

Establishment Name <b>BENKAY</b>	As Authorized by 22 MRSA § 2496	No. of Risk Factor/Intervention/Violations	<b>4</b>	Date	<b>9/3/2014</b>
		No. of Repeat Risk factor / Intervention Violations	<b>1</b>	Time In	<b>11:15 AM</b>
		Score (optional)			Time Out
License Expiry Date/EST. ID#	Address	City	Zip Code	Telephone	
<b>6/23/2015 / 6672</b>	<b>2 INDIA ST</b>	<b>PORTLAND</b>	<b>04101</b>	<b>207-773-5555</b>	
License Type	Owner Name	Purpose of Inspection	License Posted	Risk Category	
<b>MUN - EATING PLACE - SEATING</b>	<b>G K FOODS INC</b>	<b>Regular</b>	<b>Yes</b>	<b>High</b>	

**FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS**

Circle designated compliance status (IN, OUT, N/O, N/A) for each numbered item Mark "X" in appropriate box for COS and/or R  
 IN=in compliance OUT=not in compliance N/O=not observed N/A=not applicable COS=corrected on-site during inspection R=repeat violation

Compliance Status			cos	R	Compliance Status		cos	R	
<b>Supervision</b>					<b>Potentially Hazardous Food Time/Temperature</b>				
1	IN	PIC present, demonstrates knowledge, and performs duties			16	IN	Proper cooking time & temperatures		
<b>Employee Health</b>					17	IN	Proper reheating procedures for hot holding		
2	IN	Management awareness; policy present			18	IN	Proper cooling time & temperatures		
3	IN	Proper use of reporting, restriction & exclusion			19	IN	Proper hot holding temperatures		
<b>Good Hygienic Practices</b>					20	IN	Proper cold holding temperatures		
4	IN	Proper eating, tasting, drinking, or tobacco use			21	OUT	Proper date marking & disposition		
5	IN	No discharge from eyes, nose, and mouth			22	IN	Time as a public health control: procedures & record		
<b>Preventing Contamination by Hands</b>					<b>Consumer Advisory</b>				
6	IN	Hands clean & properly washed			23	OUT	Consumer advisory provided for raw or undercooked foods		
7	IN	No bare hand contact with RTE foods or approved alternate method properly followed			<b>Highly Susceptible Populations</b>				
8	OUT	Adequate handwashing facilities supplied & accessible		X	24	IN	Pasteurized foods used; prohibited foods not offered		
<b>Approved Source</b>					<b>Chemical</b>				
9	IN	Food obtained from approved source			25	IN	Food additives: approved & properly used		
10	IN	Food received at proper temperature			26	IN	Toxic substances properly identified, stored & used		
11	IN	Food in good condition, safe, & unadulterated			<b>Conformance with Approved Procedures</b>				
12	OUT	Required records available: shellstock tags parasite destruction			27	IN	Compliance with variance, specialized process, & HACCP plan		
<b>Protection from Contamination</b>					Risk Factors are improper practices or procedures identified as the most prevalent contributing factors of foodborne illness or injury. Public Health Interventions are control measures to prevent foodborne illness or injury.				
13	IN	Food separated & protected			<b>GOOD RETAIL PRACTICES</b>				
14	IN	Food-contact surfaces: cleaned and sanitized			Good Retail Practices are preventative measures to control the addition of pathogens, chemicals, and physical objects into foods.				
15	IN	Proper disposition of returned, previously served, reconditioned, & unsafe food			Mark "X" in box if numbered item is not in compliance Mark "X" in appropriate box for COS and/or R COS=corrected on-site during inspection R=repeat violation				

