



**RETAIL FOOD FACILITY INSPECTION REPORT**

FACILITY NAME <b>TASTY CHICKEN &amp; BINH MI</b>		FACILITY ADDRESS <b>2117 BALL RD, ANAHEIM, CA 92806</b>	
MAILING ADDRESS <b>2117 E BALL ROAD ANAHEIM, CA 92683</b>		IDENTIFIER <b>None</b>	
C/O - OWNER <b>TAI LE H</b>		RESULT <b>CLOSED</b>	
FACILITY ID <b>FA0055075</b>	RELATED ID <b>PR0074931</b>	SERVICE: <b>A01 - ROUTINE INSPECTION</b>	INSPECTION DATE <b>3/6/2019</b>
PROGRAM DESCRIPTION <b>0315 - FOOD MARKET W/ 1 PREP AREA 2000 SQ FT</b>		FOOD MANAGER CERTIFICATE / EXPIRATION DATE <b>T. Le 7.25.20</b>	REINSPECTION DATE: <b>N/A</b>

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	
<b>EMPLOYEE HEALTH &amp; HYGIENIC PRACTICES</b>						
●					3. Communicable disease; reporting, restrictions & exclusions	
				●	4. No discharge from eyes, nose, and mouth	
				●	5. Proper eating, tasting, drinking or tobacco use	
<b>PREVENTING CONTAMINATION BY HANDS</b>						
●					6. Hands clean and properly washed; gloves used properly	
		●			7. Adequate handwashing facilities supplied & accessible	
<b>TIME AND TEMPERATURE RELATIONSHIPS</b>						
	●				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	
<b>FOOD FROM APPROVED SOURCES</b>						
	●				16. Food obtained from approved source	●
				●	17. Compliance with shell stock tags, condition, display	
				●	18. Compliance with Gulf Oyster Regulations	
<b>ADDITIONAL CRITICAL RISK FACTORS</b>						
	●				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	
<b>GENERAL FOOD SAFETY REQUIREMENTS</b>		
	27. Approved thawing methods used, frozen food	
	28. Food separated and protected	
	29. Washing fruits and vegetables	
	30. Toxic substances properly identified, stored, used	
<b>FOOD STORAGE/DISPLAY/SERVICE</b>		
●	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	
<b>PHYSICAL FACILITIES</b>		
	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	
<b>SIGNS/REQUIREMENTS</b>		
	47. Signs posted; last inspection report available	
	48. Plan Review	
	49. Health Permit	
<b>COMPLIANCE AND ENFORCEMENT</b>		
●	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 to conduct a routine inspection.  
The health permit was suspended on this date due to cockroach activity of critical areas see FM 50.

**7. ADEQUATE HANDWASHING FACILITIES SUPPLIED & ACCESSIBLE - MINOR**

Inspector Comments: Observed the soap and paper towel dispensers for the front handwash sink to be installed above the prep sink. Relocated these dispensers above the handwash sink to prevent contamination.

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: Measured the following food items in the front service cooler at the respective temperatures:

- cooked boba 45-47°F
- homemade yogurt 48°F (see FM 16 for related violatios)

The person in charge stated the food items had been held in the cooler over night and voluntarily discarded the food items. See FM 36 for related violation.

Measured one chicken pastry in the front warmer to be 133°F. The person in charge voluntarily discarded the food item without directive.

Violation Description: Potentially hazardous foods shall be held at or below 41°F or at or above 135°F. (113996, 113998, 114037, 114343(a), 114004)

**Corrected on site**

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

Inspector Comments: Observed the handle of the scoop stored inside the paprika container in direct contact with the food. The person in charge voluntarily discarded the food item. See FM 36 for related violation.

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. (113967, 113976, 113980, 113982, 113988, 113990, 114035, 114041, 114094.5, 114254.3)

**Corrected on site**

**16. FOOD OBTAINED FROM APPROVED SOURCE - MAJOR**

Inspector Comments: 1) Observed eight packs of un-clearly marked meats inside the deep freezer chest. The person in charge stated these meats were waygu beef, and the invoice was off site. These eight packages of meats were impounded on this date and shall not be used, sold, prepared, or removed from this facility. Produce the invoice for these products to be verified by a representative of this Agency. See FM 53.

2) Observed guavas in two mason jars at the front service counter. The person in charge stated the guavas were brought from home and canned site in the pressure cooker. The person in charge voluntarily discarded the food items . Discontinue this practice, See FM 19.

