

<b>FILED</b>	
Department of Business and Professional Regulation	
Deputy Agency Clerk	
CLERK	Brandon Nichols
Date	9/21/2010
File #	2010-08847

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,

**DIVISION OF ADMINISTRATIVE HEARINGS**

**FILED**  
DATE 9/22/2010

Petitioner,

v.

DOAH CASE NO.: 10-0907  
H&R CASE NO.: 2009-055196  
LICENSE NO.: 58-11824

JAZZY DOG CAFE,

Respondent.

\_\_\_\_\_ /

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 October 21, 2009, the Department issued an Administrative Complaint attached hereto as exhibit "A."

2. On April 28, 2010, a hearing in this cause was held before the Honorable William F. Quattlebaum, Administrative Law Judge, Division of Administrative Hearings.

3. On July 12, 2010, Honorable William F. Quattlebaum 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

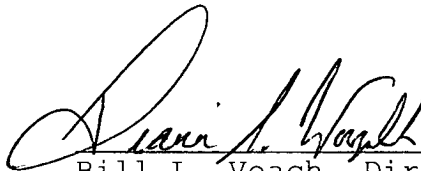
contained in the Recommended Order are hereby adopted *in toto* and incorporated herein by reference.

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 shall pay a fine in the amount of \$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. This Final Order shall become effective on the date of filing with the Agency Clerk

DONE AND ORDERED this 24 day of AUGUST, 2010.

 Danni A. Hoggell - DEPUTY FOR:  
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 Jazzy Dog Cafe, c/o Debbie Arent, 1311 Sligh Boulevard, Orlando, Florida 32806; by regular U.S. Mail to the Honorable William F. Quattlebaum, Administrative Law Judge, Division of Administrative Hearings, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060; and by hand delivery to Marc Drexler, Chief Attorney, Division of Hotels and Restaurants, Department of Business and Professional Regulations, 1940 North Monroe Street, Tallahassee, Florida 32399-2202, this 21<sup>st</sup> day of September, 2010.

  
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.

JAZZY DOG CAFE

Respondent

License Number. 5811824

License Type 2010

Case Number 2009055196


**Administrative Complaint**

The DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION, DIVISION OF HOTELS AND RESTAURANTS, ("Petitioner"), files this Administrative Complaint against JAZZY DOG 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 1311 SLIGH BLVD, ORLANDO, FLORIDA 32806. The mailing address of record is JAZZY DOG CAFE, at 1311 SLIGH BLVD, ORLANDO, FLORIDA 32806.
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, 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 October 21, 2009

  
\_\_\_\_\_  
Valerie Freeman, District Manager  
By delegation of the Director, or designee  
Division of Hotels & Restaurants  
Department of Business & Professional Regulation

**COUNSEL FOR THE DEPARTMENT:**

Marc Drexler, Lead Attorney  
Florida Bar No. 0487058  
Department of Business & Professional Regulation  
1940 North Monroe Street  
Tallahassee, Florida 32399-2202

**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 \_\_\_\_\_, 2009.

\_\_\_\_\_  
Inspector's Signature

\_\_\_\_\_  
Title

Received by: \_\_\_\_\_

\_\_\_\_\_  
Operator's Signature

\_\_\_\_\_  
Title

Case Number: 2009055196 File Number: 207428  
License Number 5811824 2010  
JAZZY DOG CAFE

**EXHIBIT A**

District Number 04  
Form revised 07.15 09

Exhibit A

License Number: 5811824  
License Type: 2010 PERMANENT FOOD SERVICE  
Case Number: 2009055196

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 June 12, 2009, June 16, 2009, October 6, 2009 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. 02-07-1 3-501.17(B) FC:: (B) EXCEPT AS SPECIFIED IN PARAGRAPHS (D) AND (E) OF THIS SECTION, REFRIGERATED, READY-TO-EAT, POTENTIALLY HAZARDOUS FOOD PREPARED AND PACKAGED BY A FOOD PROCESSING PLANT SHALL BE CLEARLY MARKED, AT THE TIME THE ORIGINAL CONTAINER IS OPENED IN A FOOD ESTABLISHMENT AND IF THE FOOD IS HELD FOR MORE THAN 24 HOURS, TO INDICATE THE DATE OR DAY BY WHICH THE FOOD SHALL BE CONSUMED ON THE PREMISES, SOLD, OR DISCARDED, BASED ON THE TEMPERATURE AND TIME COMBINATIONS SPECIFIED IN PARAGRAPH (A) OF THIS SECTION; AND: (1) THE DAY THE ORIGINAL CONTAINER IS OPENED IN THE FOOD ESTABLISHMENT SHALL BE COUNTED AS DAY 1; AND (2) THE DAY OR DATE MARKED BY THE FOOD ESTABLISHMENT MAY NOT EXCEED A MANUFACTURER'S USE-BY DATE IF THE MANUFACTURER DETERMINED THE USE-BY DATE BASED ON FOOD SAFETY. AND

