



RETAIL FOOD FACILITY INSPECTION REPORT

FACILITY NAME PHO AKAUSHI		FACILITY ADDRESS 10131 WESTMINSTER AVE -212, GARDEN GROVE, CA 9284	
MAILING ADDRESS 8961 EMERALD AVE WESTMINSTER, CA 92683		IDENTIFIER None	
C/O - OWNER TIMOTHY VU		RESULT CLOSED	
FACILITY ID FA0044650	RELATED ID PR0052431	SERVICE: A01 - ROUTINE INSPECTION	INSPECTION DATE 10/23/2019
PROGRAM DESCRIPTION 0132 - RESTAURANT 31-60 PERSONS - COMPLEX		FOOD MANAGER CERTIFICATE / EXPIRATION DATE None on File	REINSPECTION DATE: N/A

Based on an inspection this day, the compliance status (IN, MAJ, MIN, N/A, N/O, OUT, COS) has been identified below. Violations noted as MAJ, MIN or OUT must be corrected. Failure to correct the listed violation(s) prior to the designated compliance date may necessitate a reinspection at an additional fee. See the following page(s) for the California Health and Safety code sections and other applicable codes for the general requirements that correspond to the violation(s) noted below.

IN = In Compliance MAJ = Major MIN = Minor N/A = Not Applicable N/O = Not Observed OUT = Out of Compliance COS = Corrected on Site

CRITICAL RISK FACTORS

IN	MAJ	MIN	N/A	N/O	DESCRIPTION	COS
●					EMPLOYEE KNOWLEDGE 1. Demonstration of knowledge	
		●			2. Food manager certification; food handler cards	
					EMPLOYEE HEALTH & HYGIENIC PRACTICES	
●					3. Communicable disease; reporting, restrictions & exclusions	
●					4. No discharge from eyes, nose, and mouth	
●					5. Proper eating, tasting, drinking or tobacco use	
					PREVENTING CONTAMINATION BY HANDS	
●					6. Hands clean and properly washed; gloves used properly	
●					7. Adequate handwashing facilities supplied & accessible	
					TIME AND TEMPERATURE RELATIONSHIPS	
		●			8. Proper hot and cold holding temperatures	●
			●		9. Time as a public health control; procedures & records	
●					10. Proper cooling methods	
●					11. Proper cooking time & temperatures	
●					12. Proper reheating procedures for hot holding	

IN	MAJ	MIN	N/A	N/O	DESCRIPTION	COS
●					PROTECTION FROM CONTAMINATION 13. Returned and reserve of food	
●					14. Food in good condition, safe and unadulterated	
		●			15. Food contact surfaces: clean and sanitized	
					FOOD FROM APPROVED SOURCES	
●					16. Food obtained from approved source	
			●		17. Compliance with shell stock tags, condition, display	
			●		18. Compliance with Gulf Oyster Regulations	
					ADDITIONAL CRITICAL RISK FACTORS	
			●		19. Compliance with variance, specialized process, & HACCP Plan	
			●		20. Consumer advisory provided for raw or undercooked foods	
			●		21. Licensed health care facilities/public & private schools: prohibited foods not offered	
●					22. Hot and cold water available	
●					23. Sewage and wastewater properly disposed	
	●				24. No rodents, insects, birds, or animals	

GOOD RETAIL PRACTICES

OUT	DESCRIPTION	COS
	SUPERVISION 25. Person in charge present and performs duties	
	26. Personal cleanliness and hair restraints	
	GENERAL FOOD SAFETY REQUIREMENTS	
	27. Approved thawing methods used, frozen food	
●	28. Food separated and protected	●
	29. Washing fruits and vegetables	
	30. Toxic substances properly identified, stored, used	
	FOOD STORAGE/DISPLAY/SERVICE	
	31. Food storage; food storage containers identified	
	32. Consumer self-service	
	33. Food properly labeled & honestly presented	

