

FOOD ESTABLISHMENT INSPECTION REPORT R-10

Pho Dakao
101 Concord St., Unit 105
Framingham, MA 01702

<u>Inspection Number</u>	71A88	<u>Date</u>	2/5/24	<u>Time In/Out</u>	12:16 PM 12:45 PM	<u>Inspection Type</u>	Re-Inspection	<u>Client Type</u>	Restaurant	<u>Inspector</u>	B.Oram		
<u>Permit Number</u>	BOH150404	<u>Risk</u>	3	<u>Variance</u>		<u>Priority</u>	3	<u>Pf</u>	0	<u>Core</u>	6	<u>Repeat</u>	1

Violation Summary:

Foodborne Illness Risk Factors and Public Health Interventions

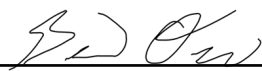
IN = in compliance OUT= out of compliance N/O = not observed N/A = not applicable COS = corrected on-site during inspection Repeat Violations Highlighted in Yellow

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

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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	43. In-use utensils: properly stored					
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					
32. Variance obtained for specialized processing methods	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	45. Single-use/single-service articles: properly stored & used					
Food Temperature Control	IN	OUT	NA	NO	COS	Utensils, Equipment and Vending	IN	OUT	NA	NO	COS
33. Proper cooling methods used; adequate equip. for temp. control	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	46. Gloves used properly					
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					
35. Approved thawing methods used	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	48. Warewashing facilities: installed, maintained & used; test strips					
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					
Food Identification	IN	OUT	NA	NO	COS	Physical Facilities	IN	OUT	NA	NO	COS
37. Food properly labeled; original container	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	50. Hot & cold water available; adequate pressure					
Prevention of Food Contamination	IN	OUT	NA	NO	COS	Physical Facilities	IN	OUT	NA	NO	COS
38. Insects, rodents & animals not present	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	51. Plumbing installed; proper backflow devices					
39. Contamination prevented in prep, storage & display	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	52. Sewage & waste water properly disposed					
40. Personal cleanliness	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	53. Toilet facilities: properly constructed, supplied, & cleaned					
41. Wiping cloths; properly used & stored	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	54. Garbage & refuse properly disposed; facilities maintained					
42. Washing fruits & vegetables	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	55. Physical facilities installed, maintained & clean					
						56. Adequate ventilation & lighting; designated areas use					
						60. 105 CMR 590 violations / local regulations					

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

Unable to Obtain

Jose Mancina - Expires
Certificate #:

Follow Up Required: Y Follow Up Date: _____

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Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

97 97 Corrected - Kitchen -

COS

---- The Original Violation Code was 7-209.11 Storage (Personal Care Items) ----- Observed phone stored next to food products and food prep surfaces. - Employees shall store their personal care items (medications, first aid supplies, cosmetics and toiletries such as toothpaste and mouthwash) in lockers or other suitable facilities away from food and equipment.



97 97 Corrected - Kitchen -

COS

---- The Original Violation Code was 7-201.11 Storage Separation ----- Observed sanitizer bucket stored to next to rice cooker and utensils used for removing rice from cooker. - 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.



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97 97 Corrected - Kitchen -

COS

---- The Original Violation Code was 3-304.12 In-Use Utensils/Between-Use Storage ----- Observed utensils for rice stored in bucket filled with room temperature water. - 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.

97 97 Corrected - Kitchen -

COS

---- The Original Violation Code was 3-304.11 Food Contact with Soiled Items ----- Observed utensils stored in dirty containers in multiple areas of establishment. - Food shall only contact surfaces of: equipment and utensils that are cleaned and sanitized; single-service and single-use articles; or linens, such as cloth napkins that are used to line a container for the service of foods AND are replaced each time the container is refilled for a new consumer.

