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FOOD ESTABLISHMENT INSPECTION FORM

FACILITY NAME Pho Tho						TIME IN 1:00 PM		TIME OUT 3:00 PM			
ADDRESS 40250 Murrieta Hot Springs Rd #101, Murrieta, CA 92563						FACILITY DESCRI Not Applicat					
PERMIT HOLDER						EMAIL					
Long Lam						long5252@a	tt.net		Major Vi	olations	3
PERMIT #	EXPIRATION DATE	SERVICE	REINSPECTION DATE	FACILITY PHONE #	PE	DISTRICT	INSPECTOR NAME				
PR0040382	01/31/2023	Routine inspection	7/20/2021	(951)698-7108	3621	0043	Philip Sinclair		Points De	ducted	19

The conditions listed below correspond to violations of the <u>California Health and Safety Code</u> and/or <u>Riverside County Ordinances</u> and must be corrected as indicated by the enforcement officer. The Department of Environmental Health appreciates your cooperation.

Failure to correct listed violation(s) prior to the designated compliance date may necessitate an additional reinspection at a charge determined by Riverside County Ordinance 640.

FACILITY
CLOSED
CA HEALTH & SAFETY CODE SECTION 113960

OUT = Out of compliance

Major / Minor Violations: Major Violations are those that pose an imminent risk to public health and warrant immediate closure of the food facility or immediate correction. Minor Violations are those violations that do not pose an imminent public health risk, but do warrant correction.

GRADE REPRESENTS THE FOLLOWING RANGES: A = 100-90 Passed inspection / meets minimum health standards. B = 89-80 Did not pass inspection / does not meet minimum health standards. C = 79-0 Failed inspection / conditions exist which may pose a potential or actual threat to public health and safety. The facility is required to display a grade card in a conspicuous place selected by the Enforcement Officer. The grade card shall not be concealed and can only be removed or relocated by the Enforcement Officer per County Ordinance 492 / County Code Section 8.40.020

☐ In = In compliance			0	N/O	= Not	observed	
			DEMONSTRATION OF KNOWLEDGE	cos	MAJ	OUT	
ln		N/A	1. Food safety certification			2	ln
			Long Lam/ ServSafe/ 8-26-2021				In
			EMPLOYEE HEALTH AND HYGIENIC PRACTICES				ln
ln			2. Communicable disease; reporting, restrictions and exclusions		4		
ln	(N/O		3. No persistent discharge from eyes, nose, and mouth			2	In
In	N/O		4. Proper eating, tasting, drinking or tobacco use			2	
			PREVENTING CONTAMINATION BY HANDS				
ln	N/O		5. Hands clean and properly washed; gloves used properly		4	2	ln
In			6. Adequate handwashing facilities supplied and accessible			2	
			TIME AND TEMPERATURE RELATIONSHIPS				
In	N/O	N/A	7. Proper hot and cold holding temperatures	+	4	2	ln
In	N/O	N/A	8. Time as a public health control; procedures and records		4	2	
In	N/O	N/A	9. Proper cooling methods		4	2	
In	N/O	N/A	10. Proper cooking time and temperature		4	2	ln
In	(N/O	N/A	11. Proper reheating procedures for hot holding		4		
			PROTECTION FROM CONTAMINATION				
In	N/O	N/A	12. Returned and re-service of food			2	(ln)
ln			13. Food: unadulterated, no spoilage, no contamination		4	2	
In	N/O	N/A	14. Food contact surfaces: clean and sanitized		4	2	In
			Cl 100ppm; Auto DW 50ppm Cl / Knowledge verified	·			In

