

Margaritas (Tio Juan's) Mexican  
Restaurant  
725 Cochituate Rd.  
Framingham, MA 01701

<u>Inspection Number</u>	<u>Date</u>	<u>Time In/Out</u>	<u>Inspection Type</u>	<u>Client Type</u>	<u>Inspector</u>
C6CF8	2/6/24	4:39 PM 12:17 PM	Routine	Restaurant	B.Oram
<u>Permit Number</u>	<u>Risk</u>	<u>Variance</u>	<u>Violation Summary:</u>		<u>Priority</u> <u>Pf</u> <u>Core</u> <u>Repeat</u>
BOH150470	3				8 7 21

**Foodborne Illness Risk Factors and Public Health Interventions**


IN = in compliance OUT= out of compliance N/O = not observed N/A = not applicable COS = corrected on-site during inspection Repeat Violations Highlighted in Yellow

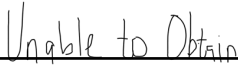
Supervision		IN	OUT	NA	NO	COS	Protection from Contamination (Cont'd)					IN	OUT	NA	NO	COS					
1. PIC present, demonstrates knowledge, and performs duties	1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	15. Food separated and protected	1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
2. Certified Food Protection Manager		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16. Food-contact surfaces; cleaned & sanitized	3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Employee Health		IN	OUT	NA	NO	COS	17. Proper disposition of returned, previously served, reconditioned & unsafe foods										<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Management, food employee and conditional employee knowledge, responsibilities and reporting		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Time/Temperature Control for Safety										IN	OUT	NA	NO	COS
4. Proper use of restriction and exclusion		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18. Proper cooking time & temperatures		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
5. Procedures for responding to vomiting and diarrheal events		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	19. Proper reheating procedures for hot holding		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Good Hygienic Practices		IN	OUT	NA	NO	COS	20. Proper cooling time and temperature	2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
6. Proper eating, tasting, drinking, or tobacco use		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	21. Proper hot holding temperatures	1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
7. No discharge from eyes, nose, and mouth		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	22. Proper cold holding temperatures	1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Preventing Contamination by Hands		IN	OUT	NA	NO	COS	23. Proper date marking and disposition		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
8. Hands clean & properly washed	1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	24. Time as a Public Health Control; procedures & records		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
9. No bare hand contact with RTE food or a pre-approved alternative procedure properly allowed		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Consumer Advisory										IN	OUT	NA	NO	COS
10. Adequate handwashing sinks supplied and accessible	4	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	25. Consumer advisory provided for raw/undercooked food		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Approved Source		IN	OUT	NA	NO	COS	Highly Susceptible Populations										IN	OUT	NA	NO	COS
11. Food obtained from approved source		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	26. Pasteurized foods used; prohibited foods not offered		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
12. Food received at proper temperature		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Food/Color Additives and Toxic Substances										IN	OUT	NA	NO	COS
13. Food in good condition, safe & unadulterated		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	27. Food additives: approved & properly used		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
14. Required records available: shellstock tags, parasite destruction,		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	28. Toxic substances properly identified, stored & used	2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Repeat Violations Highlighted in Yellow																					
Approved Source		IN	OUT	NA	NO	COS	Conformance with Approved Procedures										IN	OUT	NA	NO	COS
11. Food obtained from approved source		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	29. Compliance with variance/specialized process/HACCP		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					

**Good Retail Practices**

Safe Food and Water		IN	OUT	NA	NO	COS	Proper Use of Utensils					IN	OUT	NA	NO	COS					
30. Pasteurized eggs used where required		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	43. In-use utensils: properly stored	4	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						
31. Water & ice from approved source		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	44. Utensils, equip. & linens: property stored, dried & handled		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						
32. Variance obtained for specialized processing methods		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	45. Single-use/single-service articles: properly stored & used		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						
Food Temperature Control		IN	OUT	NA	NO	COS	46. Gloves used properly		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						
33. Proper cooling methods used; adequate equip. for temp. control		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Utensils, Equipment and Vending										IN	OUT	NA	NO	COS
34. Plant food properly cooked for hot holding		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	47. All contact surfaces cleanable, properly designed, constructed, & used		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						
35. Approved thawing methods used	1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	48. Warewashing facilities: installed, maintained & used; test strips	1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						
36. Thermometers provided & accurate		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	49. Non-food contact surfaces clean	1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						
Food Identification		IN	OUT	NA	NO	COS	Physical Facilities										IN	OUT	NA	NO	COS
37. Food properly labeled; original container	1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	50. Hot & cold water available; adequate pressure		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						
Prevention of Food Contamination		IN	OUT	NA	NO	COS	51. Plumbing installed; proper backflow devices	1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						
38. Insects, rodents & animals not present	1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	52. Sewage & waste water properly disposed		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						
39. Contamination prevented in prep, storage & display	3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	53. Toilet facilities: properly constructed, supplied, & cleaned		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						
40. Personal cleanliness		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	54. Garbage & refuse properly disposed; facilities maintained		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						
41. Wiping cloths; properly used & stored		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	55. Physical facilities installed, maintained & clean	2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						
42. Washing fruits & vegetables		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	56. Adequate ventilation & lighting; designated areas use	2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						
							60. 105 CMR 590 violations / local regulations	3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						

