



# QUABBIN HEALTH DISTRICT

*Serving the Communities of: Belchertown, Ware and Pelham*  
 Suite D, 126 Main Street Ware, MA 01082  
 Phone: (413) 967-9615 Fax: (413) 967-9646



## Food Establishment Inspection Report

**Insp Date:** 8/2/2023  
**Business:** Asian Garden  
 124 West St.

**Business ID:** Q3000010

**Inspection:** Q2000017  
**Permit #:**  
**Phone:** 413-544-9012  
**Inspector:** 01 Andrea Crete  
**Reason:** 01. Routine  
**Next Inspection on or near:** 8/12/2023

Ware, MA 01082

**Results:** Follow-up 10 days

**Time In / Time Out**

Date	In	Out	Insp	Travel	Total	Mileage	Notes
08/02/23	11:15 AM	02:45 PM	3:30	0:00	3:30	0	
<b>Total:</b>			3:30	0:00	3:30	0	

**Inspection Summary**

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).

PIC Name Quang Huynh Risk Category High

Certified Food Protection Manager Quang Huynh CFPM Exp Date 10/26/2025

Certified Allergy Trained Name Quang Huynh Allergy Exp Date 11/07/2023

Certified ChokeSaver Name Ling Hong Chen Huyng ChokeSaver Exp Date \_\_\_\_\_

Permit In  Out

Inspection Report In  Out

**FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS**

Compliance status: IN = in compliance OUT = not in compliance N/O = not observed N/A = not applicable

Marked in appropriate box for COS and/or R. COS = corrected on-site during inspection R = repeat violation

Risk factors are improper practices or procedures identified as the most prevalent contributing factors of foodborne illness or injury. Public Health Interventions are control measures to prevent foodborne illnesses or injury.

Supervision	IN	OUT	N/O	N/A	COS	REPEAT
1. Person-in-charge present, demonstrates knowledge, and performs duties		☒			..	..
2. Certified Food Protection Manager	☒				..	..

Inspector

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 Acknowledged Receipt : Quzng T. Huynh

## Food Establishment Inspection Report

Employee Health	IN	OUT	N/O	N/A	COS	REPEAT
3. Management, food employee and conditional employee; knowledge, responsibilities and reporting	☒	i	i	i	..	..
4. Proper Use of Restriction & Exclusion	☒	i	i	i	..	..
5. Procedures for responding to vomiting and diarrheal events	☒	i	i	i	..	..
Good Hygienic Practices	IN	OUT	N/O	N/A	COS	REPEAT
6. Proper eating, tasting, drinking, or tobacco use	☒	i	i	i	..	..
7. No discharge from eyes, nose, and mouth	☒	i	i	i	..	..
Preventing Contamination by Hands	IN	OUT	N/O	N/A	COS	REPEAT
8. Hands clean & properly washed	i	☒	i	i	..	..
9. No bare hand contact with RTE food	☒	i	i	i	..	..
10. Adequate handwashing sinks properly supplied and accessible	i	☒	i	i	..	..
Approved Sources	IN	OUT	N/O	N/A	COS	REPEAT
11. Food obtained from approved source	☒	i	i	i	..	..
12. Food received at proper temperature	i	i	☒	i	..	..
13. Food in good condition, honestly presented, safe, & unadulterated	☒	i	i	i	..	..
14. Required records available: shellstock tags, parasite destruction	i	i	i	☒	..	..
Protection from Contamination	IN	OUT	N/O	N/A	COS	REPEAT
15. Food separated and protected	i	☒	i	i	..	Ⓟ
16. Food-contact surfaces: cleaned & sanitized	i	☒	i	i	..	Ⓟ
17. Proper disposition of returned, previously served reconditions, & unsafe food	☒	i	i	i	..	..
Time/Temperature Control for Safety	IN	OUT	N/O	N/A	COS	REPEAT
18. Proper cooking time & temperatures	i	i	☒	i	..	..
19. Proper reheating procedures for hot holding	i	i	☒	i	..	..
20. Proper cooling time and temperature	i	☒	i	i	Ⓟ	..
21. Proper hot holding temperatures	☒	i	i	i	..	..
<i><b>This item has Notes. See Footnote 1 at end of questionnaire.</b></i>						
22. Proper cold holding temperatures	i	☒	i	i	..	Ⓟ
<i><b>This item has Notes. See Footnote 2 at end of questionnaire.</b></i>						
23. Proper date marking and disposition	☒	i	i	i	..	..
24. Time as a Public Health Control	i	i	i	☒	..	..
Consumer Advisory	IN	OUT	N/O	N/A	COS	REPEAT
25. Consumer advisory provided for raw / undercooked foods	☒	i	i	i	..	..
Highly Susceptible Populations (HSP)	IN	OUT	N/O	N/A	COS	REPEAT
26. Pasteurized foods used; prohibited foods not offered	i	i	i	☒	..	..