			FOOD FROM APPROVED SOURCES	cos	MAJ	OUT
(ln)			15. Food obtained from approved sources		4	2
In	N/O	(N/A)	16. Compliance with shell stock tags, condition, display			2
In	N/O	(N/A	17. Compliance with Gulf Oyster regulations			2
			CONFORMANCE WITH APPROVED PROCEDURES			
In		N/A	18. Compliance with variance, specialized process, and HACCP			2
			CONSUMER ADVISORY			
In		N/A	Written disclosure and reminder statements provided for raw or undercooked foods			1
			SCHOOL AND HEALTHCARE PROHIBITED FOODS			
In		N/A	20. Licensed health care facilities / public and private schools; prohibited foods not offered		4	2
			WATER / HOT WATER			
ln			21. Hot and cold water available		4	2
			Water Temperature 133F at 3-compartment sink°F	<u> </u>		
			LIQUID WASTE DISPOSAL			
ln			22. Sewage and wastewater properly disposed		4	2
			VERMIN			
ln			23. No rodents, insects, birds, or animals		4	2
ln		N/A	24. Vermin proofing, air curtains, self-closing doors			<u>(1)</u>

N/A = Not applicable

SUPERVISION / PERSONAL CLEANLINESS 25. Person in charge present and performs duties, demostration of knowledge	OUT 2
	2
26. Personal cleanliness and hair restraints	1
GENERAL FOOD SAFETY REQUIREMENTS	
27. Approved thawing methods, frozen food storage	1
28. Food separated and protected from contamination	2
29. Washing fruits and vegetables	1
30. Toxic substances properly identified, stored, used	1
FOOD STORAGE / DISPLAY / SERVICE	
31. Adequate food storage; food storage containers identified	1
32. Consumer self-service	1
33. Food properly labeled; honestly presented; menu labeling	1

EQUIPMENT / UTENSILS / LINENS	OUT
34. Utensils and equipment approved, good repair	0
 Warewashing: installed, maintained, proper use, test materials 	1
36. Equipment / utensils: installed, clean, adequate capacity	1
37. Equipment, utensils, and linens: storage and use	1
38. Adequate ventilation and lighting; designated areas, use	1
39. Thermometers provided and accurate	1
40. Wiping cloths: properly used and stored	1
PHYSICAL FACILITIES	
41. Plumbing: properly installed, good repair	1
42. Refuse properly disposed; facilities maintained	1
43. Toilet facilities: properly constructed, supplied, cleaned	1
44. Premises; personal item storage and cleaning item storage	0

PERMANENT FOOD FACILITIES	OUT
45. Floors, walls, ceilings: good repair / fully enclosed	1
46. Floors, walls, and ceilings: clean	1
47. No unapproved private homes / living or sleeping quarters	1
SIGNS / REQUIREMENTS	
48. Last inspection report available	
49. Food Handler certifications available, current, and complete	1
50. Grade card and signs posted, visible	
COMPLIANCE AND ENFORCEMENT	
51. Plans approved / submitted	
52. Permit available / current	
53. Permit suspended / revoked	0
54. Voluntary condemnation	O
55. Impound	

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6. ADEQUATE HANDWASHING FACILITIES SUPPLIED & ACCESSIBLE

POINTS

Inspector Comments: NOTE: Soap and paper towels (or drying device) shall be provided in approved dispensers. Observed both hand sinks in the kitchen area to have only pump soap dispensers. Provide approved wall mounted dispensers at hand sinks. Pump soaps can be used in the mean time, but cannot be a permanent solution.

Violation Description: Adequate facilities exclusively for handwashing shall be provided in food preparation areas and within toilet rooms. Handwashing soap, and towels or drying device, shall be provided in dispensers. Handwashing facilities shall be clean, unobstructed, and accessible at all times for employee use. (113953, 113953.1, 113953.2, 114067(f), 114143 (e))

7. PROPER HOT & COLD HOLDING TEMPERATURES

POINTS

Inspector Comments: This is a MAJOR violation. Potentially hazardous foods shall be held at or below 41F or at or above 135F.

