



RETAIL FOOD FACILITY INSPECTION REPORT

FACILITY NAME BOILING POT RESTAURANT		FACILITY ADDRESS 12921 MAGNOLIA ST, GARDEN GROVE, CA 92841	
MAILING ADDRESS 12921 MAGNOLIA ST GARDEN GROVE, CA 92841			IDENTIFIER None
C/O - OWNER BOILING POT RESTAURANT INC			RESULT CLOSED
FACILITY ID FA0067096	RELATED ID PR0098016	SERVICE: A01 - ROUTINE INSPECTION	INSPECTION DATE 10/21/2019
PROGRAM DESCRIPTION 0133 - RESTAURANT 61-100 PERSONS - COMPLEX		FOOD MANAGER CERTIFICATE / EXPIRATION DATE Chi Thi Le 9/29/19	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	EMPLOYEE KNOWLEDGE	COS
		●			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	PROTECTION FROM CONTAMINATION	COS
●					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	SUPERVISION	COS
	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	EQUIPMENT/UTENSILS/LINENS	COS
	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	PERMANENT FOOD FACILITIES	COS
	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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1. DEMONSTRATION OF KNOWLEDGE - MINOR

Inspector Comments: The staff working at the time of the inspection had no knowledge on proper cooling procedures or basic food handling and food safety.

Violation Description: All food employees, including the person in charge, shall have adequate knowledge of and be trained in food safety as it relates to their assigned duties. (113947)

2. FOOD MANAGER CERTIFICATION; FOOD HANDLER CARDS - MINOR

Inspector Comments: Not all of the food handlers possess a California Food Handler Card. Each food handler shall maintain a valid California Food Handler Card for the duration of his or her employment as a food handler. Cards shall be valid for three years from the date of issuance, regardless of whether the food handler changes employers during that period. (Certified Food Managers are exempted from this requirement.)

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)

6. HANDS CLEAN AND PROPERLY WASHED; GLOVES USED PROPERLY - MAJOR

Inspector Comments: Observed an employee try and wash her hands with disposable gloves on. Observed an employee crack a raw egg into a dish and continue to go and prepare food without washing their hands and changing their gloves.

Observed an employee answer his cell phone with his gloved hand and not remove the glove or wash his hands when he was done. Observed an employee go to wash their hands when instructed to do so and only rinse them in cold water with no soap. Observed an employee engaging in cleaning activities with gloved hands, then pick up a piece of squid and put it on top of some other squid without washing her hands and changing her gloves.

The food was discarded and the employees were instructed to properly wash their hands with soap and warm water. The facility did not have hot water and was closed until the hot water could be returned. see item 22

Violation Description: Employees are required to wash their hands with soap and warm water for a minimum of 10 seconds: before beginning work; before handling food / equipment / utensils; as often as necessary, during food preparation, to remove soil and contamination; when switching from working with raw to ready-to-eat foods, after touching body parts; after using toilet room; or any time when contamination may occur. Food employees shall minimize contact with exposed, ready-to-eat food with their bare hands and shall use suitable utensils, gloves, or dispensing equipment. Food employees shall keep their fingernails clean. Gloves shall be worn if a food employee has artificial nails, nail polish, rings, or orthopedic support devices. (113952, 113953.3, 113953.4, 113961, 113968, 113973 [b-f])

7. ADEQUATE HANDWASHING FACILITIES SUPPLIED & ACCESSIBLE - MINOR

Inspector Comments: Observed the soap to be empty at the handwashing station in the front service area.

Violation Description: Handwashing facilities must be provided. Handwashing soap and single-use towels or drying device shall be provided in dispensers; dispensers shall be maintained in good repair. Handwashing facilities shall be clean, unobstructed, and accessible. (113953, 113953.1, 113953.2, 114067)

8. PROPER HOT AND COLD HOLDING TEMPERATURES - MAJOR

Inspector Comments: The following foods were measured at the respective temperatures: stored on the counter out of temperature control-container of shell eggs measured at 66F, rice noodles 59, tofu 78F, sliced tomato 69F, squid 65F,68F, and 58F. Shrimp stacked on top of the cold top cooler inserts measured 60F.

according to the person in charge the eggs and shrimp had been out for less than 3 hours and were relocated to the cooler for temperature control.