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## Food Establishment Inspection Report

Food/Color Additives and Toxic Substances	IN	OUT	N/O	N/A	COS	REPEAT
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27. Food additives: approved and properly used	i	i	i	x	..	..
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28. Toxic substances identified, stored, and used	i	x	i	i	..	..
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Conformance with Approved Procedures	IN	OUT	N/O	N/A	COS	REPEAT
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29. Compliance with variance / specialized process / HACCP Plan	i	i	i	x	..	..
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GOOD RETAIL PRACTICES
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Good Retail Practices are preventative measures to control the addition of pathogens, chemicals, and physical objects into foods.

IN = In compliance    OUT = not in compliance    COS - corrected on -site during inspection    REPEAT = repeat violation

Safe Food and Water	IN	OUT	N/O	N/A	COS	REPEAT
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30. Pasteurized eggs used where required	x	i	i	i	..	..
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31. Water & ice from approved source	i	i	i	i	..	..
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32. Variance obtained for specialized processing methods	i	i	i	x	..	..
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Food Temperature Control	IN	OUT	N/O	N/A	COS	REPEAT
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33. Proper cooling methods used; adequate equipment for temperature control	i	i	i	i	..	..
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34. Plant food properly cooked for hot holding	i	i	i	i	..	..
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35. Approved thawing methods used	i	i	i	i	..	..
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36. Thermometers provided and accurate	i	i	i	i	..	..
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Food Identification	IN	OUT	N/O	N/A	COS	REPEAT
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37. Food properly labeled; original container	i	i	i	i	..	..
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Prevention of Food Contamination	IN	OUT	N/O	N/A	COS	REPEAT
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38. Insects, rodents, & animals not present	i	x	i	i	..	..
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39. Contamination prevented during food preparation, storage and display	i	x	i	i	..	..
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40. Personal cleanliness	i	i	i	i	..	..
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41. Wiping cloths; properly used and stored	i	i	i	i	..	..
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42. Washing fruits & vegetables	i	i	i	i	..	..
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Proper Use of Utensils	IN	OUT	N/O	N/A	COS	REPEAT
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43. In-use utensils properly stored	i	x	i	i	..	..
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44. Utensils, equipment & linens: properly stored, dried, & handled	i	i	i	i	..	..
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45. Single-use/ single service articles: properly stored and used	i	i	i	i	..	..
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46. Gloves used properly	i	i	i	i	..	..
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Utensils, Equipment and Vending	IN	OUT	N/O	N/A	OS	REPEAT
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47. Food & non-food contact surfaces cleanable, properly designed, constructed & used	i	x	i	i	..	..
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## Food Establishment Inspection Report

Utensils, Equipment and Vending	IN	OUT	N/O	N/A	OS	REPEAT
48. Warewashing facilities: installed, maintained, & used; test strips	i	i	i	i	..	..
49. Non-food contact surfaces clean	i	⊠	i	i	..	⊐

Physical Facilities	IN	OUT	N/O	N/A	COS	REPEAT
50. Hot & cold water available; adequate pressure	i	i	i	i	..	..
51. Plumbing installed; proper backflow devices	i	i	i	i	..	..
52. Sewage and waste water properly disposed	i	i	i	i	..	..
53. Toilet features: properly constructed, supplied, & cleaned	i	i	i	i	..	..
54. Garbage & refuse properly disposed; facilities maintained	i	i	i	i	..	..
55. Physical facilities installed, maintained, & clean	i	⊠	i	i	..	..
56. Adequate ventilation & lighting; designated areas used	i	⊠	i	i	..	..

### MASSACHUSETTS ONLY REGULATIONS

Rules and Regulations adopted for use in Massachusetts only.

Additional Requirements listed in 105 CMR 590.011	IN	OUT	N/O	N/A	COS	REPEAT
M1. Anti-choking procedures in food service establishment	⊠	i	i	i	..	..
M2. Food allergy awareness	⊠	i	i	i	..	..

Review of Retail Operations listed in 105 CMR 590.010	IN	OUT	N/O	N/A	COS	REPEAT
M3. Caterer	i	i	i	i	..	..
M4. Mobile Food Operation	i	i	i	i	..	..
M5. Temporary Food Establishment	i	i	i	i	..	..
M6. Public Market; Farmers Market	i	i	i	i	..	..
M7. Residential Kitchen; Bed-and-Breakfast Operation	i	i	i	i	..	..
M8. Residential Kitchen: Cottage Food Operation	i	i	i	i	..	..
M9. School Kitchen; USDA Nutrition Program	i	i	i	i	..	..
M10. Leased Commercial Kitchen	i	i	i	i	..	..
M11. Innovative Operation	i	i	i	i	..	..