02-22-1 3-501.17(A) FC:: (A) EXCEPT AS SPECIFIED IN PARAGRAPH (D) OF THIS SECTION, REFRIGERATED, READY-TO-EAT, POTENTIALLY HAZARDOUS FOOD PREPARED AND HELD IN A FOOD ESTABLISHMENT FOR MORE THAN 24 HOURS SHALL BE CLEARLY MARKED TO INDICATE THE DATE OR DAY BY WHICH THE FOOD SHALL BE CONSUMED ON THE PREMISES, SOLD, OR DISCARDED, BASED ON THE TEMPERATURE AND TIME COMBINATIONS SPECIFIED BELOW: (1) 41 DEGREES FAHRENHEIT OR LESS FOR A MAXIMUM OF 7 DAYS; THE DAY OF PREPARATION SHALL BE COUNTED AS DAY 1.

**THERE WAS READY TO EAT POTENTIALLY HAZARDOUS FOOD PREPARED ON SITE AND HELD MORE THAN 24 HOURS WITHOUT DATE MARKING. (CHEESE SAUCE, SAUSAGE AND BEANS). ALSO, THERE WAS READY TO EAT POTENTIALLY HAZARDOUS PROCESSED FOOD HELD MORE THAN 24 HOURS WITHOUT DATE MARKING ONCE IT HAD BEEN OPENED (DELI MEAT AND HOT DOGS). (OBSERVED 6/12/09, 6/16/09, AND 10/6/09).**

\* 2 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;

**PEPPERONI WAS 46 DEGREES FAHRENHEIT, SLICED CHEESE WAS 47 DEGREES FAHRENHEIT, AND PASTRAMI WAS 46 DEGREES FAHRENHEIT. (OBSERVED 6/12/09 AND 10/6/09).**

\* denotes critical violation  
Case Number: 2009055196  
License Number: 5811824  
JAZZY DOG CAFE

District: 04  
License Type: 2010  
File Number: 207428

Exhibit A

\* 3. 04-01-1 4-301.11 FC:: COOLING, HEATING, AND HOLDING CAPACITIES. EQUIPMENT FOR COOLING AND HEATING FOOD, AND HOLDING COLD AND HOT FOOD, SHALL BE SUFFICIENT IN NUMBER AND CAPACITY TO PROVIDE FOOD TEMPERATURES AS SPECIFIED UNDER CHAPTER 3

**THE FRONT MAKETABLE COOLER WAS NOT MAINTAINING POTENTIALLY HAZARDOUS FOOD AT 41 DEGREES FAHRENHEIT OR BELOW. (OBSERVED 6/12/09, 6/16/09, AND 10/6/09).**

\* denotes critical violation  
Case Number: 2009055196  
License Number: 5811824  
JAZZY DOG CAFE

District: 04  
License Type: 2010  
File Number: 207428



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

Page 1 of 3

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.

10/06/09 11:43 AM	Routine	5811824	SEAT
Inspection Date and Time	Inspection Reason	License Number	
ARENT DEBBIE	ADMINISTRATIVE COMPLAINT recommended.	407-428-0633	
Owner Name		Area Code/Telephone Number	
JAZZY DOG CAFE	Inspection Result	4/1/10	
Business Name	Callback Date/Time	License Expiration	
Number of Units			
1311 SLIGH BLVD			ORLANDO, 32806
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
*pepperoni, reach in cooler, 46 Degrees F *sliced cheese, reach in cooler, 47 Degrees F *pastrami, reach in cooler, 46 Degrees F *potato cooling from 6+ hours, reach in cooler, 51 Degrees F *sweet potatoes cooling from 2+ hrs, reach in cooler, 75 Degrees F *hot dogs, steam tables/bain marie, 124 Degrees F hot dogs, steam tables/bain marie, 135 Degrees F *hot dogs, reach in cooler, 44 Degrees F jumbo hot dogs, reach in cooler, 43 Degrees F chorizo, reach in cooler, 41 Degrees F sausage gravy, reach in cooler, 41 Degrees F refried beans, reach in cooler, 39 Degrees F beans, steam tables/bain marie, 145 Degrees F chili, steam tables/bain marie, 150 Degrees F *jamaican beef patty, reach in cooler, 47 Degrees F	Manager Name: Debbie Arent Certification Date: 7/06 Certified by: Florida Restaurant Association	Sanitizer Type: Quaternary Ammonium found at concentration of 200 PPM 3 comp sink.	