97 97 Corrected - Basement -

COS

---- The Original Violation Code was 3-501.17 (A)(C) Date Marking RTE Foods - On Premises Prep ----- Observed no date marking on refrigerated RTE foods being stored in coolers for more than 24 hours. - Refrigerated, RTE/TCS food prepared and held refrigerated for more than 24 hours in a food establishment shall be clearly marked at the time of preparation to indicate the date by which the food shall be consumed, sold or discarded when held at a temperature of 41°F or less for a maximum of 7 days. The day of preparation shall be counted as Day 1. A refrigerated, RTE/TCS food ingredient or a portion of a refrigerated, RTE/TCS food that is subsequently combined with additional ingredients or portions of food shall retain the date marking of the earliest-prepared or first-prepared ingredient.

97 97 Corrected - Basement -

COS

---- The Original Violation Code was 4-602.11 (E)(4) Food-Contact Surfaces and Utensils ----- Observed debris and soil buildup on ice machine. - Surfaces of equipment contacting food that is not TCS food (such as ice bins and beverage dispensing nozzles and enclosed components of equipment such as ice makers, cooking oil storage tanks and distribution lines, equipment and syrup dispensing lines or tubes, coffee bean grinders, and water vending equipment) shall be cleaned at a frequency specified by the manufacturer, or absent manufacturer specifications, at a frequency necessary to preclude accumulation of soil or mold.

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Protection From Contamination

Food Separated and protected

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

Pr Observed steak stored on same shelf as cooked chicken wings in reach in low boy. Improper storage observed throughout establishment. *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.*

15 3-302.11 (A)(1) Raw Animal Foods Separated from RTE - Kitchen -

Pr Observed RTE foods being stored below and on the same shelf as raw meats throughout the cookline coolers. *Code: Food shall be protected from cross-contamination by: (1) Separating raw animal foods during storage preparation, holding and display from: (a) Raw RTE food including other raw animal food such as fish for sushi or molluscan shellfish or other raw RTE food such as fruits and vegetables, and (b) cooked RTE food.*

Time / Temperature Control for Safety

Cold Holding Temperature

22 3-501.16 (A)(2) (B) Proper Cold Holding Temps. - Kitchen -

Pr The temperature of the peanut Sauce in the Reach-In Cooler in waiter area was 52 degrees. PIC stated these container are often taken out of the fridge. *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.*

Prevention of Food Contamination

Insect, rodents & animals not present

38 6-501.111 (A)(B)(D) Controlling Pests - Basement -

C Observed evidence of cockroach and mice activity. *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.*

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39 3-305.11 Food Storage - Basement -

- C Observed 5 gallon buckets stored on the ground in 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.*

Proper Use of Utensils

In-use utensils; properly stored

43 3-304.12 In-Use Utensils/Between-Use Storage - Kitchen -

- C Observed a cup with no handle stored in a container of powder food product. *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

Nonfood contact surfaces clean

49 4-601.11 (B) Non- Food Contact Surfaces and Utensils Clean - Kitchen -

- C** Observed food debris buildup on can opener. *Code: The food contact surfaces of cooking equipment and pans shall be kept free of encrusted grease deposits and other soil accumulations.*



Physical Facilities

Physical Facilities installed, maintained & cleaned

55 6-501.12 Cleaning. Frequency/Restrictions - Kitchen -

- C** Observed splatter marks on walls, dirt in corners and on floors, etc. *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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55 6-501.12 Cleaning. Frequency/Restrictions - Bar -

- C** Observed spilled drink at the bottom of the bar cooler. *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.*

Temperatures

Area	Equipment	Product	Notes	Temps
Basement	Walk-in Cooler	Sliced Beef		41 °F
Kitchen	Flip Top	Sliced lettuce		50 °F
Kitchen	Flip Top	Sliced Pork		47 °F
Kitchen	Reach-In Cooler	Ambient		45 °F
Kitchen	Reach-In Cooler	Peanut Sauce		75 °F
Kitchen	Flip Top	Sliced tomato		51 °F
Kitchen	Flip Top	Shrimp		46 °F

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

Notes

Re-Inspection conducted 2/5/2024 at 12:16 PM and concluded around 1:00 PM.

No certified food protection manager on-site during time of re-inspection.

Recent pest control report sent after re-inspection. Report notes continued activity and treatment.

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