



# TENNESSEE DEPARTMENT OF HEALTH FOOD SERVICE ESTABLISHMENT INSPECTION REPORT

SCORE

# 82

Establishment Name El Agave Mexican Grill and Cuisine Type of Establishment ☒ Farmer's Market Food Unit ☐ Permanent ☐ Mobile  
Address 531 Signal Mountain Rd Suite 165 ☐ Temporary ☐ Seasonal  
City Chattanooga Time in 11:00 AM AM / PM Time out 12:00 PM AM / PM  
Inspection Date 12/07/2022 Establishment # 605306345 Embargoed 0  
Purpose of Inspection ☒ Routine ☐ Follow-up ☐ Complaint ☐ Preliminary ☐ Consultation/Other  
Risk Category ☐ 1 ☒ 2 ☐ 3 ☐ 4 Follow-up Required ☒ Yes ☐ No Number of Seats 51

**Risk Factors are food preparation practices and employee behaviors most commonly reported to the Centers for Disease Control and Prevention as contributing factors in foodborne illness outbreaks. Public Health interventions are control measures to prevent illness or injury.**

## FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS

(Mark designated compliance status (IN, OUT, NA, NO) for each numbered item. For items marked OUT, mark COS or R for each item as applicable. Deduct points for category or subcategory.)

IN=in compliance					OUT=not in compliance		NA=not applicable		NO=not observed		COS=corrected on-site during inspection				R=repeat (violation of the same code provision)								
Compliance Status									COS	R	WT	Compliance Status									COS	R	WT
	IN	OUT	NA	NO	Supervision								IN	OUT	NA	NO	Cooking and Reheating of Time/Temperature Control For Safety (TCS) Foods						
1	<input checked="" type="radio"/>	<input type="radio"/>			Person in charge present, demonstrates knowledge, and performs duties				<input type="radio"/>	<input type="radio"/>	5	16	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	Proper cooking time and temperatures				<input type="radio"/>	<input type="radio"/>	5
	IN	OUT	NA	NO	Employee Health							17	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Proper reheating procedures for hot holding				<input type="radio"/>	<input type="radio"/>	
2	<input checked="" type="radio"/>	<input type="radio"/>			Management and food employee awareness, reporting				<input type="radio"/>	<input type="radio"/>	5		IN	OUT	NA	NO	Cooling and Holding, Date Marking, and Time as a Public Health Control						
3	<input checked="" type="radio"/>	<input type="radio"/>			Proper use of restriction and exclusion				<input type="radio"/>	<input type="radio"/>		18	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	Proper cooling time and temperature				<input type="radio"/>	<input type="radio"/>	
	IN	OUT	NA	NO	Good Hygienic Practices							19	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Proper hot holding temperatures				<input type="radio"/>	<input type="radio"/>	5
4	<input checked="" type="radio"/>	<input type="radio"/>		<input type="radio"/>	Proper eating, tasting, drinking, or tobacco use				<input type="radio"/>	<input type="radio"/>	20	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>		Proper cold holding temperatures				<input type="radio"/>	<input type="radio"/>		
5	<input checked="" type="radio"/>	<input type="radio"/>		<input type="radio"/>	No discharge from eyes, nose, and mouth				<input type="radio"/>	<input type="radio"/>	21	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Proper date marking and disposition				<input type="radio"/>	<input type="radio"/>		
	IN	OUT	NA	NO	Preventing Contamination by Hands						22	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	Time as a public health control: procedures and records				<input type="radio"/>	<input type="radio"/>		
6	<input checked="" type="radio"/>	<input type="radio"/>		<input type="radio"/>	Hands clean and properly washed				<input type="radio"/>	<input type="radio"/>	5		IN	OUT	NA	NO	Consumer Advisory						
7	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	No bare hand contact with ready-to-eat foods or approved alternate procedures followed				<input type="radio"/>	<input type="radio"/>		23	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>		Consumer advisory provided for raw and undercooked food				<input type="radio"/>	<input type="radio"/>	4
8	<input type="radio"/>	<input checked="" type="radio"/>			Handwashing sinks properly supplied and accessible				<input type="radio"/>	<input type="radio"/>	2		IN	OUT	NA	NO	Highly Susceptible Populations						
	IN	OUT	NA	NO	Approved Source							24	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>		Pasteurized foods used; prohibited foods not offered				<input type="radio"/>	<input type="radio"/>	5
9	<input checked="" type="radio"/>	<input type="radio"/>			Food obtained from approved source				<input type="radio"/>	<input type="radio"/>	5		IN	OUT	NA	NO	Chemicals						
10	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	Food received at proper temperature				<input type="radio"/>	<input type="radio"/>		25	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>		Food additives: approved and properly used				<input type="radio"/>	<input type="radio"/>	5
11	<input checked="" type="radio"/>	<input type="radio"/>			Food in good condition, safe, and unadulterated				<input type="radio"/>	<input type="radio"/>		26	<input checked="" type="radio"/>	<input type="radio"/>			Toxic substances properly identified, stored, used				<input type="radio"/>	<input type="radio"/>	
12	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	Required records available: shell stock tags, parasite destruction				<input type="radio"/>	<input type="radio"/>			IN	OUT	NA	NO	Conformance with Approved Procedures						
	IN	OUT	NA	NO	Protection from Contamination							27	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>		Compliance with variance, specialized process, and HACCP plan				<input type="radio"/>	<input type="radio"/>	5
13	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>		Food separated and protected				<input type="radio"/>	<input type="radio"/>	4												
14	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>		Food-contact surfaces: cleaned and sanitized				<input type="radio"/>	<input type="radio"/>	5												
15	<input checked="" type="radio"/>	<input type="radio"/>			Proper disposition of unsafe food, returned food not re-served				<input type="radio"/>	<input type="radio"/>	2												