- Observed a container of shrimp and pork sitting on the preparation table adjacent to the preparation sink with measured temperatures of 71.4F and 69.8F respectively.
- Observed a container of boba inside the front reach in sliding door cooler with measured temperature of 77.1F. Person in charge stated that item was cooked this morning upon opening about 10AM.
- Observed a container of cooked noodles that were cooked at approximately 10AM this morning with a measured temperature of 82.2F inside the back standing reach in cooler. Food should be rapidly cooled to within 70F within 2 hours and 41F or below within an additional 4 hours

All items were voluntarily discarded at time of inspection. Maintain all potentially hazardous foods at or below 41F or at or above 135F at all times.

Violation Description: Potentially hazardous food shall be held at or below 41°F / 45°F or at or above 135°F. Potentially hazardous food removed from proper holding temperature during preparation must be returned to proper temperature within 2 hours. Potentially hazardous food shall be received at proper temperature without evidence of temperature abuse. (113996, 113998, 114037)

14. FOOD CONTACT SURFACES; CLEAN AND SANITIZED

⚠ CRITICAL ⚠

POINTS

 $\textbf{Inspector Comments:} \ \textbf{This is a MAJOR violation}.$

- Observed a peeler, knife and a blender on the back dry storage utensil storage shelves encrusted with food debris stored as clean. Properly clean and sanitize utensils to remove all encrusted debris. Person in charge immediately removed items and placed them at the ware washing sink.
- Observed dead cockroach carcasses on shelving in back dry storage room with clean utensils and a live cockroach that was observed to be mingled with clean serving utensils at the front counter area. Ensure that all utensils are removed and properly cleaned/sanitized. Remove evidence of any dead vermin on shelving and properly clean/sanitize shelves prior to placing items back on them.

Violation Description: All food contact surfaces of utensils and equipment shall be properly cleaned and sanitized. Food contact surfaces shall be clean to the sight and touch, no accumulation of dust, dirt, food residue, and other debris. (114097, 114099.1, 114099.2, 114099.4, 114099.6, 114099.7, 114101(b-d), 114105, 114109, 114111, 114113, 114115, 114117, 114118, 114123, 114125(b), 114130.2, 114130.5, 114141)

23. NO RODENTS, INSECTS, BIRDS, OR ANIMALS

⚠ CRITICAL
⚠

POINTS

4

Inspector Comments: This is a MAJOR violation. Observed dead cockroaches in the grout lines at front register area, lower shelving of back preparation table near back delivery door, on wall next to reach in cooler in back area, below shelving in dry storage area, on shelving units with clean utensils, behind the ice maker as well as other reach in units and on floor inside side storage area behind extended dining room seating. Observed live adult cockroaches below chest freezer in dry storage room as well as behind sliding door cooler in front wait area, nymphs observed on wall behind rice cooker and 3 door reach in cooler as well as juveniles under the caulking to the preparation table with the slicer on top. Observed flies inside the facility landing on preparation tables and other food contact surfaces. Contact pest control service to eliminate vermin in approved manner. Eliminate all cracks, crevices and holes that can serve as harborage locations. Contact pest control company to conduct another service. Pest control services shall include an exclusion survey to eliminate vermin entry and harborage. Instructed manager to thoroughly clean and sanitize all food contact surfaces and any utensils or equipment exposed to contamination in the kitchen. Ensure all floors/walls are cleaned and sanitized as well as all roach evidence removed. Provide pest control invoice to inspector at time of re-inspection.

Violation Description: Each food facility shall be kept free of vermin. Only approved animals, such as service animals or decorative fish in aquariums, are permitted inside a food facility. (114259.1, 114259.4, 114259.5)

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24. VERMIN PROOFING, AIR CURTAINS, SELF-CLOSING DOORS



Inspector Comments:



- Air curtains shall operate in conjunction with the micro switch to turn on when the door is open and turn off when the door closes. Observed the back delivery door air curtain turned off upon arrival to inspection and screen door in place. Employee closed delivery door and flipped switch at breaker so that air curtain functions as designed. If screen door is to remain in place, micro switch must be relocated to screen door so that way air curtain turns on and off as intended.
- Facility shall only use approved pest control measures. Discontinue use of unapproved Raid inside the facility. Ensure that only approved pest control measures are used at all times.