Official Order for Correction: Based on an inspection today, the items marked "OUT" indicated violations of 105 CMR 590.000 and applicable sections of the 2013 FDA Food Code. This report, when signed below by a Board of Health member or its agent constitutes an order of the Board of Health. Failure to correct violations cited in this report may result in suspension or revocation of the food establishment permit and cessation of food establishment operations. If you are subject to a notice of suspension, revocation, or non-renewal pursuant to 105 CMR 590.000 you may request a hearing before the board of health in accordance with 105 CMR 590.015(B).

  
B. Oram

  
Julia McCarthy - Expires  
Certificate #:

Follow Up Required:  Y Follow Up Date: \_\_\_\_\_

# FOOD SAFETY INSPECTION REPORT

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Margaritas (Tio Juan's) Mexican  
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C6CF8

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12:17 PM

Inspector  
B.Oram

## Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

### Supervision

#### PIC Present / Knowledgeable / Duties

- 1 **2-101.11 (C) Assignment of Responsibility - Establishment -**
- C** Observed no food protection manager or allergy awareness training certificate posted. *Code: Documentation that at least one person in charge has demonstrated knowledge of food safety as specified in FC 2-101.11(A) shall be prominently posted in the establishment next to the food establishment permit. Such documentation shall be removed when the individual(s) is no longer employed on-site by the establishment.*

### Preventing Contamination by Hands

#### Hands clean and properly washed

- 8 **2-301.14 When to Wash - Establishment -**
- Pr** Did not observe employees washing their hands when switching between tasks and changing gloves. *Code: Food Employees shall clean their hands and exposed portions of their arms immediately before engaging in food preparation including working with exposed food, clean equipment and utensils, and unwrapped single-service and single-use articles and: (A) After touching bare human body parts other than clean hands and clean, exposed portions of arms; (B) After using the toilet room; (C) After caring for or handling service ANIMALS or aquatic animals as specified in section 2-403.11(B); (D) Except as specified in section 2-401.11(B), after coughing, sneezing, using a handkerchief or disposable tissue, using tobacco, eating, or drinking; (E) After handling soiled equipment or utensils; (F) During food preparation, as often as necessary to remove soil and contamination and to prevent cross contamination when changing tasks; (G) When switching between working with raw food and working with RTE food, (H) Before donning gloves to initiate a task that involves working with food; and (I) After engaging in other activities that contaminate the hands.*

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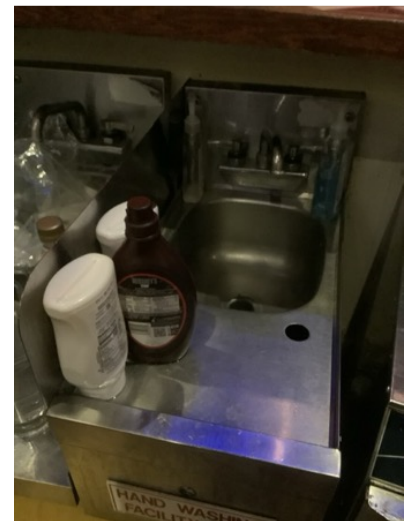
### 10 5-202.12 (A)(B) Handwashing Sink, Installation - Prep -

**Pf** Observed handwashing sink unable to provide water at a temperature of at least 100\* F. *Code: A handwashing lavatory shall be equipped to provide water at a temperature of at least 100°F through a mixing valve or combination faucet. A steam mixing valve may not be used at a handwashing sink.*



### 10 5-205.11 Using a Handwashing Sink - Bar -

**Pf** Observed food items stored around hand washing sink. *Code: A handwashing facility shall be maintained so that it is accessible at all times for employee use and may not be used for purposes other than handwashing. An automatic handwashing facility shall be used in accordance with manufacturer's instructions.*



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## Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

### 10 5-205.11 Using a Handwashing Sink - Dish Washing -

**Pf** Observed hand sink blocked in the dish washing area. Code: A handwashing facility shall be maintained so that it is accessible at all times for employee use and may not be used for purposes other than handwashing. An automatic handwashing facility shall be used in accordance with manufacturer's instructions.



