08 12:23 PM
Inspection Date and Time
HUNGTAT INC
Owner Name
SZECHUAN PANDA
Business Name
3830 SW 13 ST
Number of Units
Address / City / State / Zip / etc.

Complaint Full
Inspection Reason
WARNING:
Violations in the operation of your establish must be corrected by:
Inspection Result
03/25/2008 08:00 AM
Callback Date/Time

1101952 SEAT
License Number
352-336-6464
Area Code/Telephone Number
License Expiration
GAINESVILLE, 32608

Item 03: Food Temperatures	Item 53a: Cert. Food Managers	Item 20: Warewashing Sanitization	Item 45: Fire Extinguishers and Fire Suppression Systems Dates
Eggs, walk in cooler, 40 Degrees F. Poultry, walk in cooler, 40 Degrees F. Pork, walk in cooler, 41 Degrees F. Poultry, cook line, 56 Degrees F. Poultry, reach in cooler, 48 Degrees F. Poultry, reach in cooler, 42 Degrees F. Poultry, reach in cooler, 47 Degrees F. Pork, buffet line, 165 Degrees F. Poultry, buffet line, 155 Degrees F. Seafood sushi, buffet line, 60 Degrees F. Poultry, buffet line, 107 Degrees F. Seafood, buffet line, 160 Degrees F.	Manager Name: KANG YU ZENF Certification Date: 10/07 Certified by: National Registry of Food Safety Professionals	Sanitizer Type: Chlorine found at concentration of 100 PPM.	A Class ABC type Fire Extinguisher, found in/at kitchen has a certification date of 12/07 A Class K type Fire Extinguisher, found in/at kitchen has a certification date of 12/07 A Hood Suppression type Fire Extinguisher, found in/at kitchen has a certification date of 2/08

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

Inspector's Comments

COMPLAINT NUMBER 2008015367 Employees trained by Florida Restaurant Association No Boiler On Site.

I acknowledge receipt of this inspection form and comments.

03-24-08

Date
Recipient: YU ZENG KANG
Title: OWNER,
Phone: 352 336 6464

Signature of Recipient

Inspector Signature
For further information please contact:
Daniel Fulton
Senior Sanitation and Safety Specialist 7960 Arlingto
850-487-1395/ Fax 904-727-5558

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



EXHIB. B

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

License Number
 SEAT 1101952
 Business Name
 SZECHUAN PANDA
 Inspection Date
 03/24/08 12:23 PM

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	STATUS	GARBAGE AND REFUSE DISPOSAL
In	*07 Unwrapped or potentially hazardous food not re-served		33 Containers covered, adequate number, insect and rodent proof, emptied at proper intervals, clean
Out	*08a Food protection during storage, preparation, display, service, transportation		34 Outside storage area clean, enclosure properly constructed
In	*08b Cross-contamination, equipment, personnel, storage		
	*08c Potential for cross-contamination; storage practices; damaged food segregated	STATUS	INSECT AND RODENT CONTROL
Out	*09 Foods handled with minimum contact	Out	*35a Presence of Insects/rodents. Animals prohibited
Out	10 In use food dispensing utensils properly stored		*35b Outer openings protected from insects, rodent proof
STATUS	PERSONNEL	STATUS	FLOORS, WALLS, CEILINGS
In	*11 Personnel with infections restricted		36 Floors properly constructed, clean, drained, covered
In	*12a Hands washed and clean, good hygienic practices (observed), alternative operating plan		37 Walls, ceilings, and attached equipment, constructed, clean
Out	*12b Proper hygienic practices, eating/drinking/smoking (evidence)		38 Lighting provided as required. Fixtures shielded
	13 Clean clothes, hair restraints		39 Rooms and equipment - vented as required
STATUS	FOOD EQUIPMENT AND UTENSILS	STATUS	OTHER AREAS
	14 Food contact surfaces designed, constructed, maintained, installed, located	In	40 Employee lockers provided and used, clean
	15 Non-food contact surfaces designed, constructed, maintained, installed, located	In	*41a Toxic items properly stored
	*16 Dishwashing facilities designed, constructed, operated 1. Wash 2. Rinse 3. Sanitize	In	*41b Toxic items labeled and used properly
	*17 Thermometers, gauges, test kits provided		42 Premises maintained, free of litter, unnecessary articles. Cleaning and maintenance equipment properly stored. Kitchen restricted to authorized personnel
	18 Pre-flushed, scraped, soaked		43 Complete separation from living/sleeping area, laundry
	19 Wash, rinse water clean, proper temperature		44 Clean and soiled linen segregated and properly stored
	*20a Sanitizing concentration	STATUS	SAFETY
	*20b Sanitizing temperature		*45 Fire extinguishers - proper and sufficient
	21 Wiping cloths clean, used properly, stored		*46 Exiting system - adequate, good repair
Out	*22 Food contact surfaces of equipment and utensils clean		*47 Electrical wiring - adequate, good repair
	23 Non-food contact surfaces clean		*48 Gas appliances - properly installed, maintained
Out	24 Storage/handling of clean equipment, utensils		*49 Flammable/combustible materials - properly stored
STATUS	SINGLE SERVICE ARTICLES	STATUS	GENERAL
	25 Service items properly stored, handled, dispensed		*50 Current license properly displayed
Out	26 Single service articles not re-used	In	51 Other conditions sanitary and safe operation
STATUS	WATER AND SEWAGE/PLUMBING		*52 False/misleading statements published or advertised relating to food/beverage
	*27 Water source safe, hot and cold under pressure	In	*53a Food management certification valid
	*28 Sewage and waste water disposed properly		*53b Employee training validation
	29 Plumbing installed and maintained		54 Florida Clean Indoor Air Act
Out	*30 Cross-connection, back siphonage, backflow		55 Automatic Gratuity Notice
STATUS	TOILET AND HANDWASHING FACILITIES		56 Copy of Chapter 509, Florida Statutes, available
Out	*31 Toilet and handwashing facilities, number, convenient, designed, installed		57 Hospitality Education Program Information provided
In	*32 Restrooms with self-closing doors, fixtures operate properly, facility clean, supplied with handsoap, disposable towels or hand drying devices, tissue, covered waste		Total Number of COS Violations: 1
			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.