**Good Retail Practices are preventive measures to control the introduction of pathogens, chemicals, and physical objects into foods.**

GOOD RETAIL PRACTICES															
OUT=not in compliance				COS=corrected on-site during inspection				R=repeat (violation of the same code provision)							
Compliance Status				COS	R	WT	Compliance Status				COS	R	WT		
Safe Food and Water								Utensils and Equipment							
28	<input type="radio"/>	Pasteurized eggs used where required		<input type="radio"/>	<input type="radio"/>	1	45	<input checked="" type="radio"/>	Food and nonfood-contact surfaces cleanable, properly designed, constructed, and used	<input type="radio"/>	<input type="radio"/>	1			
29	<input type="radio"/>	Water and ice from approved source		<input type="radio"/>	<input type="radio"/>	2	46	<input type="radio"/>	Warewashing facilities, installed, maintained, used, test strips	<input type="radio"/>	<input type="radio"/>	1			
30	<input type="radio"/>	Variance obtained for specialized processing methods		<input type="radio"/>	<input type="radio"/>	1	47	<input checked="" type="radio"/>	Nonfood-contact surfaces clean	<input type="radio"/>	<input type="radio"/>	1			
Food Temperature Control								Physical Facilities							
31	<input type="radio"/>	Proper cooling methods used; adequate equipment for temperature control		<input type="radio"/>	<input type="radio"/>	2	48	<input type="radio"/>	Hot and cold water available; adequate pressure	<input type="radio"/>	<input type="radio"/>	2			
32	<input type="radio"/>	Plant food properly cooked for hot holding		<input type="radio"/>	<input type="radio"/>	1	49	<input checked="" type="radio"/>	Plumbing installed; proper backflow devices	<input type="radio"/>	<input type="radio"/>	2			
33	<input checked="" type="radio"/>	Approved thawing methods used		<input type="radio"/>	<input type="radio"/>	1	50	<input type="radio"/>	Sewage and waste water properly disposed	<input type="radio"/>	<input type="radio"/>	2			
34	<input type="radio"/>	Thermometers provided and accurate		<input type="radio"/>	<input type="radio"/>	1	51	<input type="radio"/>	Toilet facilities: properly constructed, supplied, cleaned	<input type="radio"/>	<input type="radio"/>	1			
Food Identification								Administrative Items							
35	<input type="radio"/>	Food properly labeled; original container; required records available		<input type="radio"/>	<input type="radio"/>	1	52	<input type="radio"/>	Garbage/refuse properly disposed; facilities maintained	<input type="radio"/>	<input type="radio"/>	1			
Prevention of Food Contamination								53	<input type="radio"/>	Physical facilities installed, maintained, and clean	<input type="radio"/>	<input type="radio"/>	1		
36	<input type="radio"/>	Insects, rodents, and animals not present		<input type="radio"/>	<input type="radio"/>	2	54	<input type="radio"/>	Adequate ventilation and lighting; designated areas used	<input type="radio"/>	<input type="radio"/>	1			
37	<input checked="" type="radio"/>	Contamination prevented during food preparation, storage & display		<input type="radio"/>	<input type="radio"/>	1	Compliance Status				YES	NO	WT		
38	<input type="radio"/>	Personal cleanliness		<input type="radio"/>	<input type="radio"/>	1	Non-Smokers Protection Act								
39	<input type="radio"/>	Wiping cloths: properly used and stored		<input type="radio"/>	<input type="radio"/>	1	57	<input checked="" type="radio"/>	Compliance with TN Non-Smoker Protection Act	<input checked="" type="radio"/>	<input type="radio"/>	0			
40	<input type="radio"/>	Washing fruits and vegetables		<input type="radio"/>	<input type="radio"/>	1	58	<input type="radio"/>	Tobacco products offered for sale	<input type="radio"/>	<input type="radio"/>				
Proper Use of Utensils								59	<input type="radio"/>	If tobacco products are sold, NSPA survey completed	<input type="radio"/>		<input type="radio"/>		
41	<input type="radio"/>	In-use utensils; properly stored		<input type="radio"/>	<input type="radio"/>	1									
42	<input type="radio"/>	Utensils, equipment and linens; properly stored, dried, handled		<input type="radio"/>	<input type="radio"/>	1									
43	<input type="radio"/>	Single-use/single-service articles; properly stored, used		<input type="radio"/>	<input type="radio"/>	1									
44	<input type="radio"/>	Gloves used properly		<input type="radio"/>	<input type="radio"/>	1									

