



Retail Food Establishment Inspection Report

State Form 57480

**INDIANA DEPARTMENT OF HEALTH
FOOD PROTECTION DIVISION**

Release Date: 09/11/2026

Hendricks County Health Department

Telephone (317) 745-9217

No. Risk Factor/Interventions Violations

8

Date: 09/01/2026

Time In 11:15 am

No. Repeat Risk Factor/Intervention Violations

3

Time Out 11:52 am

Establishment

3 Agaves Mexican Restaurant and Grill

Address

8411 Windfall Ln Ste 190

City/State

Camby/IN

Zip Code

46113

Telephone

317-821-2943

License/Permit #

1931

Permit Holder

3 Agaves LLC

Purpose of Inspection

Routine

Est Type

Retail Food Establishment

Risk Category

3

Certified Food Manager

Teo Garcia

Servsafe

Exp.

04/29/2026

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

Supervision

1	IN	Person-in-charge present, demonstrates knowledge, and performs duties		
2	IN	Certified Food Protection Manager		

Employee Health

3	IN	Management, food employee and conditional employee; knowledge, responsibilities and reporting		
4	IN	Proper use of restriction and exclusion		
5	IN	Procedures for responding to vomiting and diarrheal events		

Good Hygienic Practices

6	N/O	Proper eating, tasting, drinking, or tobacco products use		
7	IN	No discharge from eyes, nose, and mouth		

Preventing Contamination by Hands

8	IN	Hands clean & properly washed		
9	IN	No bare hand contact with RTE food or a pre-approved alternative procedure properly allowed		
10	OUT	Adequate handwashing sinks properly supplied and accessible		X

Approved Source

11	IN	Food obtained from approved source		
12	N/O	Food received at proper temperature		
13	IN	Food in good condition, safe, & unadulterated		
14	N/A	Required records available: molluscan shellfish identification, parasite destruction		

Protection from Contamination

15	IN	Food separated and protected		
16	OUT	Food-contact surfaces; cleaned & sanitized		

17	IN	Proper disposition of returned, previously served, reconditioned & unsafe food		
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Time/Temperature Control for Safety

18	N/O	Proper cooking time & temperatures		
19	N/O	Proper reheating procedures for hot holding		
20	IN	Proper cooling time and temperature		
21	IN	Proper hot holding temperatures		
22	OUT	Proper cold holding temperatures		X
23	OUT	Proper date marking and disposition		X
24	N/A	Time as a Public Health Control; procedures & records		X

Consumer Advisory

25	N/A	Consumer advisory provided for raw/undercooked food		
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Highly Susceptible Populations

26	N/A	Pasteurized foods used; prohibited foods not offered		
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Food/Color Additives and Toxic Substances

27	N/A	Food additives: approved & properly used		
28	OUT	Toxic substances properly identified, stored, & used		X

Conformance with Approved Procedures

29	N/A	Compliance with variance/specialized process/HACCP		
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Risk factors are important 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.

Person in Charge Teo Garcia

Date: 09/01/2026

Inspector: YOCELI PALAFOX

Follow-up Required:

YES

NO

(Circle one)



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GOOD RETAIL PRACTICES

Good Retail Practices are preventative measures to control the addition of pathogens, chemicals, and physical objects into foods.

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R-repeat violation

COS R

COS R

Safe Food and Water

30	N/A	Pasteurized eggs used where required		
31	IN	Water & ice from approved source		
32	N/A	Variance obtained for specialized processing methods		

Food Temperature Control

33	IN	Proper cooling methods used; adequate equipment for temperature control		
34	N/A	Plant food properly cooked for hot holding		
35	N/O	Approved thawing methods used		
36	IN	Thermometers provided & accurate		

Food Identification

37	IN	Food properly labeled; original container		
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Prevention of Food Contamination

38	IN	Insects, rodents, & animals not present		
39	IN	Contamination prevented during food preparation, storage & display		
40	IN	Personal cleanliness		
41	IN	Wiping cloths: properly used & stored		
42	N/O	Washing fruits & vegetables		

Proper Use of Utensils

43	OUT	In-use utensils: properly stored	X	
44	IN	Utensils, equipment & linens: properly stored, dried, & handled		
45	IN	Single-use/single-service articles: properly stored & used		
46	IN	Gloves used properly		