The person in charge stated that the noodles had been held for 3 hours and were usually discarded after lunch. An expiration time of one hour was placed on the item and TPHC was recommended for the item.

The squid and tofu were out for an undetermined amount of time and were discarded in the trash.

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

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10. PROPER COOLING METHODS - MAJOR

Inspector Comments: Observed two large containers of broth cooling in the walk-in from last night measured at 50F and 44F. Observed two covered containers of rice from last night measured at 50F, and 56F.

The violation was corrected by an employee discarding the food. Refer to item 53.

Violation Description: All potentially hazardous foods shall be RAPIDLY cooled from 135°F to 41°F within 6 hours. During this time, the food shall decrease from 135°F to 70°F within 2 hours. Cooling shall be accomplished by using one or more of the following methods: placing in shallow pans, separating into smaller portions, using rapid cooling equipment, using ice, or other approved methods. (114002, 114002.1)

14. FOOD IN GOOD CONDITION, SAFE AND UNADULTERATED - MAJOR

Inspector Comments: Observed unprotected squid in the three compartment sink while there were dirty dishes in the first sink and they were using the spray hose to rinse off dirty dishes. The squid was contaminated by the unsanitary surface of the warewashing sink as well as the splashing from the ware washing. The food was discarded in the trash by an employee. see item 53

Violation Description: Any food is adulterated if it bears or contains an unapproved food or color additive or any poisonous or deleterious substance that may render it impure or injurious to health. No food containing artificial trans fat or partially-hydrogenated oils may be stored, distributed, served, or used in the preparation of any food within a food facility. Potentially hazardous foods in reduced oxygen packaging shall not exceed the "use by" date. Unpasteurized egg products are not to be used in foods such as Caesar salad dressing or hollandaise sauce. (113967, 113976, 113980, 113982, 113988, 113990, 114035, 114041, 114094.5, 114254.3)

15. FOOD CONTACT SURFACES: CLEAN AND SANITIZED - MAJOR

Inspector Comments: Observed an employee take a used bowl, spray it off with water and put it on top of a stack of clean dishes to dry.

Hand wash multi-service utensils in the following manner:

- a) clean in hot water and cleanser
- b) rinse in clear water

c) immerse in a warm final sanitizing solution of 100 ppm chlorine for 30 seconds, 200 ppm quaternary ammonium for 1 minute, 25 ppm iodine for 1 minute or by immersion for at least 30 seconds where the water temperature is maintained at 171 degrees Fahrenheit or above,

This was corrected by sending the whole stack of dishes to be washed correctly.

- d) allow utensils to air dry before use

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)

17. COMPLIANCE WITH SHELLSTOCK TAGS, CONDITION, DISPLAY - MAJOR

Inspector Comments: Observed a container of sell fish with no tags or proper identification.

A container of shell stock that does not bear a tag or label or has an incomplete tag or label shall be subject to Impound. Keep the shellstock certification tags or labels with the raw or raw frozen molluscan shellfish until the container is emptied, then retain the tags for not less than 90 days in chronological order. Shellstock can be removed from their original tagged or labeled container if displayed on drained ice or the identity of the source of shellstock is maintained by either maintaining a copy of the original shellstock tag with the container/package of shellstock or properly labeling the container/ package with the required shellfish information.

If the shellfish are purchased at a retail market, then a copy of the original shellstock tag must be obtained at the time of purchase. A sales receipt/invoice is not acceptable form of shellstock identification

Ensure that shellstock from one tagged or labeled container are not commingled with shellstock from another container with different certification numbers, harvest dates, or growing areas as identified on the tag or label before being ordered by the consumer.

This violation was corrected by an employee discarding the shellstock. Refer to item 53.