Failure to correct any violations of risk factor items within ten (10) days may result in suspension of your food service establishment permit. Repeated violation of an identical risk factor may result in revocation of your food service establishment permit. Items identified as constituting imminent health hazards shall be corrected immediately or operations shall cease. You are required to post the food service establishment permit in a conspicuous manner and post the most recent inspection report in a conspicuous manner. You have the right to request a hearing regarding this report by filing a written request with the Commissioner within ten (10) days of the date of this report. T.C.A. sections 68-14-703, 68-14-706, 68-14-708, 68-14-709, 68-14-711, 68-14-715, 68-14-716, 4-5-329.

Signature of Person In Charge [Signature] Date 12/07/2022 Signature of Environmental Health Specialist [Signature] Date 12/07/2022

\*\*\*\* Additional food safety information can be found on our website, <http://tn.gov/health/article/eh-foodservice> \*\*\*\*

**TENNESSEE DEPARTMENT OF HEALTH  
DIVISION OF ENVIRONMENTAL HEALTH  
FOOD INSPECTION DATA**



***Establishment Information***

Establishment Name: El Agave Mexican Grill and Cuisine

Establishment Number #: 605306345

***NSPA Survey – To be completed if #57 is "No"***

Age-restricted venue does not affirmatively restrict access to its buildings or facilities at all times to persons who are twenty-one (21) years of age or older.

Age-restricted venue does not require each person attempting to gain entry to submit acceptable form of identification.

"No Smoking" signs or the international "Non-Smoking" symbol are not conspicuously posted at every entrance.

Garage type doors in non-enclosed areas are not completely open.

Tents or awnings with removable sides or vents in non-enclosed areas are not completely removed or open.

Smoke from non-enclosed areas is infiltrating into areas where smoking is prohibited.

Smoking observed where smoking is prohibited by the Act.