### 10 6-301.20 Disposable Towels, Waste Receptacle - Prep -

**C** Observed handwashing sink on right side of prep line with no trash bin. Code: A handwashing sink or group of adjacent handwashing sinks that is provided with disposable towels shall be provided with a waste receptacle.

## Protection From Contamination

### Food Separated and protected

### 15 3-302.11 (A)(2) Raw Animal Foods Separated from each other - Establishment -

**Pr** Observed incorrect storage of raw animal foods in walk-in freezer. Raw fish stored on top shelf above RTE food items. Code: Foods shall be protected from cross contamination by: Except when combined as ingredients, separating types of raw animal foods from each other such as beef, fish, lamb, pork and poultry during storage, preparation, holding, and display by: (a) Using separate equipment for each type, or (b) Arranging each type of food in equipment so that cross contamination of one type with another is prevented and (c) preparing each type of food at different times or in separate areas.



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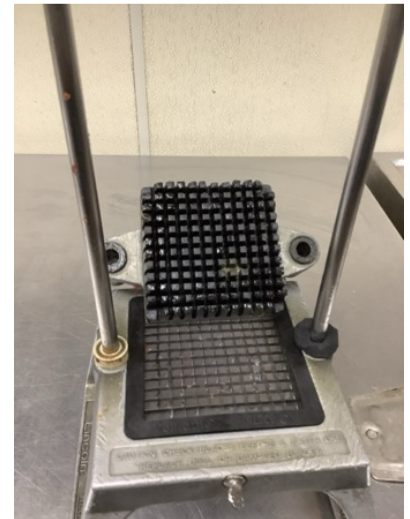
### 16 4-601.11 (A) Equip, Food-Contact Surfaces - Prep -

**Pf** Observed utensils hung for drying with food debris. *Code: Equipment food-contact surfaces and utensils shall be clean to sight and touch.*



### 16 4-601.11 (A) Equip, Food-Contact Surfaces - Prep -

**Pf** Observed dicer with food debris. *Code: Equipment food-contact surfaces and utensils shall be clean to sight and touch.*





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## Inspection Report (Continued)

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### 16 **4-703.11 (C) Methods-Hot Water and Chemical - Establishment -**

**Pr** Inspector asked the PIC to demonstrate proper use of the 3-bay sink. PIC stated that the contact time is 4 minutes. The actual contact time listed on the sanitizer manufacturer label is 1 minute. *Code: After being cleaned, equipment food-contact surfaces and utensils shall be sanitized in: (C) Chemical manual or mechanical operations, including the application of SANITIZING chemicals by immersion, manual swabbing, brushing, or pressure spraying methods, using a solution as specified under § 4501.114. Contact times shall be consistent with those on EPA registered label use instructions by providing: (1) Except as specified under Subparagraph (C)(2) of this section, a contact time of at least 10 seconds for a chlorine solution specified under paragraph 4-501.114(A), (2) A contact time of at least 7 seconds for a chlorine solution of 50 MG/L that has a pH of 10 or less and a temperature of at least 38°C (100°F) or a pH of 8 or less and a temperature of at least 24°C (75°F), (3) A contact time of at least 30 seconds for other chemical sanitizing solutions, or (4) A contact time used in relationship with a combination of temperature, concentration, and pH that, when evaluated for efficacy, yields sanitization as defined in paragraph 1--201.10(B).*

## Time / Temperature Control for Safety

### Cooling

### 20 **3-501.14 (A) Cooling Cooked Foods - Prep -**

**Pr** Observed red chile sauce at 89°F. PIC stated that food item was cooling and was prepared more than 2 hours before temperature was observed. COS. PIC disposed of the food items. *Code: Cooked TCS foods shall be cooled within 2 hours from 135°F to 70°F and within a total of 6 hours from 135°F to 41°F or less.*