EXHIBIT B

Page 3 of 3

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

License Number
SEAT 1101952
Business Name
SZECHUAN PANDA
Inspection Date
03/24/08 12:23 PM

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):

06-04-1: Observed potentially hazardous food thawed at room temperature. CHICKEN THAWING ON COUNTER.

31-09-1: Handwash sink not accessible for employee use at all times. TWO Corrected On Site.

08A-29-1: Observed uncovered food in holding unit/dry storage area. WIC'S

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

03B-03-1: Potentially hazardous food not held at 135 degrees Fahrenheit or above.

12B-07-1: Observed an open beverage container on a food preparation table or over/next to clean equipment/utensils.

26-02-1: Observed reuse of single-service articles. USED AS A SCOOP.

09-01-1: Observed improper use of bowl/plastic food container or other container with no handle used to dispense ready-to-eat food.

10-04-1: In-use utensil for nonpotentially hazardous food not stored in a clean, protected location. BETWEEN TABLES.

10-04-1: In-use utensil for nonpotentially hazardous food not stored in a clean, protected location. TONGS HANGING FROM STOVE HANDLE.

08A-28-1: Observed food stored on floor. WIF.

22-20-1: Observed buildup of slime in the interior of ice machine.

35A-03-1: Observed dead roaches on premises. 15 to 18 FOUND THROUGH-OUT BUSINESS.

24-07-1: Cleaned and sanitized equipment, utensils, linens or single-service not properly stored. FOOD END UP BUFFET AREA.

30-02-1: Vacuum breaker missing at hose bibb. HOSE BIBB ON FAUCET OF WAITE AREA HAND WASH SINK.

02-22-1: Ready-to-eat, potentially hazardous food prepared on site and held more than 24 hours with not properly date marked. WIC.



EXHIBIT B

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.

03/06/08 05:37 PM
 Callback Inspection Date and Time
 HUNG TAT INC
 Owner Name
 SZECHUAN PANDA
 Business Name
 189
 Number of Units
 3830 SW 13 ST
 Address / City / State / Zip / etc.

Warning
 Inspection Reason
 ADMINISTRATIVE COMPLAINT recommended.
 Inspection Result
 Requested Callback Date/Time

1101952 SEAT
 License Number
 352-336-6464
 Area Code/Telephone Number
 03/05/2008
 Initial Warning Date
 GAINESVILLE, 32608

Comments

[Empty box for comments]

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

- Violation: 45-35-1
 No current hood fire suppression system inspection report available.
- Violation: 37-04-1
 Observed wall soiled with accumulated black debris in dishwashing area.
- Violation: 15-25-1
 Hood filters not equipped with a drip tray.

03-06-08

Date

[Handwritten Signature]

Signature of Recipient

Recipient: YU ZENG KANG
 Title: OWNER
 Phone: 352 336 6464

[Handwritten Signature]

Inspector Signature

For further information please contact:

Daniel Fulton
 Senior Sanitation and Safety Specialist 7960 Arlington Expy Ste
 610 Jacksonville, FL 32211
 850-487-1395/ Fax 904-727-5558



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

EXHIBIT B

Page 2 of 5

License Number
SEAT 1101952

Business Name
SZECHUAN PANDA

Inspection Date
03/06/08 05:37 PM

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.