OUT	DESCRIPTION	COS
●	EQUIPMENT/UTENSILS/LINENS 34. Nonfood contact surfaces clean	
	35. Warewashing facilities: installed, maintained, used; test strips	
●	36. Equipment/Utensils approved; installed; good repair, capacity	●
●	37. Equipment, utensils and linens: storage and use	
	38. Adequate ventilation and lighting; designated areas, use	
	39. Thermometers provided and accurate	
	40. Wiping cloths: properly used and stored	
	PHYSICAL FACILITIES	
	41. Plumbing: proper backflow devices	
	42. Garbage and refuse properly disposed; facilities maintained	
	43. Toilet facilities: properly constructed, supplied, cleaned	
	44. Premises: personal/cleaning items; vermin-proofing	

OUT	DESCRIPTION	COS
●	PERMANENT FOOD FACILITIES 45. Floor, walls, ceilings: built, maintained, and clean	
	46. No unapproved private homes/living or sleeping quarters	
	SIGNS/REQUIREMENTS	
	47. Signs posted; last inspection report available	
●	48. Plan Review	
	49. Health Permit	
	COMPLIANCE AND ENFORCEMENT	
●	50. Permit Suspension - Imminent Health Hazard	
	51. Notice of Violation - Hearing	
	52. Permit Suspension	
	53. Voluntary Condemnation & Destruction (VC&D)	
	54. Impoundment	
	55. Sample Collected	

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OPENING COMMENTS

The purpose of this visit is a routine inspection.

The facility's health permit was suspended due to cockroach infestation. (See FM24 & 50).

Prior to calling for a reinspection to reinstate the health permit, please ensure the following:

- Eliminate the cockroach activity using approved methods. Provide a pest control receipt with safe re-entry time.
- Remove all evidence of cockroach activity. Clean & sanitize all affected areas.
- Seal all gaps/holes in affected areas.
- Correct all remaining violations on this report.

2. FOOD MANAGER CERTIFICATION; FOOD HANDLER CARDS - MINOR

Inspector Comments: A valid Food Manager Certificate was not available for review at the time of the inspection. Provide Food Safety Certificate or proof of enrollment.

Violation Description: There shall be an individual that possesses a current Food Safety Certificate for each food facility that prepares, handles, or serves nonprepackaged potentially hazardous food. Any individual who is involved in the preparation, storage, or service of food in a food facility shall obtain a food handler card within 30 days after the date of hire. (113947.1-113947.5, 113948)

8. PROPER HOT AND COLD HOLDING TEMPERATURES - MINOR

Inspector Comments: Observed a tray of raw beef measured at 55F stored above the fill-line of the cold-top cooler. The meat was stored for approximately 2 hours according to the employee.

*This violation was corrected by the employee relocating the meat to the upright cooler.

Violation Description: Potentially hazardous foods shall be held at or below 41°F or at or above 135°F. (113996, 113998, 114037)

Corrected on site

15. FOOD CONTACT SURFACES: CLEAN AND SANITIZED - MINOR

Inspector Comments: Observed a build-up of debris on the slicer equipment.

Violation Description: All food contact surfaces of utensils and equipment shall be clean and sanitized. (113984(d), 114097, 114099.1, 114099.4, 114099.6, 114101(b-d), 114105, 114109, 114111, 114113, 114115(a, b, d), 114117, 114125(b), 114141)

24. NO RODENTS, INSECTS, BIRDS, OR ANIMALS - MAJOR

Inspector Comments: Cockroach activity was observed in the following areas:

- one live cockroach on the wall by the soap dispenser
- several live cockroaches on various life stages behind the backstop of the handwash sink
- several live cockroaches on the floor under the 3-compartment sink
- 2 live cockroaches on the floor by the dish machine
- several dead cockroaches on the floor corner under the beverage prep station
- numerous dead cockroaches on the floor under the right (east) side drainboard of the 3-compartment sink

Eliminate the infestation/activity of cockroaches/rodents/flies/vermin from the food facility by using only approved methods. Remove all evidence of the infestation and thoroughly clean and sanitize all affected surfaces. Construct, equip, maintain and operate the food facility so as to prevent the entrance and harborage of animals, birds and vermin including, but not limited to, rodents and insects.

