

IN THE MATTER OF FINDING OF VIOLATION AGAINST

Respondent: J.A.V. FOOD CORP. D.B.A.: AGATHA AND VALENTINA

Addr: 1505 1 AVENUE Boro: Manhattan Zip: 10075 Tel: (212)452-0690

CAMIS No.: 40398232 Permit No.: 2540-0289687

YOU MUST APPEAR FOR AN ADMINISTRATIVE HEARING ON Oct 02,2008 AT 01:00 PM AT THE NEW YORK CITY DEPARTMENT OF HEALTH & MENTAL HYGIENE ADMINISTRATIVE TRIBUNAL 66 JOHN STREET,11TH FLOOR,NEW YORK,NEW YORK 10038,TELEPHONE (212)361-1000

Refer to this number in inquires or correspondence: Docket Number 27206-08F0

Inspection Date: September 11,2008 Start Time: 05:17 PM Time Issued: 09:09 PM

Activity: Initial Inspection (Primary Inspection) Food Service

Finding: Notice of Violation Served (Reinspection scheduled)

- 1a) 14. NYCHC 81.09(a) Potentially hazardous hot food not held at or above 140°F (60°C), except during necessary preparation, in that approximately 2 pound(s) of ready-to-eat veal roast registered at 120°F in hot holding unit in first floor food storage area. Food has been in hot holding unit for 30 minute(s), as per operator's statement. Corrective action: Food was reheated to 165°F(73.9°C) within two hours. Food was being held between 140°F(60°C) and 120°F(48.8°C), and the interview indicated that food was cooked to temperature required by section 81.09 of the New York City Health Code.. Condition: 4 (02B)
- 1b) 14. NYCHC 81.09(a) Potentially hazardous hot food not held at or above 140°F (60°C), except during necessary preparation, in that approximately 5 pound(s) of ready-to-eat rice registered at 97°F in rice warmer in first floor sushi prep area. Food has been in the rice warmer for 1 hour(s), as per operator's statement. After cooking said food was placed in rice warmer in the first floor sushi prep area, as per operator's statement. Corrective action: Food was reheated to 165°F(73.9°C) within two hours. Food was being held between 120°F(48.8°C) and 41°F(5°C), and the interview indicated that the food was cooked to temperature required by section 81.09 of the New York City Health Code. Condition: 4 (02B)
- 1c) 14. NYCHC 81.09(a) Potentially hazardous hot food not held at or above 140°F (60°C), except during necessary preparation, in that 20 roasted whole chickens registered at 94 to 104°F in hot holding unit in basement food prep area. Food has been in hot holding unit for 1 hour(s), as per operator's statement. After cooking said food was placed in hot holding unit in basement food prep area, as per operator's statement. Corrective action: Food was reheated to 165°F(73.9°C) within two hours. Food was being held between 120°F(48.8°C) and 41°F(5°C), and the interview indicated that the food was cooked to temperature required by section 81.09 of the New York City Health Code. Condition: 4 (02B)
- 2) 18. NYCHC 81.09(a) Potentially hazardous cold food, other than processed fish, not held at or below 41°F (5°C) in that SEVEN raw shell egg(s) registered at 56°F . BYPASS. Corrective action: Proper cooling procedures were implemented. Food was held between 41°F(5°C) and 70°F(21.1°C), and the interview indicated that the food was in this temperature range for less than two hours. Condition: 1 (02G)
- 3) 43. NYCHC 81.09(i) Accurate metal stem-type thermometer not used to measure temperatures of potentially hazardous foods during cooking, cooling, reheating and holding in that numerous food not held at required temperatures. Corrective action: Operator instructed as to the proper use of the thermometer, and calibration techniques. SSC 14-1.85 1.85 Condition: 4 (04K)
- 4) 68. NYCHC 81.37(f) In-use food dispensing utensils improperly stored in that two scoops observed stored in container of still water near ice cream refrigerated display unit in first floor coffee prep/ice cream service area. Condition: 2 (06E)

I,an employee of theDepartment of Health & Mental Hygiene, affirm that I personally observed the commission of the violation(s) charged above.

DOHMH Rep.Signature:

DOHMH Rep.Signature:

Name:Mahalia Epiphane Id No.:1328

Name: Id No.:

Department of Health & Mental Hygiene employee must show identification. Falsification of any statement made herein is an offense punishable by a fine of not more than \$500 or not more than 60 days imprisonment or both, NYC Admin, Code-Section 10-154.