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

**Inspector's Comments**

Discussed with operator requirements for cooling foods properly. An administrative complaint is recommended for repeat critical violations from previous inspection. Employees trained by National Registry of Food Safety Professionals No Boiler On Site.

I acknowledge receipt of this inspection form and comments.

10-06-09		
Date	Signature of Recipient	Inspector Signature
Recipient: Debbie Arent		For further information please contact:
Title operator		Andrea Piel
Phone: 407-428-0633		Sanitation and Safety Specialist 400 W. Robinson St Orlando, FL 32801 850-487-1395

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
Out	*01b Wholesome, sound condition		
Out	*02 Original container; properly labeled, date marking	In	*03b Hot food at proper temperature
N/A	*02-11 Consumer advisory on raw/undercooked oysters	In	*03c Foods properly cooked/reheated
N/A	*02-13 Consumer advisory on raw/undercooked animal products	Out	*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.



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

License Number  
SEAT 5811824

Business Name  
JAZZY DOG CAFE

Inspection Date  
10/06/09 11:43 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
In	*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
			*35a Presence of insects/rodents Animals prohibited
N/O	*09 Foods handled with minimum contact		*35b Outer openings protected from insects, rodent proof
	10 In use food dispensing utensils properly stored	STATUS	FLOORS, WALLS, CEILINGS
STATUS	PERSONNEL		36 Floors properly constructed, clean, drained, coved
In	*11 Personnel with infections restricted		37 Walls, ceilings, and attached equipment, constructed, clean
N/O	*12a Hands washed and clean, good hygienic practices (observed), alternative operating plan		38 Lighting provided as required Fixtures shielded
N/O	*12b Proper hygienic practices, eating/drinking/smoking (evidence)		39 Rooms and equipment - vented as required
	13 Clean clothes, hair restraints	STATUS	OTHER AREAS
STATUS	FOOD EQUIPMENT AND UTENSILS		40 Employee lockers provided and used, clean
	14 Food contact surfaces designed, constructed, maintained, installed, located	In	*41a Toxic items properly stored
	15 Non-food contact surfaces designed, constructed, maintained, installed, located	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
	*16 Dishwashing facilities designed, constructed, operated 1. Wash 2. Rinse 3. Sanitize		43 Complete separation from living/sleeping area, laundry
	*17 Thermometers, gauges, test kits provided	STATUS	SAFETY
	18 Pre-flushed, scraped, soaked		*45 Fire extinguishers - proper and sufficient
Out	19 Wash, rinse water clean, proper temperature		*46 Exiting system - adequate, good repair
	*20a Sanitizing concentration		*47 Electrical wiring - adequate, good repair
	*20b Sanitizing temperature		*48 Gas appliances - properly installed, maintained
	21 Wiping cloths clean, used properly, stored		*49 Flammable/combustible materials - properly stored
In	*22 Food contact surfaces of equipment and utensils clean	STATUS	GENERAL
	23 Non-food contact surfaces clean		*50 Current license properly displayed
	24 Storage/handling of clean equipment, utensils		51 Other conditions sanitary and safe operation
STATUS	SINGLE SERVICE ARTICLES		*52 False/misleading statements published or advertised relating to food/beverage
	25 Service items properly stored, handled, dispensed		
	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
	29 Plumbing installed and maintained	STATUS	GENERAL
	*30 Cross-connection, back siphonage, backflow		57 Hospitality Education Program Information provided
STATUS	TOILET AND HANDWASHING FACILITIES		
	*31 Toilet and handwashing facilities, number, convenient, designed, installed		Total Number of COS Violations: 3
In	*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: 4

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](http://www.myflorida.com/dbpr)

FOOD SERVICE INSPECTION REPORT  
LEGAL NOTICE

Page 3 of 3  
License Number  
SEAT 5811824  
Business Name  
JAZZY DOG CAFE  
Inspection Date  
10/06/09 11 43 AM

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

Administrative Complaint(s)

02-22-1 Ready-to-eat, potentially hazardous food prepared on site and held more than 24 hours with not properly date marked prepared cheese sauce, sausage, beans, potatoes  
Repeat Violation

02-07-1 Observed processed ready-to-eat, potentially hazardous food held more than 24 hours not properly date marked after opening deli meat, chicken wings, hot dogs etc.  
Repeat Violation