Violation Description: Each food facility shall be constructed, equipped, maintained, and operated to prevent the entrance and harborage of animals, including birds and vermin. (114259, 114259.2, 114259.3)

28. FOOD SEPARATED AND PROTECTED FROM CONTAMINATION

POINTS

Inspector Comments:

- Observed tongs stored over the bar to the make shift table in front of the large pot burners. Discontinue this practice. Provide empty, sanitized container to store tongs between use as to be protected from contamination.
- Observed cutting boards stored behind the faucet to the 3-compartment sink and preparation sink. Discontinue this practice. Store cutting boards in designated clean utensil storage area or provide empty, sanitized container to store cutting boards as to be protected from contamination.
- Observed the lid to the ice maker left open and ice scoop inside unit where ice could cover it. Maintain ice bin lid closed when not in use and provide empty, sanitized container to store ice scoop when not in use as to be protected from contamination.
- Observed containers of seasonings at the cook line left uncovered. Provide covers to inserts of food when not in use as to be protected from contamination.

Violation Description: All food shall be separated and protected from contamination. (113984, 113986, 114060, 114067(a, d, e), 114069(a, d), 114073, 114077, 114089.1(c), 114143(c))

34. UTENSILS AND EQUIPMENT APPROVED, GOOD REPAIR

POINTS

Inspector Comments: All utensils and equipment shall be approved, properly installed, and in good repair.

- Observed 1 of the light bulbs under the exhaust hood burnt out. Replace burnt out bulb to facilitate cleaning and inspection.
- Observed the door gasket to the right reach in door to cold prep table at cook line area torn. Replace torn gasket so that unit properly seals and maintains temperature.
- Observed an old unused cold top table sitting in front of extended dining room seating area. Remove unused equipment from the facility as to not be another harborage location for vermin.
- Observed the piping below the hand sink next to the 3-compartment sink leaking. Repair or replace piping in approved manner to eliminate leak.

Violation Description: All utensils and equipment shall be approved and in good repair. (114130, 114130.1-114130.6, 114132, 114133, 114137, 114175, 114177, 114257)

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36. EQUIPMENT / UTENSILS PROPERLY INSTALLED, CLEAN; ADEQUATE CAPACITY

POINTS

Inspector Comments: All equipment and utensils shall be kept clean and free of an accumulation of dust, dirt, food residue, and other debris. Clean and maintain the following:

- Floors below the cook line
- Inside cabinet and sides of fryer
- Under the wok area
- Crevices under preparation tables
- Wire rack shelving units throughout
- Gaskets to chest freezers in secondary storage room
- Behind handles to reach in units
- Interior shelving of reach in units
- Door gaskets to reach ins throughout facility
- Floors under equipment/shelving
- Floor sinks and drains to remove debris
- Shelving below the front counter area
- Dish sprayer nozzle at 3-compartment sink

Violation Description: All utensils and equipment shall be clean and installed in an approved manner. Equipment type and quantity shall be adequate for the operation.(114115, 114130.3, 114139, 114153, 114163, 114165, 114167, 114169, 114175, 114180, 114182, 114257)

40. WIPING CLOTHS: PROPERLY USED AND STORED

POINTS

1

Inspector Comments: Wiping cloths used to wipe food-contact surfaces shall be used only once unless stored in an approved sanitizer solution.

- Observed a wiping cloth sitting on the back preparation table. Maintain wiping cloths in clean water with sanitizer (CI 100ppm) and change out at least every 4 hours or discard after each single use.
- Observed an employee wringing out wiping cloths inside the basin of the hand sink in front counter area. Discontinue this practice. Hand washing sink shall only be used for hand washing purposes. Wiping cloths may be wrung over the sanitizer solution prior to wiping down surfaces.