Violation Description: Shellstock shall have complete certification tags and shall be properly stored and displayed. (114039 - 114039.5)

20. CONSUMER ADVISORY PROVIDED FOR RAW OR UNDERCOOKED FOODS - MINOR

Inspector Comments: A raw egg is served on top of one or more of your dishes. Because this does not get fully cooked before it is given to the customer you must have a warning notice posted for the consumers stating that consuming raw or undercooked foods increases the risk of food born illness.

Violation Description: Ready-to-eat food containing undercooked food or raw egg may be served if the facility notifies the consumer by disclosure and reminder. (114012, 114093)

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22. HOT AND COLD WATER AVAILABLE - MAJOR

Inspector Comments: No hot water was available at the facility. Because proper warewashing can not be completed the facility was closed until hot water can be returned.

Violation Description: An adequate, protected, pressurized, potable supply of hot water and cold water shall be provided at all times. (113941, 113953c, 114099.2b, 114163, 114189, 114192, 114192.1, 114195)

28. FOOD SEPARATED AND PROTECTED - OUT OF COMPLIANCE

Inspector Comments: Observed containers of food stored on the floor in the walk-in cooler.
Observed a box of onions stored on the floor next to the slicer. Store all food a minimum of 6 inches off the floor.

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

35. WAREWASHING FACILITIES: INSTALLED, MAINTAINED, USED; TEST STRIPS - OUT OF COMPLIANCE

Inspector Comments: Sanitizer test strips were not available for use during the time of inspection. Maintain testing equipment and materials in the facility and available for use at all times for the purpose of adequately measuring the types of sanitization methods used in this facility.

Violation Description: Food facilities that prepare food shall be equipped with warewashing facilities. Testing equipment and materials shall be provided to measure the applicable sanitization method. (114067(f,g), 114099, 114099.3, 114099.5, 114101(a), 114101.1, 114101.2, 114103, 114107, 114125)

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

Inspector Comments: Observed a metal screen hardware cloth material used on top of the grill to cook meat on top of. Discontinue using this equipment and use only NSA approved food safe equipment. Remove the unapproved equipment from the facility.

Equipment and utensils must be commercial grade and approved by ANSI, or another testing company certified by American National Standards Institute or by this Agency.

Equipment was observed to be lined with newspaper, cardboard, or other unapproved material.

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)

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

Inspector Comments: Observed the ice scoop laying inside the ice bin with the handel touching the ice. This is a reapedted violation. Ensure the scoop is kept in such a way as to prevent the handel from touching the ice.

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)

44. PREMISES: PERSONAL/CLEANING ITEMS; VERMIN-PROOFING - OUT OF COMPLIANCE

Inspector Comments: Observed employee purses stored on the shelves tucked in next to food by the cold top cooler.
Maintain employee clothing and personal effects in a room, enclosure, lockers, or other designated area or designated area separated from toilets, food storage, food preparation areas and utensil washing areas.

Violation Description: The premises of each food facility shall be kept clean and free of litter and rubbish; non-food items shall be stored and displayed separate from food and food-contact surfaces; the facility shall be kept vermin proof; open-air barbecues shall be operated in an approved manner. (114067(j), 114123, 114143(a)&(b), 114256, 114256.1, 114256.2, 114256.4, 114257, 114257.1, 114259, 114259.2, 114259.3, 114279, 114281, 114282)



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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: No hot water

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)

53. VOLUNTARY CONDEMNATION & DESTRUCTION (VC&D)

Inspector Comments: approximately
10 gallons of broth
20 lbs of squid
2 cups of tofu
8 lbs of rice
25 lbs or red clams

were discarded in the trash and down the drain by employees.

Violation Description: Food, equipment, or utensils that are found to be unsanitary or in disrepair may be Voluntarily Condemned and Destroyed by the person in charge. (111890, 111895)

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.ochealthinfo.com/eh/>.

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NAME: Trinh
TITLE: Cashier

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

INSPECTOR:

L ALBRIGHT
ENVIRONMENTAL HEALTH SPEC I
(714) 824-1686
lalbright@ochca.com

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.