



Report and Notice of Inspection

280 SOUTH DECATUR BLVD • LAS VEGAS, NV • 89107 • 702-759-1258 (DIRECT PLAN REVIEW) • 702-759-1110 (DIRECT FOOD OPS) •

FACILITY INFORMATION										
PERMIT # PR0121987		ESTABLISHMENT NAME TAQUERIA EL BUEN PASTOR TAQUERIA EL BUEN PASTOR PUSF PORTABLE UNIT - TCS			PHONE # ()-		COMPL. SCHED. DUE		PRIMARY EHS EE7001228	
ADDRESS 2400 S LAS VEGAS Las Vegas, NV 89104					RISK CAT. 2	P.E. Code 1122	DISTRICT 97	LOCATION 3HD	RECORD ID	
CONTACT PERSON: ELIZABETH NUNEZ										
CURRENT ACTION	EHS 1032	SERVICE 919	DATE 10/25/17	TIME IN 17:10	TIME OUT 12:15	TRAVEL MIN 20	PERMIT STATUS ACTIVE			
	RESULT 88					FUTURE ACTION	ACTION 19		DATE	
SPECIAL NOTES										

- NOTIFIED OF THE FOLLOWING -

SURVEY TO ISSUE PERMIT SUSPENSION, PENDING REVOCATION LETTER FOLLOWING A FAILED UNANNOUNCED INSPECTION OF THE FACILITY.

The facility has five business days to request a hearing on permit revocation by filing an appeal.

Inspector name and phone number:

Jason Kelton 759 1110

Reviewed by	Received by (signature)	Received by (printed)	EHS (signature)
		Hector Nunez	



October 25, 2017

Taqueria El Buen Pastor LLC
Taqueria El Buen Pastor
PR0121987
2400 South Las Vegas Blvd
Las Vegas, Nevada 89104

Re: Permit Suspension, Pending Revocation; Taqueria El Buen Pastor PR0121987

Dear Ms. Nuñez:

This letter is your notice that the Southern Nevada Health District (hereafter "Health District") is suspending your permit, pending revocation. Pursuant to your Managerial Conference, the Health District warned you that the next occurrence within a 12 month period of a C grade or closure would result in an immediate closure of your facility with your permit suspended, pending a revocation determination.

On August 22, 2017, an Environmental Health Managerial Conference was held with you at the Health District, 280 South Decatur Blvd., as a result of a 26 demerit unannounced routine inspection resulting in a C downgrade. At that time, the history of ongoing noncompliance at Taqueria El Buen Pastor, 2400 South Las Vegas Blvd, dating back to March 2017 was reviewed with you. The Managerial Conference took place subsequent to several failed routine inspections, and two supervisory conferences. Violations and associated foodborne illness risk factors were reviewed during these supervisory conferences. Guidance documents intended to assist with food safety compliance were provided, and how to achieve compliance with food safety requirements was reviewed. As a condition of the Managerial Conference, you were required to maintain a Person in Charge (PIC) that had completed a certified food safety manager training program onsite at all times (a condition of the first supervisory conference), and required to obtain a contract with a food safety consultant by July 8, 2017 (an initial condition of the second supervisory conference), to assist the facility in putting measures in place to assure active managerial control of risk factors for foodborne illness. At the Managerial Conference, the importance of ongoing compliance to prevent risk factors for foodborne illness was impressed. The facility was informed that a subsequent C downgrade or closure on an unannounced inspection within the next 12 months would result in permit suspension, pending revocation.

The operation of Taqueria El Buen Pastor has demonstrated an ongoing pattern of noncompliance with basic food safety as well as Health District regulations. The Health District can no longer allow your facility to operate in a way that endangers public health. This notice has been served to you or representative person in charge at your facility, that permit PR0121987 is suspended pending revocation.



As owner of the facility you have the right to appeal this revocation. This appeal must be made in writing within 5 business days after the delivery of this notice. Please ensure it is made to my attention so that the hearing may be scheduled in a timely fashion. The time and place of the hearing will be determined by the Health District. You have the right to retain your own legal counsel for the purpose of the hearing. Failure to file an appeal within 5 business days after receipt of this notice will result in the permanent revocation of the permits. (See attachments 8-306 Permit Suspension and Reinstatement and NRS 446.880 Suspension or revocation of permit; reinstatement of suspended permit; hearing).
Permit Suspension, Pending Revocation

If you have any questions, please contact me.

Sincerely,

SOUTHERN NEVADA HEALTH DISTRICT

A handwritten signature in black ink, appearing to read 'Larry Rogers', is written over a horizontal line.

Larry Rogers, REHS
Environmental Health Manager

Attachments:

8-306 Permit Suspension and Reinstatement

NRS 446.880 Suspension or revocation of permit; reinstatement of suspended permit; hearing
Managerial Conference Agenda dated August 22, 2017


Note:

If you need this document translated into another language, please call (702) 759-0619. Leave a message and identify which language you require assistance in. If you are in need of an interpreter for the hearing, please inform us ten (10) days prior to the hearing date.



8-306 PERMIT Suspension and Reinstatement

8-306.11 Suspension or Revocation of PERMIT, Reinstatement of Suspended PERMIT, Hearings

PERMITs issued under the provisions of these Regulations may be suspended as specified in NRS 446.880. 

(A) Health PERMITs issued under the provisions of these Regulations may be suspended temporarily by the HEALTH AUTHORITY for failure of the PERMIT HOLDER to comply with the requirements of these Regulations.

(B) Whenever a PERMIT HOLDER or operator has failed to comply with any notice issued under the provisions of these Regulations, the PERMIT HOLDER or operator shall be notified in writing that the PERMIT is, upon service of the notice, immediately suspended or that the establishment is DOWNGRADED. The notice shall contain a statement informing the PERMIT HOLDER or operator that an opportunity for a hearing will be provided if a written request for a hearing is filed with the HEALTH AUTHORITY as soon as possible.