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## Inspection Report (Continued)

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### 20 **3-501.14 (A) Cooling Cooked Foods - Establishment -**

**Pr** Observed cooked food item at 83\* F. PIC stated that the item had been prepared more than 2 hours before temperature was observed. COS. PIC voluntarily disposed of food item. Code: *Cooked TCS foods shall be cooled within 2 hours from 135°F to 70°F and within a total of 6 hours from 135°F to 41°F or less.*



### 21 **3-501.16 (A)(1) Proper Hot Holding Temps. - Establishment -**

**Pr** Observed rice in hot box on cook line at 123\* F. Hot holding food items should be held at a minimum of 135\* F. Code: *Except during preparation, cooking, or cooling, or when time is used as the public health control as specified under section 3-501.19, and except as specified under paragraph (B) and in paragraph (C) of this section, TCS food shall be maintained: at 135°F or above, except that roasts cooked to a temperature and for a time specified in paragraph 3-401.11(B) or reheated as specified in paragraph 3-403.11(E) may be held at a temperature of 130°F or above.*

### 22 **3-501.16 (A)(2) (B) Proper Cold Holding Temps. - Establishment -**

**Pr** Observed multiple cold holding temperatures out of range on the cook line. All temperatures in the right flip top were observed above 41\* F. The food items in the right flip top were discarded. Code: *Except during preparation, cooking, or cooling, or when time is used as the public health control as specified under section 3-501.19, and except as specified under paragraph (B) and in paragraph (C) of this section, TCS food shall be maintained at 41°F or less. Eggs that have not been treated to destroy all viable Salmonellae shall be stored in refrigerated equipment that maintains an ambient air temperature of 45°F or less.*

## Food/Color Additives and Toxic Substances

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### Toxic substances properly identified, stored & used

#### 28 7-102.11 Common Name (Poisonous or Toxic Materials) - Prep -

**Pf** Observed chemical spray bottles that were not labeled with common name. *Code: Working containers used for storing poisonous or toxic materials such as cleaners and sanitizers taken from bulk supplies shall be clearly and individually identified with the common name of the material.*



#### 28 7-201.11 Storage Separation - Prep -

**Pr** Observed chemical spray bottle stored next to food items. *Code: Poisonous or toxic materials shall be stored so they cannot contaminate food, equipment, utensils, linens, and single-service and single use articles by: (A) Separating the poisonous or toxic materials by spacing or partitioning; and (B) Locating the poisonous or toxic materials in an area that is not above food, equipment, utensils, linens, and single-service or single-use articles.*



## Food Temperature Control



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### Approved thawing methods used

#### 35 3-501.13 (E) Thawing - Establishment -

- C** Observed fish in ROP packaging thawing without being removed from packaging first. The label stated it must be removed from packaging before being thawed. *Code: ROP fish that bears a label indicating that it is to be kept frozen until time of use shall be removed from the reduced oxygen environments prior to its thawing under refrigeration as specified in paragraph (A) of this section; or (2) Prior to, or Immediately upon completion of, its thawing using procedures specified in paragraph (B) of this section.*



## Food Identification

### Food properly labeled; original container

#### 37 3-302.12 Food Storage Containers Identified/Common Name - Cook Line -

- C** Observed food items moved from their original containers stored without a label identifying their common name. *Code: Except for containers holding food that can be readily and unmistakably recognized such as dry pasta, working containers holding food or food ingredients that are removed from their original packages for use in the food establishment, such as cooking oils, flour, herbs, potato flakes, salt, spices, and sugar shall be identified with the common name of the food.*



## Prevention of Food Contamination

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### Insect, rodents & animals not present

38

#### 6-501.111 (A)(B)(D) Controlling Pests - Establishment -

- C** Observed evidence of pest activity in linen closet. *Code: The premises shall be maintained free of insects, rodents, and other pests. The presence of insects, rodents, and other pests shall be controlled to eliminate their presence on the premises by: routinely inspecting incoming shipments of food and supplies; routinely inspecting the premises for evidence of pests; and eliminating harborage conditions.*



39

#### 3-305.11 Food Storage - Establishment -

- C** Observed food products stored less than 6 inches off the floor in the walk-in freezer. *Code: Food shall be protected from contamination by storing food: in a clean dry location; where it is not exposed to splash, dust, or other contamination; and at least 6 inches off the floor.*



# FOOD SAFETY INSPECTION REPORT

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Restaurant  
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Framingham, MA 01704

Inspection Number  
C6CF8

Date  
2/6/24

Time In/Out  
4:39 PM  
12:17 PM

Inspector  
B.Oram

## Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

### 39 3-305.11 Food Storage - Prep -

- C Observed food item being stored less than 6 inches off the floor. Code: Food shall be protected from contamination by storing food: in a clean dry location; where it is not exposed to splash, dust, or other contamination; and at least 6 inches off the floor.