Violation Description: Each food facility shall be kept free of insects, birds, animals, or vermin: rodents (rats, mice), cockroaches, flies. (114259, 114259.1, 114259.4, 114259.5)

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28. FOOD SEPARATED AND PROTECTED - OUT OF COMPLIANCE

Inspector Comments: Observed a tray of sliced raw beef stored above covered cooked meat in the cold-top insert near the cooks line. Store ready-to-eat foods above or separately from raw animal products.

*The meats were relocated to the upright refrigerator.

Violation Description: All food shall be separated and protected from contamination. (113980, 113984, 113986, 114060, 114067, 114077, 114073, 114143)

Corrected on site

34. NONFOOD-CONTACT SURFACES CLEAN - OUT OF COMPLIANCE

Inspector Comments: Clean the following areas so as to remove the build-up of debris and/or residue:

- on the shelf below the prep table at the front prep area
- on the cold-top cooler equipment
- on the glass door cooler
- on the bulk bin containers in the back prep area
- on the ingredient container rack in the back prep area

Violation Description: All nonfood-contact surfaces of utensils and equipment shall be clean. (114115 [c])

36. EQUIPMENT/UTENSILS - APPROVED; INSTALLED; GOOD REPAIR; CAPACITY - OUT OF COMPLIANCE

Inspector Comments: Observed a bowl used as a scoop in the large flour bin. Provide an approved utensil or device for dispensing food product.

Violation Description: All utensils and equipment shall be fully operative and in good repair. All utensils and equipment shall be approved, installed properly, and meet applicable standards. (114130, 114130.1, 114130.2, 114130.3, 114130.4, 114130.5, 114130.6, 114132, 114133, 114137, 114139, 114153, 114155, 114163, 114165, 114167, 114169, 114175, 114177, 114180, 114182)

Corrected on site

37. EQUIPMENT, UTENSILS AND LINENS: STORAGE AND USE - OUT OF COMPLIANCE

Inspector Comments: Observed tongs stored hanging on the oven handle.

Store in-use utensils that are used with potentially hazardous food in a sanitary container and clean the utensils at least every four hours, or in a container of water if the water is maintained at a temperature of at least 135F, or in running water of sufficient velocity to flush particulates to the drain if used with moist food such as ice cream or mashed potatoes.

Violation Description: All clean and soiled linen shall be properly stored; non-food items shall be stored and displayed separate from food and food-contact surfaces. Utensils and equipment shall be handled and stored so as to be protected from contamination. A full service restaurant is to only provide a single-use plastic straw to a consumer when requested. (114074, 114081, 114119, 114121, 114161, 114178, 114179, 114083, 114185, 114185.2, 114185.3, 114185.4, 114185.5)

45. FLOORS, WALLS AND CEILINGS: BUILT, MAINTAINED, AND CLEAN - OUT OF COMPLIANCE

Inspector Comments: Clean the following areas so as to remove the build-up of debris and/or residue:

- on the floor under the beverage prep counter
- on the floor under the 3-compartment sink
- on the floor by the cooks line
- on the floor by the back prep line

Violation Description: The walls / ceilings shall have durable, smooth, nonabsorbent, light-colored, and washable surfaces. All floor surfaces, other than the customer service areas, shall be approved, smooth, durable, and made of nonabsorbent material that is easily cleanable. Approved base coving shall be provided in all areas, except customer service areas and where food is stored in original unopened containers. Food facilities shall be fully enclosed. All food facilities shall be kept clean and in good repair. (114143(d), 114266, 114268, 114268.1, 114271, 114272)



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48. PLAN REVIEW - OUT OF COMPLIANCE

Inspector Comments: The undercounter dish machine has not yet been approved.
 The facility has a 75100 BTU water heater.
 Based on calculations, a water heater with an input of approximately 90000 BTU is required for the dish machine, (1) 3-compartment sink, (2) handwash sink, (1) mop sink, (1) 2-compartment food prep sink, & (1) 1-compartment food prep sink.