03A-07-1 Observed potentially hazardous food cold held at greater than 41 degrees Fahrenheit front reach in cooler make table  
Repeat Violation

04-01-1 Cold holding equipment incapable of maintaining potentially hazardous food at proper temperatures front reach in make table cooler  
Repeat Violation

Violation(s)

01B-24-1 Ready-to-eat potentially hazardous food not consumed/sold within 7 days after opening/preparation Food may not be served broccoli cheese soup 8/22  
Corrected On Site

03D-05-1 Cooked potentially hazardous food not cooled from 135 degrees Fahrenheit to 41 degrees Fahrenheit within 6 hours cooked potatoes from previous day  
Corrected On Site

03D-06-1 Cooked potentially hazardous food not cooled from 135 degrees Fahrenheit to 70 degrees Fahrenheit within 2 hours sweet potatoes cooled from morning  
Corrected On Site

03D-01-1 Observed food being cooled by nonapproved method wrapped in foil stored in sealed bag

19-06-1 Wash solution not clean 3 comp sink cloudy, dirty



EXHIBIT B

MET INSPECTION STANDARDS  
during this visit

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.

06/16/09 01:57 PM	Warning	5811824	SEAT
Callback Inspection Date and Time	Inspection Reason	License Number	
ARENT DEBBIE	Complied	407-428-0633	
Owner Name		Area Code/Telephone Number	
JAZZY DOG CAFE			
Business Name	Inspection Result		
40		06/12/2009	
Number of Units	Requested Callback Date/Time	Initial Warning Date	
1311 SLIGH BLVD		ORLANDO, 32806	
Address / City / State / Zip / etc			

Comments

No potentially hazardous food available in front make table cooler operator has repair/service person scheduled this week for service. Operator must not store potentially hazardous food in front make table cooler until cooler is maintaining 41 degrees or below

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

Violation 04-01-1

Cold holding equipment incapable of maintaining potentially hazardous food at proper temperatures front make table cooler

Violation 02-22-1

Ready-to-eat, potentially hazardous food prepared on site and held more than 24 hours with not properly date marked cooked potatoes, chicken operator stated product was cooked in morning and stock will be served by end of day Corrected On Site

Violation 02-07-1

06-16-09

Date

Recipient

Title

Phone

Signature of Recipient

Debra Arent

operator

407-428-0633

Inspector Signature

For further information please contact

Andrea Piel

Sanitation Safety Specialist 400 W Robinson St St  
850-487-1395



STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF HOTELS AND RESTAURANTS  
[www.myflorida.com/dbpr](http://www.myflorida.com/dbpr)

CALL BACK INSPECTION REPORT  
LEGAL NOTICE

Page 2 of 2  
License Number  
SEAT 5811824  
Business Name  
JAZZY DOG CAFE  
Inspection Date  
06/16/09 01:57 PM

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

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

The following item(s) are in compliance

Violation 25-04-1

Observed single-service items stored on floor paper towels togo lids

Violation 03B-03-1

Potentially hazardous food not held at 135 degrees Fahrenheit or above jumbo hot dogs in hot hold  
Corrected On Site

Violation 03A-07-1

Observed potentially hazardous food cold held at greater than 41 degrees Fahrenheit front reach in make table



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

Page 1 of 3

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.

06/12/09 12 01 PM	Routine	5811824	SEAT
Inspection Date and Time	Inspection Reason	License Number	
ARENT DEBBIE	WARNING:	Area Code/Telephone Number	
Owner Name	Violations in the operation of your establishment		
THE JAZZY DOG CAFE	Inspection Result	4/1/10	
Business Name	06/16/2009 08 00 AM	License Expiration	
40	Callback Date/Time		
Number of Units			
1311 SLIGH BLVD			
Address / City / State / Zip / etc.			ORLANDO, 32806

Item 03: Food Temperatures	Item 53a Cert. Food Managers	Item 20 Warewashing Sanitization	Item 45 Fire Extinguishers and Fire Suppression Systems Dates
*cheeses, reach in cooler, 50 Degrees F *pepperoni, reach in cooler, 51 Degrees F potatoes cooling from 4 hrs, reach in cooler, 54 Degrees F *turkey, reach in cooler, 46 Degrees F *roast beef, reach in cooler, 46 Degrees F *hot dogs, reach in cooler, 45 Degrees F feta, back area cooler, 41 Degrees F *tuna sal, reach in cooler, 46 Degrees F *big jumbo dogs, front line, 133 Degrees F hot dogs, front line, 136 Degrees F chili, front line, 140 Degrees F beans, front line, 145 Degrees F	Manager Name: Debra Arent Certification Date 7/06 Certified by Florida Restaurant Association	Sanitizer Type Not Set Up found at concentration of 0 PPM	

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

Inspector's Comments

Inspector calibrated thermometer with operator Front line make table cooler is not maintaining temp operator must not store potentially hazardous food in unit until unit is maintaining 41 degrees or below Product had been in unit less than 4 hrs Operator moved product to working cooler. Employees trained by Florida Restaurant Association No Boiler On Site

I acknowledge receipt of this inspection form and comments.