Safe Food and Water			cos	R	Proper Use of Utensils		cos	R	
28	IN	Pasteurized eggs used where required			41	IN	In-use utensils: properly stored		
29	IN	Water & ice from approved source			42	IN	Utensils, equipment, & linens: properly stored, dried, & handled		
30	IN	Variance obtained for specialized processing methods			43	IN	Single-use & single-service articles: properly stored & used		
<b>Food Temperature Control</b>					44	IN	Gloves used properly		
31	IN	Proper cooling methods used; adequate equipment for temperature control			<b>Utensils, Equipment and Vending</b>				
32	IN	Plant food properly cooked for hot holding			45	IN	Food & non-food contact surfaces cleanable, properly designed, constructed, & used		
33	IN	Approved thawing methods used			46	X	Warewashing facilities: installed, maintained, & used; test strips		
34	X	Thermometers provided and accurate			47	IN	Non-food contact surfaces clean		
<b>Food Identification</b>					<b>Physical Facilities</b>				
35	IN	Food properly labeled; original container			48	IN	Hot & cold water available; adequate pressure		
<b>Prevention of Food Contamination</b>					49	X	Plumbing installed; proper backflow devices		
36	IN	Insects, rodents, & animals not present			50	IN	Sewage & waste water properly disposed		
37	IN	Contamination prevented during food preparation, storage & display			51	IN	Toilet facilities: properly constructed, supplied, & cleaned		
38	IN	Personal cleanliness			52	IN	Garbage & refuse properly disposed; facilities maintained		
39	X	Wiping cloths: properly used & stored	X	X	53	X	Physical facilities installed, maintained, & clean		X
40	IN	Washing fruits & vegetables			54	IN	Adequate ventilation & lighting; designated areas used		

Person in Charge (Signature)  Date: 9/3/2014

Health Inspector (Signature)  Follow-up: YES  NO  Date of Follow-up:

# State of Maine Health Inspection Report

<b>Establishment Name</b> BENKAY		As Authorized by 22 MRSA § 2496		Date <u>9/3/2014</u>
License Expiry Date/EST. ID# 6/23/2015 / 6672	Address 2 INDIA ST	City / State PORTLAND / ME	Zip Code 04101	Telephone 207-773-5555

## Temperature Observations

Location	Temperature	Notes
KITCHEN HOT HOLD	176F	SOUP
SUSHI BAR HOT HOLD	146F	RICE
SUSHI BAR COLD HOLD #1	41F	RAW SCALLOPS
KITCHEN HOT HOLD	186F	RICE
SUSHI BAR	200 PPM	QUAT. SANITIZER
WALK IN COOLER	35F	CRAB MEAT
WALK IN COOLER	36F	RAW CHICKEN
KITCHEN COLD HOLD #3	36F	RAW SHRIMP
SUSHI BAR COLD HOLD #2	41F	WHITE FISH
KITCHEN COLD HOLD #1	36F	RAW SALMON
KITCHEN HAND WASH	136F	HOT WATER
KITCHEN COLD HOLD #2	35F	TOFU

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Health Inspector (Signature) 

# State of Maine Health Inspection Report

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PORTLAND ME

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04101

## 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 and 8-406.11 of the Food Code

8: 6-301.14: N: Hand wash signage not provided for employee hand sink or lavatory.

INSPECTOR NOTES: NO HAND WASH SIGNAGE FOR EMPLOYEE HAND SINKS, SIGNS NEEDED IN KITCHEN AND SUSHI BAR

12: 3-402.12: N: Records not maintained pertaining to raw fish served or sold in Ready-to-Eat form.

INSPECTOR NOTES: PIC WAS UNABLE TO PRODUCE PROPER RECORDS FOR RAW FISH, PIC IS NOW AWARE OF PROPER PROCEDURE FOR RECORD KEEPING

21: 3-501.17.(D): C: Date marking system used at the Eating Establishment does not meet the criteria list in code.

INSPECTOR NOTES: NO PRODUCT/ DATE LABELING BEING USED, ALL PREPARED ITEMS HELD OVER 24 HRS. NEEDS LABEL W/ PRODUCT NAME AND DICARD DATE

23: 3-603.11.(B): C: Consumer advisory does not contain proper warning of raw or undercooked animal foods.

INSPECTOR NOTES: MENU DOES NOT HAVE AN ASTERISK NEXT TO RAW OR UNDERCOOKED ITEMS, DISCUSSED WITH PIC

34: 4-204.112.(A): N: Temperature measuring device not properly located.

INSPECTOR NOTES: UNABLE TO LOCATE THERMOMETERS IN ALL COLD UNITS, ALL UNITS MUST HAVE AND EASILY DISPLAY THERMOMETERS

39: 3-304.14.(B).(1): N: Wiping cloths used for wiping counters and other equipment surfaces not held between uses in a chemical sanitizer.