This facility is being referred to Orange County Environmental Health Plan Check Division. The facility must submit a Plan Check Service Request form with plans, if required below, to Plan Check located at 1241 E. Dyer Road, Suite 120, Santa Ana, CA 92705 during normal business hours. Complete information related to Plan Check can be found at www.ocfoodinfo.com/plancheck. A fee is required at the time of plan check submittal. The Plan Check operator can be reached at 714-433-6074.

The scope of the construction includes the following: Undercounter Dishmachine (CMA)

You are required to: Submit Plans for a Remodel

This facility is:
An existing facility

The construction is: Complete

Please bring this report with you when submitting the Service Request and plans.

Approval is required prior to starting construction, remodeling, or making changes.

Violation Description: A person proposing to build or remodel a food facility shall submit plans for approval before starting any new construction or remodeling of any facility for use as a retail food facility. (114380)

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50. PERMIT SUSPENSION - IMMINENT HEALTH HAZARD

Inspector Comments: IMMEDIATE HEALTH PERMIT SUSPENSION AND CLOSURE

The permit to operate the above named food facility is hereby temporarily suspended, and the facility is ordered immediately closed under the authority of Sections 114405 and 114409 of Division 104, Part 7, Chapter 13, Article 3 of the California Health and Safety Code. The attached Inspection Report specifies the conditions that warrant this closure and the Sections of the law that are being violated.

Any food facility for which the permit has been temporarily suspended shall cease all food handling, close and remain closed until all conditions warranting the closure are corrected and your permit has been reinstated by a representative of Environmental Health.

You are hereby notified that you have the right to request a hearing, within 15 calendar days after service of this Notice to show cause why the permit suspension is not warranted. Your failure to request a hearing within 15 calendar days shall be deemed a waiver of your right to a hearing.

An owner, manager or operator who fails to comply with this Closure Notice may be found guilty of a misdemeanor, with a possible fine of \$1,000.00 and/or imprisonment for not more than six months for each offense.

This Health Permit Suspension and Closure Notice is issued to you under the authority of the California Health and Safety Code, Division 104, Part 7, Chapter 13, Article 3. Copies of the Code Sections referred to herein may be reviewed at most public libraries, the Internet, or at Environmental Health.

Contact this office at the number noted on this report, during normal days of business to request a re-inspection, or if you have any questions.

If you are calling after 5:00 pm or on weekends, leave a message at (714) 433-6418 and an inspector/on call staff will call you back at their earliest convenience. Please make after hour request calls before 8:00 pm. The afterhours overtime rate through June 30, 2020 is \$45.75 per quarter hour, or fraction thereof; time charged includes all travel time.

The CLOSED notification seal was issued this date.

REASON FOR CLOSURE:

Cockroach infestation (See FM24)

Violation Description: If an imminent health hazard is found, an enforcement officer may temporarily suspend the permit and order the food facility immediately closed. (114409)

SIGNATURE(S) OF ACKNOWLEDGEMENT

It was agreed that a copy of this report will be sent to the e-mail address provided. The person in charge was directed to call this office if the report is not received within 2 business days. Additional information can be found at <http://www.ochca.com/eh/>.



NAME: Trong Ton Vu
TITLE: manager

Signing for the receipt of the above report is not an admission of the facts of the violations set forth herein.

INSPECTOR:

K MILO, REHS
ENVIRONMENTAL HEALTH SPEC III
(714) 975-4799
KMilo@ochca.com



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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 your gross negligence or intentional misconduct in the preparation or handling of the donated food. See Section 1714.25 of the Civil Code and Sections 114432 to 114434, inclusive, of the Health and Safety Code. For more information, please visit ocfoodinfo.com or wastenotoc.org.