Violation: 03B-03-1

Potentially hazardous food not held at 135 degrees Fahrenheit or above. Chicken on rack by wif at 92 F.

Violation: 03A-07-1

Observed potentially hazardous food cold held at greater than 41 degrees Fahrenheit. Ducks on rack by wif are at 60 F. UNATTENDED

The following item(s) have been recommended for Time Extension:

Violation: 46-09-1

Exit signs not properly illuminated. by restrooms - west side

Violation: 34-09-1

Observed grease on the ground and/or pad around grease receptacle.

Violation: 29-08-1

Plumbing system in disrepair. WIC CONDENSER DRIPPING INTO BUCKET.

Violation: 15-31-1

Observed nonfood-contact equipment in poor repair WIF DOOR.

Violation: 15-12-1

Nonfood-contact equipment not designed and constructed in a durable manner. USING PLACTIC BOXES AS STORAGE RACKS.

The following item(s) are in compliance:

Violation: 51-11-1

Carbon dioxide/hellum tanks not adequately secured.

Violation: 47-06-1

Observed extension cord in use for non-temporary period. SUSHI AREA.

Violation: 42-03-1

Wet mop not hung to dry.

Violation: 41A-02-1



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

EXHIBIT B

Page 3 of 5
License Number
SEAT 1101952
Business Name
SZECHUAN PANDA
Inspection Date
03/06/08 05:37 PM

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.

Observed toxic item stored by food.

Violation: 38-10-1

Light not functioning.KITCHEN .

Violation: 38-07-1

Lights missing the proper shield, sleeve coatings or covers.

Violation: 36-14-1

Observed grease accumulated on kitchen floor.WIF.

Violation: 35A-05-1

Observed roach activity as evidenced by one live roaches found on front of prep table.

Violation: 35A-05-1

Observed roach activity as evidenced by one live roaches found waite area.

Violation: 35A-05-1

Observed roach activity as evidenced by one live roaches found under buffet.

Violation: 35A-05-1

Observed roach activity as evidenced by one live roaches found by cookies.

Violation: 35A-04-1

Observed rodent activity as evidenced by rodent droppings found.DRY DROPPING FOUND UNDER FISH TANK AND SUSHI BAR.

Violation: 35A-03-1

Observed dead roaches on premises.TWO UNDER DISH TABLE.

Violation: 35A-03-1

Observed dead roaches on premises.SEVEN FOUND ON GLUE BOARD.

Violation: 33-16-1

Observed open dumpster lid.

Violation: 32-17-1

Handwashing cleanser lacking at handwashing lavatory.NO SOAP AT ANY HWS.



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

License Number
SEAT 1101952
Business Name
SZECHUAN PANDA
Inspection Date
03/06/08 05:37 PM

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.

Violation: 24-07-1

Cleaned and sanitized plates not properly stored.DIRTY PLATES STORED WITH CLEAN.

Violation: 23-07-1

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

Violation: 23-03-1

Observed build-up of grease on nonfood-contact surface.FOOD CONTAINERS.

Violation: 23-03-1

Observed build-up of grease on nonfood-contact surface.WIF RACKS.

Violation: 22-27-1

Observed food-contact surfaces encrusted with grease and/or soil deposits.FOOD CONTAINER.

Violation: 22-20-1

Observed buildup of slime in the interior of ice machine.

Violation: 15-12-1

Nonfood-contact equipment not designed and constructed in a durable manner. wood used to level equipment

Violation: 12B-03-1

Observed employee drinking from an open beverage container in a food preparation or other restricted area.

Violation: 12A-18-1

Observed employee dry hands on clothes/dirty apron after washing.

Violation: 12A-03-1

Observed food employee (cook, dishwasher, wait staff, etc.) washing hands in a sink other than an approved hand wash sink.WASHING AT PREP SINK DRYING HANDS ON DIRTY CLOTH TOWEL.

Violation: 10-04-1

In-use utensil for nonpotentially hazardous food not stored in a clean, protected location.TONGS HANGING FROM STOVE HANDLE.

Violation: 10-04-1

In-use utensil for nonpotentially hazardous food not stored in a clean, protected location.BETWEEN TABLES .

Violation: 10-04-1



EXHIBIT B

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

Page 5 of 5
License Number
SEAT 1101952
Business Name
SZECHUAN PANDA
Inspection Date
03/06/08 05:37 PM

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.

In-use utensil for nonpotentially hazardous food not stored in a clean, protected location. ICE SCOOP STORED ON DIRTY SURFACE .