3) Observed yogurt in a mason jar in the front service refrigerator. The person in charge stated she makes the yogurt on site and puts it into the smoothies. The person in charge stated the facility does not have a state Milk and Dairy License and voluntarily discarded the food item. Discontinue this practice.

Violation Description: All food shall be obtained from an approved source and maintained in an approved food facility. Liquid, frozen, and dry eggs or milk, or its products shall be obtained pasteurized. (113980, 114021-114031, 114041, 114365, 114376)

**Corrected on site**



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**19. COMPLIANCE WITH VARIANCE, SPECIALIZED PROCESS, & HACCP PLAN - MAJOR**

Inspector Comments: Observed canned guava in two mason jars located at the front service area. The person in charge stated she brought guava from home, and canned them in the pressure cooker on site. The food items were voluntarily discarded. Discontinue this practice. An approved HACCP plan is required for canning.

Violation Description: The food facility is required to operate pursuant to a HACCP plan. HACCP plan is a written document that delineates the formal procedures developed for safe food handling approved by the National Advisory Committee on Microbiological Criteria for Foods. A written document approving a deviation from standard health code requirements shall be maintained at the food facility. Satellite food facilities shall have approved standard operating procedures. (114057, 114057.1, 114417 114417.2, 114419)

**Corrected on site**

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

Inspector Comments: 1) Observed the following live cockroach activity (of what appear to be German cockroaches):

- one live mid-life cycle cockroach on the floor on top of the file cabinet in the electrical room in the back of the restaurant
- one live nymph cockroach on the floor below the "Turbo Air" beverage cooler in the customer area
- one live mid-life cycle cockroach on the floor below the "Turbo Air" beverage cooler in the customer area
- two egg casings on the floor below the "Turbo Air" beverage cooler in the customer area

2) Observed the following dead cockroaches:

- two on the floor in the back corner of the electrical closet by the electrical box
- one smashed on the wall behind the large equipment shelf in the back
- one in a spider web on the wall behind the upright freezer in the back located beside the large equipment shelf
- multiple nymphs inside the clear packaging tape around the electrical outlets located above and below the beverage preparation area
- multiple inside the motor support rails inside both the beverage coolers located in the customer area
- one inside the motor housing of the deep freezer chest
- on floor below the "Turbo Air" beverage cooler in the customer area

Remove all dead cockroaches, clean and sanitize these areas.

3) Observed cockroach spotting inside the motor housing area of the deep freezer chest.

Observed cockroach spotting on the raw wooden caster frame used to support the deep freezer chest.

Remove all cockroach spotting. Clean and sanitized these areas. Remove the raw wooden caster frame/paint it with a gloss or semi-gloss paint.

Eliminate the infestation/activity of cockroaches from the temporary 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.

Corrective Action Taken: The health permit was suspended on this date.

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)

**31. FOOD STORAGE; FOOD STORAGE CONTAINERS IDENTIFIED - OUT OF COMPLIANCE**

Inspector Comments: 1) Observed foods stored in single-use containers throughout the facility. Observed foods stored in milk crates in the walk-in cooler. Discontinue this practice. Use approved containers.

2) Lack of English label on a container at the front prep table. Provide English labels.

Violation Description: Food shall be stored in approved containers and labeled as to its contents. Food shall be stored at least 6" above the floor on approved shelving and in an approved area. (114047, 114049, 114051, 114053, 114055, 114067(h), 114069 [b])



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

- Inspector Comments: 1) Observed the front service cooler holding potentially hazardous foods below 41°F. The ambient temperature was recoded to be 44°F. Repair/adjust the cooler to maintain the internal temperature of potentially hazardous foods at or below 41°F.
- 2) Observed excessive cardboard boxes, marketing signs, and excess equipment throughout the back of the facility. Observed cardboard used to line equipment shelves. Remove all excess cardboard from the facility. Remove all items that are not necessary to the operation to eliminate vermin harborage areas.
- 3) Observed the "Turbo Air" cooler in the customer area to be out of service. Repair/remove/replace the cooler.
- 4) Observed cups used to dispense rice. Use an approved scoop. Store the scoop in a manner that does not allow the handle to come in contact with the food.
- 5) Remove the aluminum foil from the stove and the shelf above the front prep table.
- 6) Observed tape wrapped around the handle of the teriyaki sauce brush, remove the tape and residual adhesive residue.
- 7) Observed the handle of the scoop stored inside the paprika container in direct contact with the food. Store the scoop in a manner that does not allow the handle to come in contact with the food.
- 8) Observed a bag of domestic batteries stored on the top door shelf in the upright freezer in the back. The person in charge voluntarily discarded the batteries without directive.
- 9) Observed a silicone mat taped to the side of the rotisserie oven. Remove the silicone mat and residual adhesive residue.
- 10) Observed razor blades stored on top the prep shelf located above the rice cooker. Discontinue this practice to prevent adulteration of food. The person in charge relocated the razor blades at the time of this inspection.