A penalty of not less than \$200 and not more than \$2000 may be imposed for each violation pursuant to the NEW YORK CITY Health Code, Section 3.12.

Proceedings will be held under the authority of the NYC Charter, Section 558, and the Rules of the City of NY, at 24 RCNY vols. 8 and 9, and NYS Public Health Law, Section 1399-t.

I acknowledge that I hav

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- 5) 69. NYCHC 81.07(g) Ice dispensing utensil not properly stored in that utensil observed stored in direct contact with unclean surface in first floor coffee prep/ ice cream service area, two ice dispensing scoops observed stored inside a container noted with dirty stagnant water.. Condition: 2 (06E)
- 6a) 76. NYCHC 81.23(a) Facility conditions conducive to the existence of pest life observed in that heavy accumulation of grease and old food particles on floor near grease trap in basement dry food storage area. Condition: 3 (08A)
- 6b) 76. NYCHC 81.23(a) Facility conditions conducive to the existence of pest life observed in that standing water on floor in first floor dish-washing area and numerous food service areas on first floor.. Condition: 3 (08A)
- 7) 85. NYCHC 81.21(b) Sewage and liquid waste not carried to sewer or sewage disposal system so as to prevent contamination of the premises and its contents in that water pipe line observed leaking near dishwasher in first floor dish-washing area. Condition: 1 (10B)
- 8) 128. NYCHC 81.09(b) Intact shell eggs found not held at ambient temperature of 41°F. or below in that SEVEN raw shell eggs found at ambient temperature of 56°F.in refrigerated display unit in first floor deli prep area. Product has been in refrigerated display unit for 30 minute(s), as per operator's statement. Corrective action: Proper cooling procedures were implemented. Food was held between 41°F (5°C) and 70°F (21.1°C), and the interview indicated that the food was in this temperature range for less than two hours.. Condition: 1 (02G)
- 9) 164. NYCHC 81.33 Non-food contact surface(s) not properly maintained in that floor inside basement walk-in refrigerator for vegetable storage was observed with heavy accumulation of water . Condition: 1 (10G)
- 10) 452. NYCHC 81.23(a) Mouse activity present in that approximately 10 mice excreta observed on dry food storage shelf in basement. Corrective action: Operator instructed to implement proper pest control measures by removing harborage conditions, such as standing water, closing all entry ways and holes, storing food in vermin proof containers, eliminating breeding conditions, improve overall sanitary conditions, and provide proper extermination, if necessary. All contaminated area and equipment are to be washed, rinsed, and sanitized.. Condition: 1 (04M)
- 11a) 453. NYCHC 81.23(a) Roach activity present in that TWO live roaches observed crawling on wall in first floor dish-washing area. Corrective action: Operator instructed to implement proper pest control measures by removing harborage conditions, such as standing water, closing all entry ways and holes, storing food in vermin proof containers, eliminating breeding conditions, improve overall sanitary conditions, and provide proper extermination, if necessary. All contaminated area and equipment are to be washed, rinsed, and sanitized.. Condition: 2 (04N)

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- 11b) 453. NYCHC 81.23(a) Roach activity present in that ONE live roach observed crawling on wall near grease trap in basement dry food storage area. Corrective action: Operator instructed to implement proper pest control measures by removing harborage conditions, such as standing water, closing all entry ways and holes, storing food in vermin proof containers, eliminating breeding conditions, improve overall sanitary conditions, and provide proper extermination, if necessary. All contaminated area and equipment are to be washed, rinsed, and sanitized.. Condition: 2 (04N)
- 12a) 454. NYCHC 81.23(a) Flying insect activity present in that approximately 5 live house flies observed flying inside first floor food prep and customer service areas . Corrective action: Operator instructed to implement proper pest control measures by removing harborage conditions, such as standing water, closing all entry ways and holes, storing food in vermin proof containers, eliminating breeding conditions, improve overall sanitary conditions, and provide proper extermination, if necessary. All contaminated area and equipment are to be washed, rinsed, and sanitized.. Condition: 3 (04O)
- 12b) 454. NYCHC 81.23(a) Flying insect activity present in that approximately 6 live house flies observed flying around in first floor pastry area . Corrective action: Operator instructed to implement proper pest control measures by removing harborage conditions, such as standing water, closing all entry ways and holes, storing food in vermin proof containers, eliminating breeding conditions, improve overall sanitary conditions, and provide proper extermination, if necessary. All contaminated area and equipment are to be washed, rinsed, and sanitized.. Condition: 3 (04O)

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