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.

Violation: 09-01-1

Observed improper use of bowl/plastic food container or other container with no handle used to dispense ready-to-eat food. cooked rice.

Violation: 09-01-1

Observed improper use of bowl/plastic food container or other container with no handle used to dispense ready-to-eat food. PLATE.

Violation: 08A-29-1

Observed uncovered food in holding unit/dry storage area.

Violation: 08A-28-1

Observed food stored on floor.

Violation: 08A-20-1

Displayed food not properly protected from contamination. Ice cream

Violation: 06-04-1

Observed potentially hazardous food thawed at room temperature. SHRIMP AT 44 to 32 F

Violation: 02-26-1

Working containers of food removed from original container not identified by common name. PROPERLY.

Violation: 02-25-1

Observed packaged food not labeled as specified by law.



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

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.

03/05/08 10:53 AM
Inspection Date and Time
HUNG TAT INC
Owner Name
SZECHUAN PANDA
Business Name
Number of Units
3830 SW 13 ST
Address / City / State / Zip / etc.

Complaint Full
Inspection Reason
ADMINISTRATIVE COMPLAINT recommended.
Inspection Result
03/06/2008 08:00 AM
Callback Date/Time

1101952 SEAT
License Number
352-336-6464
Area Code/Telephone Number
License Expiration

GAINESVILLE, 32608

Item 03: Food Temperatures	Item 53a: Cert. Food Managers	Item 20: Warewashing Sanitization	Item 45: Fire Extinguishers and Fire Suppression Systems Dates
Eggs rolls, cook line, 85 Degrees F. Pork, front counter, 42 Degrees F. Seafood, cook line, 38 Degrees F. Pasta/rice, cook line, 170 Degrees F. Beef, front counter, 170 Degrees F. Pork, front counter, 174 Degrees F. Poultry, front counter, 158 Degrees F. Pasta/rice, buffet line, 145 Degrees F. brown rice, buffet line, 160 Degrees F. Eggs, walk in cooler, 38 Degrees F. Pork, walk in cooler, 39 Degrees F. Poultry, walk in cooler, 37 Degrees F. Seafood, reach in cooler, 36 Degrees F. Seafood, reach in cooler, 36 Degrees F.	Manager Name: KANG YU ZENF Certification Date: 10/07 Certified by: National Registry of Food Safety Professionals	Sanitizer Type: Chlorine found at concentration of 100PPM PPM.	A Hood Suppression type Fire Extinguisher, found in/at kitchen has a certification date of 2/08 A Class K type Fire Extinguisher, found in/at kitchen has a certification date of 12/07

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

Inspector's Comments

COMPLAINT NUMBER 2008012268 Employees trained by Florida Restaurant Association No Boiler On Site.

I acknowledge receipt of this inspection form and comments.

03-05-08

Date

Signature of Recipient

Inspector Signature

For further information please contact:

Recipient: YU ZENG KANG
Title: OWNER
Phone: 352 336 6464

Daniel Fulton
Senior Sanitation and Safety Specialist 7960 Arlington Expy Ste
610 Jacksonville, FL 32211
850-487-1395/ Fax 904-727-5558

