

Food Establishment Inspection Report

Score: 95

Establishment Name: LA BOTANA MEXICAN RESTAURANT

Establishment ID: 3034011582

Location Address: 1547 HANES MALL BLVD

City: WINSTON SALEM

State: NC

Zip: 27103

County: 34 Forsyth

Permittee: LA BONTANA INC

Telephone: (336) 768-6588

Wastewater System: ☒ Municipal/Community ☐ On-Site System

Water Supply: ☒ Municipal/Community ☐ On-Site Supply

☒ Inspection ☐ Re-Inspection

Date: 05/06/2021

Status Code: A

Time In: 11:48 AM

Time Out: 2:26 PM

Total Time: 2 hrs 38 min

Category #: IV

FDA Establishment Type: Full-Service Restaurant

No. of Risk Factor/Intervention Violations: 1

No. of Repeat Risk Factor/Intervention Violations: 1

Foodborne Illness Risk Factors and Public Health Interventions										Good Retail Practices										
Risk factors: Contributing factors that increase the chance of developing foodborne illness.										Good Retail Practices: Preventative measures to control the addition of pathogens, chemicals, and physical objects into foods.										
IN	OUT	N/A	N/C	Compliance Status	OUT	CDI	R	VR		IN	OUT	N/A	N/C	Compliance Status	OUT	CDI	R	VR		
Supervision .2652										Safe Food and Water .2653, .2655, .2658										
1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	PIC Present; Demonstration-Certification by accredited program and perform duties	2	0				28	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Pasteurized eggs used where required	1	0				
Employee Health .2652										Food Temperature Control .2653, .2654										
2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Management, employees knowledge; responsibilities & reporting	3	1	0			29	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Water and ice from approved source	2	1	0			
3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Proper use of reporting, restriction & exclusion	3	1	0			30	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Variance obtained for specialized processing methods	1	0				
Good Hygienic Practices .2652, .2653										Food Identification .2653										
4	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Proper eating, tasting, drinking, or tobacco use	2	1	0			31	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Proper cooling methods used; adequate equipment for temperature control	1	0				
5	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No discharge from eyes, nose or mouth	1	0				32	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Plant food properly cooked for hot holding	1	0				
Preventing Contamination by Hands .2652, .2653, .2655, .2656										Prevention of Food Contamination .2652, .2653, .2654, .2656, .2657										
6	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Hands clean & properly washed	4	2	0			33	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Approved thawing methods used	1	0				
7	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No bare hand contact with RTE foods or pre-approved alternate procedure properly followed	3	1	0			34	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Thermometers provided & accurate	1	0				
8	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Handwashing sinks supplied & accessible	2	1	0			Proper Use of Utensils .2653, .2654										
Approved Source .2653, .2655										Utensils and Equipment .2653, .2654, .2663										
9	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Food obtained from approved source	2	1	0			41	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	In-use utensils: properly stored	1	0				
10	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Food received at proper temperature	2	1	0			42	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Utensils, equipment & linens: properly stored, dried & handled	1	0				
11	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Food in good condition, safe & unadulterated	2	1	0			43	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Single-use & single-service articles: properly stored & used	1	0				
12	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Required records available: shellstock tags, parasite destruction	2	1	0			44	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Gloves used properly	1	0				
Protection from Contamination .2653, .2654										Physical Facilities .2654, .2655, .2656										
13	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Food separated & protected	3	1	0			45	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Equipment, food & non-food contact surfaces approved, cleanable, properly designed, constructed, & used	2	1	0			
14	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Food-contact surfaces: cleaned & sanitized	3	1	0			46	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Warewashing facilities: installed, maintained, & used; test strips	1	0				
15	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Proper disposition of returned, previously served, reconditioned, & unsafe food	2	1	0			47	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Non-food contact surfaces clean	1	0				
Potentially Hazardous Food Time/Temperature .2653										Compliance with Approved Procedures .2653, .2654, .2658										
16	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Proper cooking time & temperatures	3	1	0			27	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Compliance with variance, specialized process, reduced oxygen packing criteria or HACCP plan	2	1	0			
17	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Proper reheating procedures for hot holding	3	1	0			Total Deductions: 5										
18	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Proper cooling time & temperatures	3	1	0													
19	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Proper hot holding temperatures	3	1	0													
20	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Proper cold holding temperatures	3	1	0													
21	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Proper date marking & disposition	3	1	0													
22	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Time as a public health control: procedures & records	2	1	0													
Consumer Advisory .2653																				
23	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Consumer advisory provided for raw or undercooked foods	1	0														
Highly Susceptible Populations .2653																				
24	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Pasteurized foods used; prohibited foods not offered	3	1	0													
Chemical .2653, .2657																				
25	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Food additives: approved & properly used	1	0														
26	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Toxic substances properly identified stored, & used	2	1	0													