Utensils, Equipment and Vending

47	IN	Food & non-food contact surfaces cleanable, properly designed, constructed, & used		
48	OUT	Warewashing facilities: installed, maintained, & used; test strips		X
49	IN	Non-food contact surfaces clean		

Physical Facilities

50	IN	Hot & cold water available; adequate pressure		
51	IN	Plumbing installed; proper backflow devices		
52	IN	Sewage & waste water properly disposed		
53	IN	Toilet facilities: properly constructed, supplied, & cleaned		
54	IN	Garbage & refuse properly disposed; facilities maintained		
55	IN	Physical facilities installed, maintained, & clean		
56	IN	Adequate ventilation & lighting; designated areas used		

Outdoor Food Operation & Mobile Retail Food Establishment

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

COS R

COS R

57	N/A	Outdoor Food Operation			58	N/A	Mobile Retail Food Establishment		
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TEMPERATURE OBSERVATIONS

(in degrees Fahrenheit)

Item/Location	Temp	Item/Location	Temp	Item/Location	Temp
Sour cream/Prep-top cooler	50°F	Stuffed peppers/Reach-in cooler	48°F	Chicken nuggets/Reach-in cooler	48°F
Rice/Steam well	147°F	Shredded chicken/Steam well	143°F	Raw chicken breast/Reach-in cooler drawer	40°F
Raw beef/Reach-in cooler drawer	41°F	Shredded mozzarella cheese/Reach-in cooler drawer	40°F	Ground beef/Walk-in cooler	40°F
Shredded chicken/Walk-in cooler	40°F	Pork/Walk-in cooler	40°F	Queso/Steam well	138°F
Roasted corn/Reach-in cooler	37°F				

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OBSERVATIONS AND CORRECTIVE ACTIONS

Item	Based on an inspection this day, the item(s) noted below identify violations of 410 IAC 7-26, Indiana Retail Food Establishment Sanitation Requirements. Violations cited in this report must be corrected within the time frames below or as stated in Section 475 and 476 of the Indiana Retail Food Establishment Food Code.	Complete by Date:
10-432-(a) Risk: Core COS: No Repeat: 2	Hand washing signs were not provided at hand sinks of kitchen, bar, or restrooms. (a) A sign or poster that notifies food employees to wash their hands must be : (1) posted at all handwashing sinks used by food employees; and (2) clearly visible to food employees.	09/15/2026
16-307-(e) Risk: Core COS: No Repeat:	Observed an accumulation of white residue in soda gun holder of bar. (e) Except when dry cleaning methods are used as specified under section 310 of this rule, surfaces of utensils and equipment contacting food that is not a TCS food must be cleaned : (1) at any time when contamination may have occurred; (2) at least every twenty-four (24) hours for iced tea dispensers and consumer self-service utensils, such as tongs, scoops, or ladles; (3) before restocking consumer self-service equipment and utensils, such as condiment dispensers and display containers; and (4) in equipment, such as ice bins and beverage dispensing nozzles, and enclosed components of equipment, such as: (A) ice makers; (B) cooking oil storage tanks and distribution lines; (C) beverage and syrup dispensing lines or tubes; (D) coffee bean grinders; and (E) water vending equipment; (i) at a frequency specified by the manufacturer; or (ii) absent manufacturer specifications, at a frequency necessary to preclude accumulation of soil or mold.	09/02/2026
22-213-(a),(2),(b) Risk: P COS: Yes Repeat:	Stuffed peppers, sour cream, and chicken nuggets at reach-in cooler of cook line had an internal temperature of 47 - 50 degrees Fahrenheit. (Ambient temperature of 50 degrees Fahrenheit) (a) Except during preparation, cooking, or cooling, or when time is used as the public health control as specified under section 216 of this rule, and except as specified under subsections (b) and (c), TCS food must be maintained: (2) at forty-one (41) degrees Fahrenheit, five (5) degrees Celsius, or less. (b) Raw shell eggs that have not been treated to destroy all viable Salmonellae must be stored in refrigerated equipment that maintains an ambient air temperature of forty-five (45) degrees Fahrenheit, seven (7) degrees Celsius, or less.	09/01/2026
23-214-(a),(b),or(c) Risk: Pf COS: Yes Repeat: 2	Several pans of cooked ground beef, shredded chicken, and pork at walk-in cooler did not have a date mark. (a) Except when packaging food using a reduced oxygen packaging method as specified under section 218 of this rule, and except as specified in subsection (e), refrigerated, ready-to- eat TCS food prepared on-premises and held in a retail food establishment for more than twenty-four (24) hours must be clearly marked to indicate the date or day by which the food must be consumed on the premises, sold, or discarded when held at a temperature of not more than forty-one (41) degrees Fahrenheit, five (5) degrees Celsius for a maximum of seven (7) days. The day of preparation is counted as day one (1). (b) Except as specified in subsections (e) and (f), refrigerated, ready-to- eat TCS food prepared and packaged by a food processing plant must be clearly marked, at the time the original container is opened in a retail food establishment and if the food is held for more than twenty-four (24) hours, to indicate the date or day by which the food must be consumed on the premises, sold, or discarded, based on the temperature and time combinations specified in subsection (a) and the following apply: (1) The day the original container is opened in the establishment is counted as day one (1). (2) The day or date marked by the establishment may not exceed a manufacturer's use-by date if the manufacturer determined the use-by date based on food safety. (c) A refrigerated, ready-to-eat TCS food or portion of a refrigerated TCS food that is subsequently combined with additional ingredients or portions of food must retain the date marking of the earliest or first prepared ingredient.	09/01/2026
28-457-(a) Risk: P COS: Yes Repeat:	Observed several spray bottles of Windex stored on wire shelving above bags of dry pinto beans. (a) Poisonous or toxic materials must be stored so they cannot contaminate food, equipment, utensils, linens, and single-service and single-use articles by: (1) separating the poisonous or toxic materials by spacing or partitioning; and (2) locating the poisonous or toxic materials in an area that is not above: (A) food; (B) equipment; (C) utensils; (D) linens; and (E) single-service or single-use articles.	09/01/2026