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



EXHIBIT B

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

License Number
SEAT 1101952
Business Name
SZECHUAN PANDA
Inspection Date

03/05/08 10:53 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	STATUS	GARBAGE AND REFUSE DISPOSAL
In	*07 Unwrapped or potentially hazardous food not re-served	Out	33 Containers covered, adequate number, insect and rodent proof, emptied at proper intervals, clean
Out	*08a Food protection during storage, preparation, display, service, transportation	Out	34 Outside storage area clean, enclosure properly constructed
In	*08b Cross-contamination, equipment, personnel, storage		
	*08c Potential for cross-contamination; storage practices; damaged food segregated	STATUS	INSECT AND RODENT CONTROL
Out	*09 Foods handled with minimum contact	Out	*35a Presence of insects/rodents. Animals prohibited
Out	10 In use food dispensing utensils properly stored		*35b Outer openings protected from insects, rodent proof
STATUS	PERSONNEL	STATUS	FLOORS, WALLS, CEILINGS
In	*11 Personnel with infections restricted	Out	36 Floors properly constructed, clean, drained, coved
Out	*12a Hands washed and clean, good hygienic practices (observed), alternative operating plan	Out	37 Walls, ceilings, and attached equipment, constructed, clean
Out	*12b Proper hygienic practices, eating/drinking/smoking (evidence)	Out	38 Lighting provided as required. Fixtures shielded
	13 Clean clothes, hair restraints		39 Rooms and equipment - vented as required
		STATUS	OTHER AREAS
STATUS	FOOD EQUIPMENT AND UTENSILS	Out	40 Employee lockers provided and used, clean
	14 Food contact surfaces designed, constructed, maintained, installed, located	Out	*41a Toxic items properly stored
Out	15 Non-food contact surfaces designed, constructed, maintained, installed, located	In	*41b Toxic items labeled and used properly
	*16 Dishwashing facilities designed, constructed, operated 1. Wash 2. Rinse 3. Sanitize	Out	42 Premises maintained, free of litter, unnecessary articles. Cleaning and maintenance equipment properly stored. Kitchen restricted to authorized personnel
	*17 Thermometers, gauges, test kits provided		43 Complete separation from living/sleeping area, laundry
	18 Pre-flushed, scraped, soaked		44 Clean and soiled linen segregated and properly stored
	19 Wash, rinse water clean, proper temperature	STATUS	SAFETY
	*20a Sanitizing concentration	Out	*45 Fire extinguishers - proper and sufficient
	*20b Sanitizing temperature	Out	*46 Exiting system - adequate, good repair
	21 Wiping cloths clean, used properly, stored	Out	*47 Electrical wiring - adequate, good repair
Out	*22 Food contact surfaces of equipment and utensils clean		*48 Gas appliances - properly installed, maintained
Out	23 Non-food contact surfaces clean		*49 Flammable/combustible materials - properly stored
Out	24 Storage/handling of clean equipment, utensils	STATUS	GENERAL
		Out	*50 Current license properly displayed
STATUS	SINGLE SERVICE ARTICLES		51 Other conditions sanitary and safe operation
	25 Service items properly stored, handled, dispensed		*52 False/misleading statements published or advertised relating to food/beverage
	26 Single service articles not re-used	In	*53a Food management certification valid
STATUS	WATER AND SEWAGE/PLUMBING	In	*53b Employee training validation
	*27 Water source safe, hot and cold under pressure		54 Florida Clean Indoor Air Act
	*28 Sewage and waste water disposed properly		55 Automatic Gratuity Notice
Out	29 Plumbing installed and maintained		56 Copy of Chapter 509, Florida Statutes, available
	*30 Cross-connection, back siphonage, backflow	STATUS	GENERAL
STATUS	TOILET AND HANDWASHING FACILITIES		57 Hospitality Education Program Information provided
	*31 Toilet and handwashing facilities, number, convenient, designed, installed		Total Number of COS Violations:
Out	*32 Restrooms with self-closing doors, fixtures operate properly, facility clean, supplied with handsoap, disposable towels or hand drying devices, tissue, covered waste receptacles		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

EXHIBIT B

Page 3 of 5

License Number
SEAT 1101952
Business Name
SZECHUAN PANDA
Inspection Date
03/05/08 10:53 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):

- 41A-02-1:Observed toxic item stored by food.
- 45-35-1:No current hood fire suppression system inspection report available.
- 35A-04-1:Observed rodent activity as evidenced by rodent droppings found.DRY DROPPING FOUND UNDER FISH TANK AND SUSHI BAR.
- 09-04-1:Observed bare hand contact of ready-to-eat food by employees and establishment has no approved Alternative Operating Procedure in effect.
- 12B-03-1:Observed employee drinking from an open beverage container in a food preparation or other restricted area.
- 38-10-1:Light not functioning.KITCHEN .
- 32-17-1:Handwashing cleanser lacking at handwashing lavatory.NO SOAP AT ANY HWS.
- 10-04-1:In-use utensil for nonpotentially hazardous food not stored in a clean, protected location.BETWEEN TABLES .
- 15-25-1:Hood filters not equipped with a drip tray.
- 10-04-1:In-use utensil for nonpotentially hazardous food not stored in a clean, protected location.TONGS HANGING FROM STOVE HANDLE.
- 23-03-1:Observed build-up of grease on nonfood-contact surface.FOOD CONTAINERS.
- 12A-03-1:Observed food employee (cook, dishwasher, wait staff, etc.) washing hands in a sink other than an approved hand wash sink.WASHING AT PREP SINK DRYING HANDS ON DIRTY CLOTH TOWEL.
- 02-26-1:Working containers of food removed from original container not identified by common name.PROPERLY.
- 22-27-1:Observed food-contact surfaces encrusted with grease and/or soil deposits.FOOD CONTAINER.
- 35A-05-1:Observed roach activity as evidenced by one live roaches found wait area.
- 15-12-1:Nonfood-contact equipment not designed and constructed in a durable manner.USING PLACTIC BOXES AS STORAGE RACKS.
- 35A-03-1:Observed dead roaches on premises.TWO UNDER DISH TABLE.
- 24-07-1:Cleanned and sanitized plates not properly stored.DIRTY PLATES STORED WITH CLEAN.
- 09-01-1:Observed Improper use of bowl/plastic food container or other container with no handle used to dispense ready-to-eat food.PLATE.
- 51-11-1:Carbon dioxide/helium tanks not adequately secured.
- 35A-05-1:Observed roach activity as evidenced by one live roaches found by cookies.
- 35A-05-1:Observed roach activity as evidenced by one live roaches found on front of prep table.
- 35A-05-1:Observed roach activity as evidenced by one live roaches found under buffet.
- 35A-03-1:Observed dead roaches on premises.SEVEN FOUND ON GLUE BOARD.