Violation Description: Wiping cloths used to clean food spills shall be used only once, unless stored in an approved concentration of sanitizer solution and laundered daily. (114135, 114185.1, 114185.3(d-e))

44. PREMISES; PERSONAL ITEM STORAGE AND CLEANING ITEM STORAGE

POINTS

Inspector Comments: Cleaning supplies, personal items, and other non-food items shall be properly stored.



- Observed a personal drink stored on table with rice cooker. Properly store personal drinks in designated area away from equipment and utensils for facility, preferably near a hand sink so that hand washing can be conducted afterward.
- Observed the mop stored in the wringer while the mop bucket was filled with dirty, stagnant water. Promptly empty the mop bucket when
- Observed the area in front of the west bathroom where tools and such are stored cluttered. Remove any unused items and rearrange so that cleaning/inspection can accomplished.

Violation Description: Lockers or another approved area for personal belongings shall be provided. The premises of each food facility shall be kept clean and free of litter and items that are unnecessary to the operation or maintenance of the facility. At least one janitorial sink with hot and cold running water shall be provided. Cleaning supplies and equipment shall be stored separate from food and food-related areas. Mops shall be stored in such a way that allows air-drying. (114123, 114256, 114256.1, 114256.2, 114256.4, 114279, 114281, 114282)

49. FOOD HANDLER CERTIFICATIONS AVAILABLE, CURRENT, COMPLETE

POINTS



Inspector Comments: NOTE: All employees who handle food, utensils, or food equipment shall have a valid Riverside County Food Handler Certificate within one week of commencing work. Observed 1 expired food handler at time of inspection. Ensure that all employees obtain a valid Riverside County food handler card. Visit www.rivcoeh.org for more information.

Violation Description: County of Riverside Environmental Health Food Handler Certification(s) are available and current for all employees who prepare, store, or serve exposed food. (Riverside County Ordinance 567)

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54. VOLUNTARY CONDEMNATION

POINTS

Inspector Comments: See violation #7 for details



Violation Description: I, as the person in charge, hereby voluntarily agree to the condemnation and destruction of the food(s) listed in this report, said food(s) being alleged unfit for human consumption and in violation of California Health and Safety Code, Section 113980. I hereby release the County of Riverside, Department of Environmental Health and authorized agents from any and all responsibility.

Overall Inspection Comments

This routine inspection initiated due to complaints (CO0079946, CO0079748) received by this Department.

At this time, this facility has failed to meet the minimum standards of the California Health and Safety Code (B= 81). Facility also observed with cockroaches and has been closed. "A" card removed. "B" card posted. Facility closed sign placed in front window. Facility must remain closed until approval given by a member of this department. Do not remove "B" card or closed sign. Removal of these items will result in citation and/or further legal action. This is the 2nd downgrade in a 24 month period for the facility. An administrative hearing will be held at 08:00AM on Tuesday, July 20th, 2021 at the Department of Environmental Health located at 30135 Technology Dr. Suite 250, Murrieta, CA 92563. Administrative hearing must be held and all violations listed on this report must be corrected in order to be re-scored and opened. Contact Philip Sinclair for any questions at (951) 461-0284.

Did you know that effective January 1, 2018, the California Health and Safety Code was amended to make it easier for food facilities to donate food? Please consider donating your excess food product to a local food bank, pantry, or soup kitchen. As a good faith food donor, you are protected from civil and criminal liability if the food product later causes harm to its recipient, unless the injury is a direct result of gross negligence or intentional misconduct in the preparation or handling of the donated food. See Section 171425 of the Civil Code and Sections 114432 to 114434 inclusive of the Health and Safety Code. For more information visit our website at www.rivcoeh.org.

Signature	
Signature not captured due to COVID 19 pandemic.	Dely und
Discussed with Long Lam	Philip Sinclair
Person in Charge	Environmental Health Specialist
07/13/2021	07/13/2021

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REASONS FOR IMMEDIATE CLOSURE OF A FOOD FACILITY

Per California Health and Safety Code Section 114409 (a):

"If any imminent health hazard is found, unless the hazard is immediately corrected, an enforcement officer may temporarily suspend the permit and order the food facility immediately closed."