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)

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

- Inspector Comments: Effectively seal all cracks and crevices throughout the facility:
- Remove the packaging tape and dead cockroaches around the electrical outlets, clean and sanitize this area.
  - Seal gaps around electrical outlets located throughout the facility.
  - Seal the gap in the tile grout located in the corner by the electrical room entrance door.
  - Replace the broken electrical outlet cover behind the upright freezer
  - Replace/install weather stripping on the front door, and back screen door.

Observed a can of butane, and an employee cell phone on the top shelf located above the prep table.

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)

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

- Inspector Comments: Remove the dead cockroaches, clean and sanitize the floor surfaces:
- of the electrical room
  - below the front beverage preparation table
  - below the refrigeration units located in the front
  - along the back wall (below/behind the large equipment shelves, and prep tables)

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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**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 above, 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, 2019 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 ACTIVITY IN CRITICAL AREAS**

**COCKROACHES:**

**ABSOLUTELY NO FOOD/BEVERAGE PREP OR SALES MAY OCCUR IN THIS FACILITY WITHOUT PRIOR WRITTEN APPROVAL FROM THIS AGENCY.**

Prior to calling for a reinspection all of the violations listed on this report must be corrected, including, but not limited to, the following:

- 1) Eliminate all live and dead cockroaches using approved pest control methods (refer to FM 24).
- 2) Remove all excess clutter and cardboard from the facility, as well as personal belongings, to allow for effective pest control service and to prevent future harborage of cockroaches and other vermin.
- 3) Clean and sanitize all equipment surfaces, food containers, shelves, walls and floors to eliminate all cockroach and pesticide contamination particularly all areas where live or dead cockroaches or cockroach spotting were observed, including, but not limited to, those areas listed in FM 24.
- 4) Properly eliminate/seal all cracks and crevices to prevent vermin harborage, including, but not limited to, those listed in FM 44 & FM 45.
- 5) Have your pest control receipt available for review by the Environmental Health Specialist responding to your request for reinspection. Without proof that it is safe for the Specialist to enter your facility the reinspection will not occur. Enter your facility only after it is safe to do so.

NOTE: Violations number(s) FM 07 and FM16 must be corrected prior to the reinspection that will be scheduled after this facility has been reopened.

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)



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**53. VOLUNTARY CONDEMNATION & DESTRUCTION (VC&D)**

Inspector Comments: Paprika

- Canned guava
- bag of domestic batteries
- homemade yogurt
- cooked boba
- one chicken pastry

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)

**54. IMPOUNDMENT**

Inspector Comments: You are hereby notified that the eight packs of un-clearly labeled meats which were observed in the deep freezer chest have been impounded on 3/6/2019 under the provisions of the California Retail Food Code, Chapter 13, Article 1, Section 114393. The impound may only be released after an onsite visit by Environmental Health to verify compliance with the code. If the impounded items were not released from your food facility by a representative of Environmental Health and you failed to contact this office within thirty days from the date of this notice, this will be deemed a waiver of your interest in the impounded items and they may be discarded by Environmental Health without further notice.

Violation Description: An enforcement officer may impound food, equipment, or utensils that are found to be unsanitary or in disrepair. (114393)

**NOTES**

Prevent foodborne illness outbreaks brochure, new handwash stickers, and Clean Hands Healthy Lives poster provided this date. Food Allergen, Food for Thought News Letter, and Facts on Trans Fats hand outs were provided with this report. Cockroach informational bulletin provided with the operator this date.

**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.ochcahealthinfo.com/eh/>.

NAME: T. Le  
TITLE: Owner

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

INSPECTOR:

J MACE, REHS  
ENVIRONMENTAL HEALTH SPEC II  
(714) 380-2741  
[jmace@ochca.com](mailto:jmace@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](http://ocfoodinfo.com) or [wastenotoc.org](http://wastenotoc.org).