EXHIBIT B

Page 4 of 5

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

License Number
SEAT 1101952
Business Name
SZECHUAN PANDA
Inspection Date
03/05/08 10:53 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.

- 37-04-1: Observed wall soiled with accumulated black debris in dishwashing area.
- 08A-20-1: Displayed food not properly protected from contamination. ice cream
- 46-09-1: Exit signs not properly illuminated. by restrooms - west side
- 15-12-1: Nonfood-contact equipment not designed and constructed in a durable manner. wood used to level equipment
- 03B-03-1: Potentially hazardous food not held at 135 degrees Fahrenheit or above. chicken 94 - 97 degrees. mussels 107, chicken 130 - all on buffet.
- 12A-18-1: Observed employee dry hands on clothes/dirty apron after washing.
- 09-01-1: Observed improper use of bowl/plastic food container or other container with no handle used to dispense ready-to-eat food. cooked rice.
- 02-25-1: Observed packaged food not labeled as specified by law.
- 29-08-1: Plumbing system in disrepair. WIC CONDENSER DRIPPING INTO BUCKET.
- 06-04-1: Observed potentially hazardous food thawed at room temperature. SHRIMP AT 44 to 32 F
- 22-20-1: Observed buildup of slime in the interior of ice machine.
- 10-04-1: In-use utensil for nonpotentially hazardous food not stored in a clean, protected location. ICE SCOOP STORED ON DIRTY SURFACE .
- 38-07-1: Lights missing the proper shield, sleeve coatings or covers.
- 42-03-1: Wet mop not hung to dry.
- 34-09-1: Observed grease on the ground and/or pad around grease receptacle.
- 33-16-1: Observed open dumpster lid.
- 15-31-1: Observed nonfood-contact equipment in poor repair. WIF DOOR.
- 36-14-1: Observed grease accumulated on kitchen floor. WIF.
- 08A-28-1: Observed food stored on floor.
- 08A-29-1: Observed uncovered food in holding unit/dry storage area.



EXHIBIT B

Page 5 of 5

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

License Number
SEAT 1101952
Business Name
SZECHUAN PANDA
Inspection Date
03/05/08 10:53 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.

23-03-1:Observed build-up of grease on nonfood-contact surface.W/F RACKS.

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

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

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



EXHIBIT B

FOLLOW-UP INSPECTION REQUIRED
Inspector recommended operations stop until violations corrected.

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.

12/19/07 10:21 AM
Inspection Date and Time
HUNGAT INC
Owner Name
SZCHUAN PANDA
Business Name
Number of Units
3830 SW 13 ST
Address / City / State / Zip / etc.

Complaint Full
Inspection Reason
EMERGENCY ORDER of suspension of lic
Inspection Result
12/20/2007 09:30 AM
Callback Date/Time

1101952 SEAT
License Number
352-336-6464
Area Code/Telephone Number
License Expiration
GAINESVILLE, 32608

Item 03: Food Temperatures	Item 53a: Cert. Food Managers	Item 20: Warewashing Sanitization	Item 45: Fire Extinguishers and Fire Suppression Systems Dates
Rice, kitchen, 54 Degrees F. Beef, walk in cooler, 41 Degrees F. Eggs, walk in cooler, 41 Degrees F. Poultry, walk in cooler, 39 Degrees F. Seafood, walk in cooler, 39 Degrees F. Beef, walk in cooler, 39 Degrees F. Seafood, walk in cooler, 38 Degrees F. Beef, reach in cooler, 39 Degrees F. Pork, reach in cooler, 38 Degrees F. Poultry, reach in cooler, 39 Degrees F. Seafood, reach in cooler, 38 Degrees F.	Manager Name: YANG YU ZENF Certification Date: 10/07 Certified by: National Registry of Food Safety Professionals	Sanitizer Type: Chlorine found at concentration of 100 PPM.	A Class K type Fire Extinguisher, found in/at kitchen has a certification date of 11/06 A Class ABC type Fire Extinguisher, found in/at kitchen has a certification date of 707 A Hood Suppression type Fire Extinguisher, found in/at kitchen has a certification date of

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

Inspector's Comments

BUFFET BAR IS NOT SET UP AT TIME OF INSPECTION . COMPLAINT NUMBER 2007067508 Employees trained by Florida Restaurant Association No Boiler On Site.