***Warewashing Info***

Machine Name	Sanitizer Type	PPM	Temperature ( Fahrenheit)
Dishmachine	Chlorine	0	

***Equipment Temperature***

Description	Temperature ( Fahrenheit)

***Food Temperature***

Description	State of Food	Temperature ( Fahrenheit)
Shredded beef	Hot Holding	142
Beans-well	Hot Holding	87
Rice-well	Hot Holding	73
Chicken-well	Hot Holding	181
Pico de gallo-prep top	Cold Holding	37
Sour cream-prep top	Cold Holding	36
Raw shell eggs-3 dr reach in	Cold Holding	36
Sliced tomatoes-cold drawer	Cold Holding	39
Raw chicken-cold drawer	Cold Holding	39
Rice	Cooking	196
Diced tomatoes-2 dr tall	Cold Holding	40
Raw beef-walk in	Cold Holding	41
Salsa- 2 door in waitress area	Cold Holding	38
Pinto beans-2 dr tall clear unit	Cold Holding	37

### Observed Violations

Total # 9

Repeated # 0

8: Handwash sink in prep area is blocked with equipment storage. Handwash sink on cookline is missing paper towels. Ensure handwash sinks are supplied with soap and paper towels and accessible at all times. This was corrected during inspection.

14: Dishmachine is not sanitizing when tested during inspection. Max temperature reached 116F. Repair machine so it is sanitizing properly. Utilize three compartment sink until machine is functioning.

17: Rice and beans in steam well at 73 and 87F respectively. Cook and person in charge stated they reheat items in the steamwell and they have been reheating for approx 2.5 hours. Rapidly reheat foods to 165F within two hours for hot holding at 135F. Education provided and newly cooked rice was placed in steam well.

33: Chicken thawing during duration of inspection with no preparation out at room temperature. Thaw chicken in microwave, in refrigerator, under cold running water, or as part of the cooking process.

37: Ceiling is dripping condensate in middle of kitchen approx two feet from where chicken is sitting out. Eliminate condensate leak to prevent contamination.

45: Repair or replace broken handles on two door tall refrigeration unit.

45: Discontinue using cardboard to line walk in refrigerator shelves. Shelves must be easily cleanable.

47: Eliminate black accumulation from refrigerator gaskets on cookline. Clean and sanitize on a more routine basis to prevent contamination.

49: Repair leak from dishmachine plumbing causing standing water on kitchen floor.

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Establishment Number : 605306345

**Comments/Other Observations**

- 1: (IN): PIC demonstrates knowledge by correctly answering questions regarding principles applicable to the food operation.
- 2: (IN): An employee health policy is available.
- 3: (IN) There are no food workers observed working with specific reportable symptoms or illnesses.
- 4: (IN) Employee isn't drinking, eating, or using tobacco in a food preparation area.
- 5: (IN) No employees exhibiting persistent coughing, sneezing, runny nose, or watery eyes.
- 6: (IN) Observed proper handwashing by employees.
- 7: (IN) Employees are observed using suitable utensils or gloves to prevent bare hand (or arm) contact with ready-to-eat foods.
- 9: (IN) Food obtained from approved source
- 10: (NO): No food received during inspection.
- 11: (IN) All food was in good, sound condition at time of inspection.
- 12: (NA) Shell stock not used and parasite destruction not required at this establishment.
- 13: (IN) All raw animal food is separated and protected as required.
- 15: (IN) No unsafe, returned or previously served food served.
- 16: (NO) No raw animal foods cooked during inspection.
- 18: (N.O.) No cooling of TCS foods during inspection.
- 19: (IN) Hot holding temperatures are held at 135F or above
- 20: (IN) Cold holding temperatures are held at 41F or below
- 21: (IN) Verified date marking system in place for all ready-to-eat TCS foods that are held longer than 24 hours.
- 22: (NA) No food held under time as a public health control.
- 23: On menu
- 24: (NA) A highly susceptible population is not served.
- 25: (NA) Establishment does not use any additives or sulfites on the premises.
- 26: (IN) All poisonous or toxic items are properly identified, stored, and used.
- 27: (NA) Establishment is not required to have a variance or HACCP plan, performs no special processes.
- 57:
- 58:

\*\*\*See page at the end of this document for any violations that could not be displayed in this space.

**Additional Comments**

***See last page for additional comments.***

\*\*\*See page at the end of this document for any extra Additional Comments that could not be displayed in this space.

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Establishment Number : 605306345

**Comments/Other Observations (cont'd)****Additional Comments (cont'd)*****See last page for additional comments.***

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**Sources**

Source Type:	Food	Source:	US Food
Source Type:	Water	Source:	Water is from approved source
Source Type:		Source:	
Source Type:		Source:	
Source Type:		Source:	

**Additional Comments**