### 39 3-305.11 Food Storage - Bar -

- C Observed container holding chips stored less than 6 inches off the floor. Code: Food shall be protected from contamination by storing food: in a clean dry location; where it is not exposed to splash, dust, or other contamination; and at least 6 inches off the floor.



## Proper Use of Utensils

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## Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

### In-use utensils; properly stored

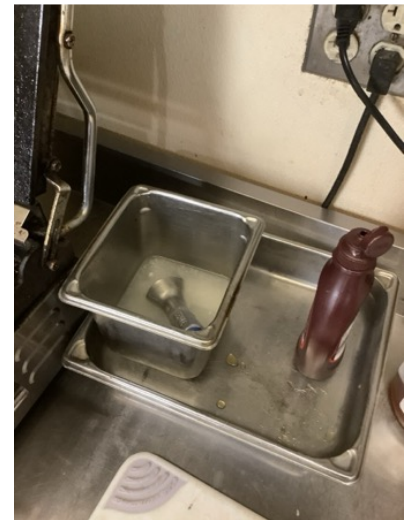
**43      3-304.12 In-Use Utensils/Between-Use Storage - Cook Line -**

**C** Observed cup with no handle nesting in food item. *Code: During pauses in food preparation or dispensing, food preparation and dispensing utensils shall be stored: in the food with their handles above the top of the food and the container; in food that is not TCS food with their handles above the top of the food within containers or equipment that can be closed, such as bins of sugar, flour, or cinnamon; on a clean portion of the food preparation table or cooking equipment only if the in-use utensil and the food-contact surface of the food preparation table or cooking equipment are cleaned and sanitized every 4 hours; in running water of sufficient velocity to flush particulates to the drain, if used with moist food such as ice cream or mashed potatoes, in a clean, protected location if the utensils, such as ice scoops, are used only with a food that is not TCS food; or in a container of water if the water is maintained at a temperature of at least 135°F and the container is cleaned at at least every 24 hours.*



**43      3-304.12 In-Use Utensils/Between-Use Storage - Establishment -**

**C** Observed in-use utensils being stored in still water at a temperature less than 135\* F. *Code: During pauses in food preparation or dispensing, food preparation and dispensing utensils shall be stored: in the food with their handles above the top of the food and the container; in food that is not TCS food with their handles above the top of the food within containers or equipment that can be closed, such as bins of sugar, flour, or cinnamon; on a clean portion of the food preparation table or cooking equipment only if the in-use utensil and the food-contact surface of the food preparation table or cooking equipment are cleaned and sanitized every 4 hours; in running water of sufficient velocity to flush particulates to the drain, if used with moist food such as ice cream or mashed potatoes, in a clean, protected location if the utensils, such as ice scoops, are used only with a food that is not TCS food; or in a container of water if the water is maintained at a temperature of at least 135°F and the container is cleaned at at least every 24 hours.*





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## Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

### 43 3-304.12 In-Use Utensils/Between-Use Storage - Prep -

- C** Observed utensil without handle nesting in food item. Code: *During pauses in food preparation or dispensing, food preparation and dispensing utensils shall be stored: in the food with their handles above the top of the food and the container; in food that is not TCS food with their handles above the top of the food within containers or equipment that can be closed, such as bins of sugar, flour, or cinnamon; on a clean portion of the food preparation table or cooking equipment only if the in-use utensil and the food-contact surface of the food preparation table or cooking equipment are cleaned and sanitized every 4 hours; in running water of sufficient velocity to flush particulates to the drain, if used with moist food such as ice cream or mashed potatoes, in a clean, protected location if the utensils, such as ice scoops, are used only with a food that is not TCS food; or in a container of water if the water is maintained at a temperature of at least 135°F and the container is cleaned at at least every 24 hours.*