I acknowledge receipt of this inspection form and comments.

12-19-07

Date
Recipient: YU ZENG KANG
Title: OWNER
Phone: 352 336 6464

Inspector Signature
For further information please contact:
Daniel Fulton
Senior Sanitation and Safety Specialist 7960 Arlingto
850-487-1395/ Fax 904-727-5558

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
N/A	*02-13 Consumer advisory on raw/undercooked animal	N/O	*03d Foods properly cooled
			*04 Facilities to maintain product temperature
		Out	*05 Thermometers provided and conspicuously placed
		Out	*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.



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

License Number
SEAT 1101952
Business Name
SZECHUAN PANDA
Inspection Date
12/19/07 10:21 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	STATUS	GARBAGE AND REFUSE DISPOSAL
In	*07 Unwrapped or potentially hazardous food not re-served		33 Containers covered, adequate number, insect and rodent proof, emptied at proper intervals, clean
Out	*08a Food protection during storage, preparation, display, service, transportation		34 Outside storage area clean, enclosure properly constructed
In	*08b Cross-contamination, equipment, personnel, storage		
	*08c Potential for cross-contamination; storage practices; damaged food segregated	STATUS	INSECT AND RODENT CONTROL
Out	*09 Foods handled with minimum contact	Out	*35a Presence of insects/rodents. Animals prohibited
Out	10 In use food dispensing utensils properly stored		*35b Outer openings protected from insects, rodent proof
STATUS	PERSONNEL	STATUS	FLOORS, WALLS, CEILINGS
In	*11 Personnel with infections restricted	Out	36 Floors properly constructed, clean, drained, coved
N/O	*12a Hands washed and clean, good hygienic practices (observed), alternative operating plan	Out	37 Walls, ceilings, and attached equipment, constructed, clean
Out	*12b Proper hygienic practices, eating/drinking/smoking (evidence)	Out	38 Lighting provided as required. Fixtures shielded
	13 Clean clothes, hair restraints		39 Rooms and equipment - vented as required
STATUS	FOOD EQUIPMENT AND UTENSILS	STATUS	OTHER AREAS
	14 Food contact surfaces designed, constructed, maintained, installed, located	In	40 Employee lockers provided and used, clean
	15 Non-food contact surfaces designed, constructed, maintained, installed, located	In	*41a Toxic items properly stored
Out	*16 Dishwashing facilities designed, constructed, operated 1. Wash 2. Rinse 3. Sanitize		*41b Toxic items labeled and used properly
	*17 Thermometers, gauges, test kits provided		42 Premises maintained, free of litter, unnecessary articles. Cleaning and maintenance equipment properly stored. Kitchen restricted to authorized personnel
	18 Pre-flushed, scraped, soaked		43 Complete separation from living/sleeping area, laundry
	19 Wash, rinse water clean, proper temperature		44 Clean and soiled linen segregated and properly stored
	*20a Sanitizing concentration	STATUS	SAFETY
	*20b Sanitizing temperature	Out	*45 Fire extinguishers - proper and sufficient
21 Wiping cloths clean, used properly, stored			*46 Exiting system - adequate, good repair
Out	*22 Food contact surfaces of equipment and utensils clean		*47 Electrical wiring - adequate, good repair
Out	23 Non-food contact surfaces clean		*48 Gas appliances - properly installed, maintained
	24 Storage/handling of clean equipment, utensils		*49 Flammable/combustible materials - properly stored
STATUS	SINGLE SERVICE ARTICLES	STATUS	GENERAL
	25 Service items properly stored, handled, dispensed	Out	*50 Current license properly displayed
	26 Single service articles not re-used		51 Other conditions sanitary and safe operation
STATUS	WATER AND SEWAGE/PLUMBING	In	*52 False/misleading statements published or advertised relating to food/beverage
	*27 Water source safe, hot and cold under pressure	In	*53a Food management certification valid
	*28 Sewage and waste water disposed properly		*53b Employee training validation
Out	29 Plumbing installed and maintained		54 Florida Clean Indoor Air Act
	*30 Cross-connection, back siphonage, backflow		55 Automatic Gratuity Notice
STATUS	TOILET AND HANDWASHING FACILITIES	STATUS	GENERAL
Out	*31 Toilet and handwashing facilities, number, convenient, designed, installed		56 Copy of Chapter 509, Florida Statutes, available
In	*32 Restrooms with self-closing doors, fixtures operate properly, facility clean, supplied with handsoap, disposable towels or hand drying devices, tissue, covered waste		57 Hospitality Education Program Information provided
			Total Number of COS Violations:
			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 1101952
Business Name
SZECHUAN PANDA
Inspection Date
12/19/07 10:21 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):