North Carolina Department of Health & Human Services

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Food Protection Program

Page 1 of

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Comment Addendum to Food Establishment Inspection Report

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Establishment ID: 3034011582
☒ Inspection ☐ Re-Inspection Date: 05/06/2021
 Comment Addendum Attached? ☒ Status Code: A
 Water sample taken? ☐ Yes ☒ No Category #: IV
 Email 1:
 Email 2:
 Email 3:

Temperature Observations

Effective January 1, 2019 Cold Holding is now 41 degrees or less

Item	Location	Temp	Item	Location	Temp	Item	Location	Temp
Chicken	final cook	171						
Steak	final cook	162						
Egg	final cook	168						
Shredded Beef	reheat	174						
Sour Cream	make-unit	41						
Mozzarella	make-unit	41						
Lettuce	make-unit	40						
Refried Beans	hot holding	146						
Rice	hot holding	169						
Chicken	hot holding	156						
Ground Beef	hot holding	154						
Lettuce	upright cooler	39						
Chicken	upright cooler	41						
Spanish Rice	upright cooler	41						
C. Sani	3-compartment sink	50						
Hot Water	3-compartment sink	26						
Hot Water	dish machine	162						
Serv Safe	Daniel Cano 12-9-24	000						

Person in Charge (Print & Sign): *Alberto* *De La Riva*
 Regulatory Authority (Print & Sign): *Victoria* *Murphy*

REHS ID: 2795 - Murphy, Victoria

Verification Required Date:

REHS Contact Phone Number: (336) 703-3814



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Page 1 of ____

• Division of Public Health • Environmental Health Section
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Observations and Corrective Actions

Violations cited in this report must be corrected within the time frames below, or as stated in sections 8-405.11 of the food code.

- 21 3-501.17 Ready-To-Eat Potentially Hazardous Food (Time/Temperature Control for Safety Food), Date Marking - PF: Two containers of white rice prepared Tuesday were without date marking in the upright cooler./A pan of chicken prepared Tuesday was without date-marking Ready-to-eat potentially hazardous food prepared and held in a food establishment for more than 24 hours shall be 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 41 F for a maximum of 7 days or 45 F between for a maximum of 4 days. CDI: PIC discarded rice. PIC was stated that chicken was cooked with chicken broth that had Tuesday's label. PIC was allowed to label and keep chicken

- 33 3-501.13 Thawing - C: Two pans of chicken and steak were observed thawing under room temperature./A pan of shrimp was thawing in standing water. Potentially hazardous food shall be thawed under refrigeration that maintains the food temperature at 41 F or less, completely submerged under running water at a water temperature of 70 F or below with sufficient water velocity to agitate and float off loose particles in an overflow.

- 35 3-302.12 Food Storage Containers Identified with Common Name of Food -REPEAT- C: Several containers of spices on the spice shelf were stored without labeling. Except containers holding food that can be readily and unmistakably recognized such as dry pasta, working containers holding food or food ingredients that are removed from their original packages for use in the food establishment, such as cooking oils, flour, herbs, potato flakes, salt, spices, and sugar shall be identified with the common name of the food.

- 45 4-501.11 Good Repair and Proper Adjustment-Equipment - C: Shelves are rusting in the dry storage area and dish area. Equipment shall be maintained in good repair. *continue replacing shelving*/4-501.12 Cutting Surfaces - C: Replace wearing cutting boards. Surfaces such as cutting blocks and boards that are subject to scratching and scoring shall be resurfaced if they can no longer be effectively cleaned and sanitized, or discarded if they are not capable of being resurfaced.

- 49 5-205.15 (B) System maintained in good repair -REPEAT- C: A leak was observed at the faucet of the prep sink/leak observed at pipe of back hand sink/faucet eroding at the hand sink in the women's restroom. Plumbing fixtures shall be maintained in good repair.

- 53 6-501.11 Repairing-Premises, Structures, Attachments, and Fixtures-Methods -REPEAT- C: Recaulk toilet in men's restroom. Physical facilities shall be maintained in good repair./6-501.12 Cleaning, Frequency and Restrictions -REPEAT- C: Cleaning is needed on walls throughout the facility. Physical facilities shall be cleaned as often as necessary to keep them clean./6-501.12 Cleaning, Frequency and Restrictions - C: Cleaning needed on walls throughout the facility and floors behind the ice machine and in the dry storage area. Physical facilities shall be cleaned as often as necessary to keep them clean. *left at half credit due to repairs made from previous inspection*

- 54 6-303.11 Intensity-Lighting - C- Increase low lighting in the following areas: (men's restroom) toilet (10 ft candles), handwashing sink (10 ft candles), urinal (9 ft candles), (women's restroom) toilet 1 (11 ft candles). The lighting intensity shall be at least 20 foot candles 30 inches above the ground in areas used for handwashing and in toilet rooms