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Inspector: YOCELI PALAFOX

Follow-up Required:

YES

NO

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28-459-(a)(2),(a)(3),or(b)

Risk: P
COS: Yes
Repeat:

Observed yellow Dichlorvos strip on wire shelving of dry storage room.

(a) Poisonous or toxic materials must be used according to the following:
(2) Manufacturer's use directions included in labeling, and, for a pesticide, manufacturer's label instructions that state that use is allowed in a retail food establishment.
(3) The conditions of certification for use of pest control materials.
(b) Poisonous or toxic materials must be applied so that:
(1) a hazard to employees or other persons is not constituted; and
(2) contamination, including toxic residues due to drip, drain, fog, splash, or spray on food, equipment, utensils, linens, and single-service and single-use articles is prevented and achieved by:
(A) removing the items;
(B) covering the items with impermeable covers, or taking other appropriate preventive actions; and
(C) cleaning and sanitizing equipment and utensils after application.

09/01/2026

43-183-(a)

Risk: Core
COS: Yes
Repeat:

Observed handle of ice scoop stored directly on ice of ice bin at bar.

(a) During pauses in food preparation or dispensing, food preparation and dispensing utensils shall be stored:
(1) except as specified under subdivision (2), in the food with their handles above the top of the food and container;
(2) in food that is not TCS food with their handles above the top of the food in containers or equipment that can be closed, such as bins of sugar, flour, or cinnamon;
(3) on a clean portion of the food preparation table or cooking equipment only if the in-use utensil and food contact surface of the food preparation table or cooking equipment is cleaned and sanitized at a frequency specified under sections 307 and 317 of this rule;
(4) in running water of sufficient velocity to flush particulates to the drain, if used with moist food, such as ice cream or mashed potatoes;
(5) in a clean, protected location if the utensils, such as ice scoops, are used only with a food that is not a TCS food; or
(6) in a container of water if the water is maintained at a temperature of at least one hundred thirty-five (135) degrees Fahrenheit, fifty-seven (57) degrees Celsius, and the container is cleaned at a frequency specified under section 307(d)(7) of this rule.

09/01/2026

48-281-(a)

Risk: Pf
COS: No
Repeat: 2

Chlorine test kit was not provided for low temperature dish machine.

(a) A test kit or other device that accurately measures the concentration in ppm of sanitizing solutions must be provided.

09/15/2026

Summary of Violations:

P: 3

Pf: 2

Core: 3

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Date: 09/01/2026

Inspector: YOCELI PALAFOX

Follow-up Required:

YES

NO

(Circle one)