- 45-41-1: Portable fire extinguisher tag out-of-date. K 11/06
- 45-38-1: Portable fire extinguisher not fully charged. K EXTINGUISHURE .
- 10-07-1: Observed in-use utensil stored between prep tables.
- 06-04-1: Observed potentially hazardous food thawed at room temperature.
- 08A-29-1: Observed uncovered food in holding unit/dry storage area. WIC.
- 35A-03-1: Observed dead roaches on premises. SIX TO EIGHT ON FLOOR OUTSIDE WIC.
- 35A-03-1: Observed dead roaches on premises. FIVE TO SEVEN SMALL ROACHES SEEN IN PAN OF FLOUR INSIDE RIC.
- 31-09-1: Handwash sink not accessible for employee use at all times. THREE BLOCKED OR PARTILY BLOCKED.
- 22-23-1: Observed encrusted, soiled material on slicer.
- 23-05-1: Observed residue build-up on nonfood-contact surface. MOST RACKS, SHELVES, COUNTERS, EQUIPMENT, ETC.
- 22-27-1: Observed food-contact surfaces encrusted with grease and/or soil deposits. CUTTING BOARDS.
- 29-08-1: Plumbing system in disrepair. WIC COMPRESSOR IS DRIPPING CONDENSATION INTO A FULL FIVE GALLON BUCKET LOCATED ON THE FLOOR BETWEEN RACKS.
- 03A-07-1: Observed potentially hazardous food cold held at greater than 41 degrees Fahrenheit.
- 02-26-1: Working containers of food removed from original container not identified by common name.
- 02-22-1: Ready-to-eat, potentially hazardous food prepared on site and held more than 24 hours with not properly date marked.
- 23-03-1: Observed build-up of grease on nonfood-contact surface. OUTSIDE OF FOOD CONTAINERS.
- 36-14-1: Observed grease accumulated on kitchen floor. HARD TO GET PLACES.
- 37-06-1: Observed wall soiled with accumulated grease. HOOD AND WALLS.
- 37-04-1: Observed wall soiled with accumulated black debris in dishwashing area.
- 01B-07-1: Raw fruits/vegetables not washed prior to preparation. MUSHROOMS.
- 01B-15-1: Stop Sale issued due to adulteration of food product. DEAD ROACHES FOUND IN RICE STORED INSIDE RIC.
- 35A-03-1: Observed dead roaches on premises. INSIDE RIC.
- 22-17-1: Observed soiled reach-in cooler gaskets.
- 22-16-1: Observed soiled reach-in cooler shelves.
- 05-09-1: No conspicuously located thermometer in holding unit.
- 05-04-1: Observed ambient air thermometer not located in the warmest/coolest part of the holding unit.
- 16-03-1: Observed accumulation of debris in warewashing machine and associated equipment.
- 35A-03-1: Observed dead roach on clean plates.
- 37-08-1: Observed fly paper hanging over prep table .



EXHIBIT B

Page 4 of 4

STATE OF FLORIDA
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License Number
SEAT 1101952
Business Name
SZECHUAN PANDA

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Inspection Date
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38-11-1: Fifty (50) foot-candles of light not provided at a food working surface or where safety is a factor. LESS THEN FIFTEEN FOOT CANDLES.

35A-08-1: Observed live flies in kitchen.

09-01-1: Observed improper use of bowl/plastic food container or other container with no handle used to dispense ready-to-eat food. PLATE.

51-11-1: Carbon dioxide/helium tanks not adequately secured.

35A-05-1: Observed roach activity as evidenced by six live roaches found in waite station.

35A-05-1: Observed roach activity as evidenced by eight to ten live roaches found in ceiling tiles stored on the floor in waite area.

35A-05-1: Observed roach activity as evidenced by four live roaches found on the floor under single service rack.

35A-05-1: Observed roach activity as evidenced by fourty to fifty live roaches found behind rack.

35A-05-1: Observed roach activity as evidenced by twenty to thirty live roaches found in wall molding under tea brewing area

23-06-1: Observed build-up of food debris on nonfood-contact surface. IN WATER USED TO HEAT BUFFET LINE.

37-02-1: Observed hole in wall. UNDER HWS.

08A-28-1: Observed food stored on floor. BAG OF RICE.

45-35-1: No current hood fire suppression system inspection report available.

12B-07-1: Observed an open beverage container on a food preparation table or over/next to clean equipment/utensils.