### 43 3-304.12 In-Use Utensils/Between-Use Storage - Bar -

- C** Observed utensil with no handle nesting in food item (ice). Code: *During pauses in food preparation or dispensing, food preparation and dispensing utensils shall be stored: in the food with their handles above the top of the food and the container; in food that is not TCS food with their handles above the top of the food within containers or equipment that can be closed, such as bins of sugar, flour, or cinnamon; on a clean portion of the food preparation table or cooking equipment only if the in-use utensil and the food-contact surface of the food preparation table or cooking equipment are cleaned and sanitized every 4 hours; in running water of sufficient velocity to flush particulates to the drain, if used with moist food such as ice cream or mashed potatoes, in a clean, protected location if the utensils, such as ice scoops, are used only with a food that is not TCS food; or in a container of water if the water is maintained at a temperature of at least 135°F and the container is cleaned at at least every 24 hours.*



## Utensils, Equipment and Vending



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## Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

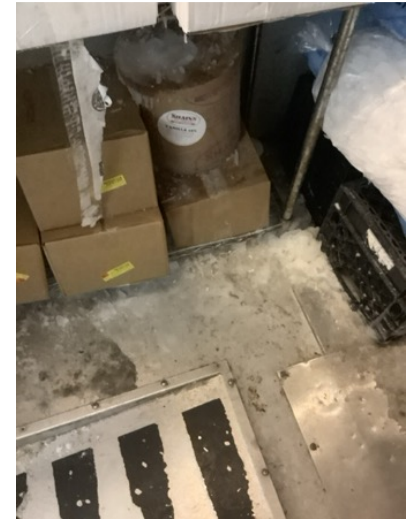
### Warewashing facilities: installed, maintained & used; test strips

#### 48 4-302.14 Sanitizing Solution Testing Devices - Establishment -

**Pf** Observed expired sanitizing solution test trips on site. *Code: A test kit or other device that accurately measures the concentration of sanitizing solutions shall be provided.*

#### 49 4-601.11 (C) Non- Food Contact Surfaces and Utensils Clean - Establishment -

**C** Observed ice build up in walk-in freezer. *Code: Nonfood contact surfaces of equipment shall be kept free of an accumulation of dust, dirt, food residue, and other debris.*



## Physical Facilities

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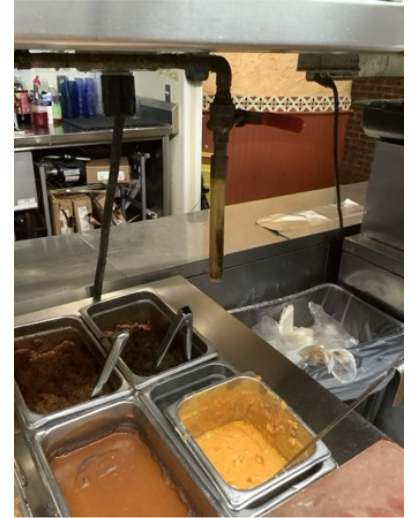
## Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

### Plumbing installed; proper backflow devices

**51**      **5-205.15 (B) System Maintained/Repair - Cook Line -**

- C** Observed plumbing fixture above cook line leaking. Leak was not directly affecting food items but located close enough for concern. *Code: A plumbing system shall be maintained in good repair.*



**55**      **6-501.11 Repairing - Cook Line -**

- C** Observed floor tiles in disrepair. *Code: The physical facilities shall be maintained in good repair.*



**55**      **6-501.12 Cleaning. Frequency/Restrictions - Establishment -**

- C** Observed spilled food on the floor in different areas of the establishment as well as food splatter on walls. *Code: The physical facilities shall be cleaned as often as necessary to keep them clean. Except for cleaning that is necessary due to a spill or other accident, cleaning shall be done during periods when the least amount of food is exposed such as after closing.*

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## Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

### 56 6-305.11 Dressing Areas/Lockers. Designation - Prep -

- C Observed employee beverage stored next to food items and contact surfaces. *Code: Dressing rooms or dressing areas shall be designated if employees routinely change their clothes in the establishment. Lockers or other suitable facilities shall be provided for the orderly storage of employee' clothing and other possessions.*



### 56 6-305.11 Dressing Areas/Lockers. Designation - Establishment -

- C Observed employee beverage stored in employee work area. *Code: Dressing rooms or dressing areas shall be designated if employees routinely change their clothes in the establishment. Lockers or other suitable facilities shall be provided for the orderly storage of employee' clothing and other possessions.*



## Additional Requirement

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## Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