INSPECTOR NOTES: \*COS\* CLOTHS ON LINE AND SUSHI BAR ARE NOT STORED IN SANITIZER BETWEEN USES, DISCUSSED PROPER HOLDING WITH PIC

46: 4-302.14: N: No chemical test kit available.

INSPECTOR NOTES: NO TEST KITS AVAILABLE, PIC AGREED TO GET SOME

49: 5-203.13: N: Inadequate number of service sinks.

INSPECTOR NOTES: NO MOP SINK AVAILABLE, MUST GET MOP/ UTILITY SINK INSTALLED

53: 6-101.11.(A): N: Indoor surfaces are not properly constructed as to be smooth, durable, and easily cleanable or constructed of nonabsorbent material in areas of moisture.

INSPECTOR NOTES: WALK IN COOLER HAS AN UNFINISHED PLYWOOD FLOOR, NEEDS TO BE SMOOTH AND EASILY CLEANABLE

53: 6-501.12: N: The physical facilities are not clean.

INSPECTOR NOTES: WALLS, FLOORS AND WALK IN ARE IN NEED OF REGULAR CLEANING, DIRTY AND DUSTY

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## Inspection Notes

BE ADVISED: MAINE FOOD CODE PROHIBITS BARE HAND CONTACT WITH READY TO EAT FOODS

Certified Food Protection Manager: Jeffery Foltmer EXP. 6/6/2017

- Unless directed otherwise, effective January 18, 2012 establishments have to have a Certified Food Protection Manager (CFPM) at each establishment as required by 10-144 CMR, Chapter 201, Section 2.

- A CFPM must be hired within 90 days of a new establishment opening or when the only CFPM leaves the employment of the establishment.

- For a list of CFPM courses and trainers go to: [www.maine.gov/healthinspection/training.htm](http://www.maine.gov/healthinspection/training.htm)

- Upon completion of the CFPM course, please fax cover sheet and course certificate to (207) 287-3165. On the cover letter please send to the attention of Carol Gott and include your establishment name and establishment license number. Her Phone number is 287-5675. You can also mail a copy, with establishment ID number, to her at 286 Water St, 3rd Floor, 11 State House Station, Augusta, ME 04333-0011.

### Violation Correction Time Frame

- Critical Violations should be corrected on site, but, in any event, within 10 days. The licensee must contact the inspector when the critical violation has been addressed. Please send an e-mail to [ecobb@portlandmaine.gov](mailto:ecobb@portlandmaine.gov) or call Eric Cobb @ 207-756-8365

- Non-critical violations must be corrected no later than 90 calendar days after the inspection. The Department may approve a compliance schedule that extends beyond the time limits if a written schedule of compliance is submitted by the Permit Holder and no health hazard exists or will result from allowing an extended schedule for compliance.

- Failure to satisfactorily correct these violations before the follow-up inspection may result in enforcement proceedings by the Department, which are outlined in Sections 6, 7, 8 and 9 of 10-144 CMR Chapter 201 available at:

[www.maine.gov/dhhs/mecdc/environmental-health/el/index.htm](http://www.maine.gov/dhhs/mecdc/environmental-health/el/index.htm)

C=Critical violation and NC=Noncritical violation

"Critical item" means a provision of the Food Code that, if in noncompliance, is more likely than other violations to contribute to food contamination, illness, or environmental health hazard.

### Sec. 11-40. Penalties.

Following the issuance of a failed inspection notice and an order to correct violations, the health inspector will re-inspect the premises at a fee of seventy five dollars (\$75.00); if the follow up inspection results in another failed inspection, the violator will be charged a second re-inspection fee of one hundred fifty dollars (\$150.00). If the third re-inspection results in a failed inspection, the third and each subsequent follow-up re-inspection will result in a three hundred dollar (\$300.00) per re-inspection charge. In addition, upon the third failed re-inspection, the health inspector may order the establishment closed until the establishment yields a passing inspection.

### Documentation Retention

- A copy of the most recent inspection report must be maintained at the establishment and be made available to the public upon request.

- A copy of all CFPM certificates must be maintained at the establishment.

- The establishment's current license must be displayed.

Person in Charge (Signature)



Date: 9/3/2014

Health Inspector (Signature)