A food facility may be closed for any of the following reasons:

- · Overflowing sewage (inside or outside the facility)
- · No potable water
- · No hot water
- · No electricity
- · Rodent or insect infestation
- Any other conditions at the facility that may create an imminent public health risk

In addition to the reasons above, Per California Heath and Safety Code Section 114411:

"The enforcement agency may, after providing opportunity for a hearing, modify, suspend, or revoke a permit for serious or repeated violations of any requirement of this part or for interference in the performance of the duty of the enforcement officer."



Store cooked and ready-to-eat food above raw food to avoid cross-contamination.

Keep all food covered to prevent contamination

MANUAL SANITIZING OF EQUIPMENT AND UTENSILS USING A THREE COMPARTMENT SINK

- 1. SCRAPE, clean, or soak items as necessary before washing.
- 2. WASH items in detergent and hot water of at least 100°F in the first sink.
- 3. RINSE items in clear water in the second sink
- 4. SANITIZE by submerging each item in a sanitizing solution in the third sink. Use one of the following sanitizing methods:
 - \bullet 100ppm of a chlorine based sanitizer for a minimum of 30 seconds in the solution
 - 200ppm of a quaternary ammonium based sanitizer for a minimum of 60 seconds in the solution
 - 25ppm of an iodine based sanitizer for a minimum of 60 seconds in the solution
 - Water at a temperature of 171°F for a minimum of 30 seconds in solution

5. AIR DRY all items on the drain board.



PROPER COOLING OF FOOD IN YOUR FACILITY

Potentially hazardous foods should always be rapodly cooled.

TIME IS THE KEY FACTOR IN PROPER COOLING

- Foods must cool from 135°F to 70°F in 2 hours or less
- Foods must cool from 70°F to 41°F in 4 hours or less

Use one of the following methods to cool food properly:

- Break large foods down into smaller portions and place in shallow pans no more than 4 inches deep. Metal pans cool better than glass or plastic pans.
- Add ice as an ingredient to replace water used in the recipe.
- Place foods within an ice bath and frequently stir the foods to speed the cooling process.
- · Loosely cover foods so that heat and steam can escape during cooling.
- Arrange containers within a refrigeration unit so that air can flow properly around containers.
- Use special equipment like chill paddles or blast chillers to rapidly bring down food temperature.

Use an accurate thermometer to verify the food is being cooled within proper timeframes

PROPER FOOD THAWING METHODS

- Under refrigeration
- In a microwave oven on "defrost"
 - Submerged under cold running water in an approved preparation sink for no longer than 2 hours
 - As part of the cooking process



INTERNAL COOKING TEMPERATURES

Use a probe thermometer to take internal cooking temperatures



Food temperature cannot be felt - use your probe thermometer!



FOR QUESTIONS OR COMMENTS CONTACT YOUR LOCAL AREA OFFICE

BLYTHE 260 N Broadw

260 N Broadway Blythe, CA 92225 Phone 760-921-5090 Fax 760-921-5085 CORONA 2275 S Main St #204 Corona, CA 92882 Phone 951-273-9140 Fax 951-520-8319 HEMET 800 S Sanderson Ave #200 Hemet, CA 92545 Phone 951-766-2824 Fax 951-766-7874 INDIO 47-950 Arabia St #A Indio, CA 92201 Phone 760-863-8287 Fax 760-863-8303 MURRIETA 30135 Technology Dr #250 Murrieta, CA 92563 Phone 951-461-0284 Fax 951-461-0245 PALM SPRINGS 554 S Paseo Dorotea Palm Springs, CA 92264 Phone 760-320-1048 Fax 760-320-1470 RIVERSIDE 4065 County Circle Dr #104 Riverside, CA 92503 Phone 951-358-5172 Fax 951-358-5017

DES-31 (REV 10/18)