### Violations Related to Good Retail Practices

- 60 MA 590.011 (C)(1) Food Allergy Awareness Requirements - Poster - Establishment -**
- C** Did not observe poster relating to major food allergens posted in employee work area. *Code: Food establishments that cook, prepare, or serve food intended for immediate consumption either on or off the premises shall prominently display in the employee work area a poster approved by the Department, no smaller than 8.5 by 11 inches, relating to major food allergens. The poster shall include the following information: (a) Major food allergens; (b) Health risks of food allergies; (c) Procedure to follow when a customer states that he or she has a food allergy; and (d) Emergency procedure to follow if a customer has an allergic reaction to a food.*

### Compliance and Enforcement

#### PERMIT TO OPERATE

- 59 8-304.11 (A) Responsibilities of the Permit Holder - Establishment -**
- C** Observed expired food permit posted. *Code: Upon acceptance of the permit issued by the RA, the permit holder in order to retain the permit shall post the permit in a location in the food establishment that is conspicuous to consumers.*

#### Conditions of Retention

- 59 8-304.11 (K) Responsibilities of the Permit Holder - Establishment -**
- C** Did not observe sign or placard posted stating that the last inspection report is available upon request. *Code: Upon acceptance of the permit issued by the RA, the permit holder in order to retain the permit shall notify customers that a copy of the most recent establishment inspection report is available upon request by posting a sign or placard in a location in the food establishment that is conspicuous to customers or by another method acceptable to the RA.*

### Notes

# FOOD SAFETY INSPECTION REPORT

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## Inspection Report (Continued)

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### Notes

**88 Notes - Prep -**

**N** Observed vent in unsecured manner upon arrival. Creates a trip hazard. COS. Please keep in secure manner. - General Notes.



**88 Notes - Cook Line -**

**N** Recommend that a hand washing sink is installed in the cook line area. - General Notes.

## Temperatures

Area	Equipment	Product	Notes	Temps
Establishment	Walk-in Cooler	Jaapeño mix		39 °F
Cook Line	Hot Box	Rice		123 °F
Establishment	Dressing Cooler	Ambient		43 °F
Establishment	Flip Top	Cheese		45 °F
Establishment	Cold Food Well	Salsa		39 °F
Establishment	Flip Top	Lime		44 °F



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Establishment	Walk-in Cooler	Red Sauce		36 °F
Establishment	Prep Line	Red Chile		89 °F
Establishment	Steam Table	Carnitas		148 °F
Establishment	Steam Table	Beans		150 °F
Establishment	Flip Top	Guacamole		41 °F
Establishment	Miscellaneous	Sour Cream		44 °F
Establishment	Grill Reach in	Corn		37 °F
Establishment	Flip Top	Pepper and onion mix		41 °F
Establishment	Miscellaneous	Cucumber Ranch		45 °F
Prep	Miscellaneous	Chicken		110 °F
Establishment	Flip Top	Pico		41 °F
Prep	Prep Line	Line Chicken		82 °F
Establishment	Reach-In Cooler	Salad mix		41 °F
Cook Line	Hot Box	Refried beans		150 °F
Establishment	Walk-in Cooler	Fajita mix		83 °F
Establishment	Walk-in Cooler	Refried beans		37 °F
Establishment	Walk-in Cooler	Chicken Chimichanga		38 °F
Establishment	Walk-in Cooler	Raw fajita steak		37 °F
Establishment	Steam Table	Rice		145 °F
Establishment	Flip Top	Shreddedcheese		42 °F
Cook Line	Right Flip Top	Salsa Fresca		63 °F
Cook Line	Grill Reach in	Tilapia		45 °F
Cook Line	Right Flip Top	Sauce		59 °F

Temperatures in **RED** identify items in the temperature danger zone. See the report notes for specific details.

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## Inspection Report (Continued)

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## Notes

Routine and Complaint-Based Inspections conducted by Inspector Brian Oram and Environmental Health Manager Michael Mendez.

Complaint related to mice activity in the establishment. POC explained that pest control company (Pest-X) comes in weekly. Additionally, other corrective actions have been pursued, including a trench being built around the outside of the establishment. PIC sent 5 of the most recent pest control reports noting services completed as well as continued pest activity.

PIC and Inspector discussed complaint and findings from routine inspection and determined that a re-inspection will be conducted in a minimum of 2 weeks.

PIC Contact: [jmccarthy@margs.com](mailto:jmccarthy@margs.com)