(C) Whenever the HEALTH AUTHORITY finds an unsanitary or other condition in the operation of a FOOD ESTABLISHMENT which, in its judgment, constitutes a substantial HAZARD to the public health, he may without warning, notice, or hearing issue a written order to the PERMIT HOLDER or operator citing the condition, specifying the corrective action to be taken, and specifying the time within which the action must be taken. The order may state that the PERMIT is immediately suspended and all FOOD operations shall be immediately discontinued. Any PERSON to whom such an order is issued shall comply with it immediately. Upon written petition to the HEALTH AUTHORITY, the PERSON shall be afforded a hearing as soon as possible.

(D) Any PERSON whose PERMIT has been suspended may, at any time, make application for reinspection for reinstatement of the PERMIT. Within 10 business days following receipt of a written request, including a statement signed by the applicant that in his opinion the conditions causing suspension of the PERMIT has been corrected, the HEALTH AUTHORITY shall make a reinspection. If the applicant is complying with the requirements of these Regulations, the PERMIT shall be reinstated.

(E) For serious or repeated violations of any of the requirements of these Regulations, or for interference with the HEALTH AUTHORITY in the performance of their duties, the PERMIT may be permanently revoked after an opportunity for a hearing has been provided by the HEALTH AUTHORITY. Before taking such an action the HEALTH AUTHORITY shall notify the PERMIT HOLDER, in writing, stating the reasons for which the PERMIT is subject to

revocation and advising the PERMIT HOLDER of the requirements for filing a request for a hearing. A PERMIT may be suspended for cause pending its revocation or a hearing relative thereto.

(F) Unless a request for a hearing is filed with the HEALTH AUTHORITY by the PERMIT HOLDER within five days, the HEALTH AUTHORITY may permanently revoke a PERMIT after five days following service of the notice.

(G) The hearings provided for in this section shall be conducted at a time and place designated by the HEALTH AUTHORITY. Based upon the record of the hearing, the HEALTH AUTHORITY shall make a finding and may sustain, modify, or rescind any official notice or order considered in the hearing. A written report of the hearing decision shall be furnished to the PERMIT HOLDER by the HEALTH AUTHORITY.

8-306.12 Post Revocation Action

Once the health PERMIT has been revoked, as specified in Section 8-306.11 of this Chapter, the PERMIT operator is to discontinue all FOOD activity associated with the FOOD ESTABLISHMENT in question. Failure to do so may result in:

(A) The HEALTH AUTHORITY requesting an injunction from the District Court of Jurisdiction, against continued operation by the previous PERMIT HOLDER.

(B) The HEALTH AUTHORITY referring the non-compliance to the District Attorney of Jurisdiction for prosecution.

(C) Once the timeframe for appeal has transpired any FOOD remaining at the location in question may be confiscated and destroyed by the HEALTH AUTHORITY as specified in Section 8-305.11 of this Chapter.

NRS 446.880 Suspension or revocation of permit; reinstatement of suspended permit; hearing.

1. Permits issued under the provisions of this chapter may be suspended temporarily by the health authority for failure of the holder to comply with the requirements of this chapter.

2. Whenever a permit holder or operator has failed to comply with any notice issued under the provisions of this chapter, the permit holder or operator must be notified in writing that the permit is, upon service of the notice, immediately suspended or that the establishment is downgraded if that is the case. The notice must also contain a statement informing the permit holder or operator that an opportunity for a hearing will be provided if a written request for a hearing is filed by him with the health authority.

3. Whenever the health authority finds an insanitary or other condition in the operation of a food establishment which, in his judgment, constitutes a substantial hazard to the public health, he may without warning, notice or hearing issue a written order to the permit holder or operator citing the condition, specifying the corrective action to be taken, and specifying the time within which the action must be taken. The order may state that the permit is immediately suspended and all food operations must be immediately discontinued. Any person to whom such an order is issued shall comply with it immediately. Upon written petition to the health authority, the person must be afforded a hearing as soon as possible.

4. Any person whose permit has been suspended may, at any time, make application for a reinspection for reinstatement of the permit. Within 10 days following receipt of a written request, including a statement signed by the applicant that in his opinion the conditions causing suspension of the permit have been corrected, the health authority shall make a reinspection. If the applicant is complying with the requirements of this chapter, the permit must be reinstated.

5. For serious or repeated violations of any of the requirements of this chapter or for interference with the health authority in the performance of his duties, the permit may be permanently revoked after an opportunity for a hearing has been provided by the health authority. Before taking such an action, the health authority shall notify the permit holder in writing, stating the reasons for which the permit is subject to revocation and advising the permit holder of the requirements for filing a request for a hearing. A permit may be suspended for cause pending its revocation or a hearing relative thereto.

6. The health authority may permanently revoke a permit after 5 days following service of the notice unless a request for a hearing is filed with the health authority by the permit holder within 5 days.

7. The hearings provided for in this section must be conducted by the health authority at a time and place designated by him. Based upon the record of the hearing, the health authority shall make a finding and may sustain, modify or rescind any official notice or order considered in the hearing. A written report of the hearing decision must be furnished to the permit holder by the health authority.

(Added to NRS by 1963, 754; A 1969, 811; 1981, 604; 1985, 292)



ACKNOWLEDGEMENT OF RECEIPT

Receipt of Southern Nevada Health District Permit Suspension, Pending Revocation, for Taqueria El Buen Pastor, PR0121987 is hereby acknowledged this 25th day of October, 2017.

Hector Nunez Sandoval _____
Print Name Signature

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