06-12-09

Date

Recipient:

Title

Phone

Signature of Recipient

Debbie Arent

operator

407-428-0633

Inspector Signature

For further information please contact

Andrea Piel

Sanitation Safety Specialist 400 W Robinson St Ste 850-487-1395

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	*02 Original container, properly labeled, date marking	Out	*03b Hot food at proper temperature
N/A	*02-11 Consumer advisory on raw/undercooked oysters	In	*03c Foods properly cooked/reheated
N/A	*02-13 Consumer advisory on raw/undercooked animal	In	*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

EXHIBIT B Page 2 of 3

License Number  
SEAT 5811824  
Business Name  
THE JAZZY DOG CAFE  
Inspection Date  
06/12/09 12 01 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
In	*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
			*35a Presence of insects/rodents Animals prohibited
In	*09 Foods handled with minimum contact		*35b Outer openings protected from insects, rodent proof
	10 In use food dispensing utensils properly stored	STATUS	FLOORS, WALLS, CEILINGS
STATUS	PERSONNEL		36 Floors properly constructed, clean, drained, covered
In	*11 Personnel with infections restricted		37 Walls, ceilings, and attached equipment, constructed, clean
In	*12a Hands washed and clean, good hygienic practices (observed), alternative operating plan		38 Lighting provided as required Fixtures shielded
In	*12b Proper hygienic practices, eating/drinking/smoking (evidence)		39 Rooms and equipment - vented as required
	13 Clean clothes, hair restraints	STATUS	OTHER AREAS
STATUS	FOOD EQUIPMENT AND UTENSILS		40 Employee lockers provided and used, clean
	14 Food contact surfaces designed, constructed, maintained, installed, located	In	*41a Toxic items properly stored
	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		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	STATUS	SAFETY
	19 Wash, rinse water clean, proper temperature		*45 Fire extinguishers - proper and sufficient
	*20a Sanitizing concentration		*46 Exting system - adequate, good repair
	*20b Sanitizing temperature		*47 Electrical wiring - adequate, good repair
	21 Wiping cloths clean, used properly, stored		*48 Gas appliances - properly installed, maintained
In	*22 Food contact surfaces of equipment and utensils clean		*49 Flammable/combustible materials - properly stored
	23 Non-food contact surfaces clean	STATUS	GENERAL
	24 Storage/handling of clean equipment, utensils		*50 Current license properly displayed
STATUS	SINGLE SERVICE ARTICLES		51 Other conditions sanitary and safe operation
Out	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
	29 Plumbing installed and maintained	STATUS	GENERAL
	*30 Cross-connection, back siphonage, backflow		57 Hospitality Education Program Information provided
STATUS	TOILET AND HANDWASHING FACILITIES		
	*31 Toilet and handwashing facilities, number, convenient, designed, installed		Total Number of COS Violations 2
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 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.  
DBPR Form HR 5022-015



EXHIBIT B

Page 3 of 3

STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF HOTELS AND RESTAURANTS  
[www.myflorida.com/dbpr](http://www.myflorida.com/dbpr)

License Number  
SEAT 5811824  
Business Name  
THE JAZZY DOG CAFE  
Inspection Date  
06/12/09 12 01 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.

Warning(s)

02-22-1 Ready-to-eat, potentially hazardous food prepared on site and held more than 24 hours with not properly date marked cooked potatoes, chicken. operator stated product was cooked in morning and stod will be served by end of day Corrected On Site

02-07-1 Observed processed ready-to-eat, potentially hazardous food held more than 24 hours not properly date marked after opening cheese, deli meat, hot dogs

03A-07-1 Observed potentially hazardous food cold held at greater than 41 degrees Fahrenheit front reach in make table

03B-03-1. Potentially hazardous food not held at 135 degrees Fahrenheit or above jumbo hot dogs in hot hold  
Corrected On Site

04-01-1 Cold holding equipment incapable of maintaining potentially hazardous food at proper temperatures front make table cooler

25-04-1 Observed single-service items stored on floor paper towels togo lids