Local Requirements	IN	OUT	N/O	N/A	COS	REPEAT
L1. Local law or regulation	i	i	i	i	..	..
L2. Other	i	i	i	i	..	..

### Discussion with Person-in-Charge

In addition to a review of the items listed above, the following items were discussed with the owner.

Discontinue use of latex gloves due to allergens.

Numerous flammable items located under hot holding unit in close proximity (less than 12") to open propane flame. Fire hazard concern.

Asian Gardens will be ordered in a forthcoming letter to implement a written cleaning procedure and schedule for the



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## Food Establishment Inspection Report

(Continued from previous page...)

facility. The procedure will include the cleaning methods/frequency for all of the physical facility (floors and walls) and all equipment surfaces and interior of cold holding units and walk in freezer. The procedure will need to be submitted to the Board of Health.



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## Food Establishment Inspection Report

### Fail Notes Summary

Code	Text
<b>1. Person-in-charge present, demonstrates knowledge, and performs duties</b>	
2-101.11	Priority Foundation; Due to the amount of critical violations during the inspection, and the lack of demonstration of knowledge of food safety practices, there is a need for the Person in Charge to review serv safe food protection manager training materials and practice active managerial control
2-102.11(A)	Priority Foundation; Food safety practices not being followed in establishment. No active managerial control.
<b>8. Hands clean &amp; properly washed</b>	
2-301.14	Priority; Employees observed not washing hands during inspection when required.
<b>10. Adequate handwashing sinks properly supplied and accessible</b>	
6-301.12	Priority Foundation; Bathroom for workers and staff in kitchen does not have a hand drying provision.
<b>15. Food separated and protected</b>	
3-304.11	Priority; Used tofu containers being reused in the establishment for holding other food items including, but not limited to, raw chicken. Discard all used tofu containers and do not reuse for any other purpose. Used containers are considered trash/refuse. This also introduces allergens to non-tofu food items stored in containers.
<b>16. Food-contact surfaces: cleaned &amp; sanitized</b>	
4-702.11	Priority; Dishwasher uses bleach sanitizer for sanitizing step. NO sanitizer is being drawn up into washer. Sanitizing step not being completed. Dishwasher needs to be serviced.
4-601.11(A)	Priority Foundation; Many food contact equipment and utensils throughout the kitchen area stored dirty. Scoops in sugar and flour bins soiled and show evidence of infrequent cleaning. Ice machine has grime buildup inside and needs to be cleaned.
4-501.112	Priority Foundation; Sanitizing bucket at wait station too weak (<50 ppm)
<b>20. Proper cooling time and temperature</b>	
3-501.14	Priority; Large plastic tubs of white rice on rack by dishwasher/3-bay sink above 41F (45F-53F). Discovered via speaking with person in charge that rice was just taken out from walk in cooler 30 minutes prior. Tub lids had condensation build up. Evidence of improper cooling. Rice discarded.
<b>21. Proper hot holding temperatures</b>	
This item has Notes. See Footnote 1 at end of questionnaire.	
<b>22. Proper cold holding temperatures</b>	
This item has Notes. See Footnote 2 at end of questionnaire.	
3-501.16(A)(2) and (B)	Priority; Raw pork in plastic bag on rack by 3-bay sink temped at 47.5F
<b>28. Toxic substances identified, stored, and used</b>	
7-101.11	Priority Foundation; Window/glass cleaner container being reused for other products. Appeared to be soap.
<b>38. Insects, rodents, &amp; animals not present</b>	
6-202.15	Core; Screen door in kitchen is not weather tight. Gap under door needs to be sealed to keep rodents and insects from gaining access.



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## Food Establishment Inspection Report

Code	Text
<b>39. Contamination prevented during food preparation, storage and display</b>	
3-305.14	Core; Items in freezer chests and cold holding uncovered. Large blue container labeled "Boneless Sauce" stored outside in area with refuse and recycling. All food items should be stored in areas that are clean, sanitary, and free from sources of contamination.
3-305.11	Core; Bag of onions and box of chicken stored on walk in cooler floor. Walk in floor visibly dirty.
<b>43. In-use utensils properly stored</b>	
3-304.12	Core; Utensils observed stored soiled and not cleaned
<b>47. Food &amp; non-food contact surfaces cleanable, properly designed, constructed &amp; used</b>	
4-401.11	Core; Colanders used in food prep stored adjacent to toilet in bathroom.
4-501.11	Core; Gaskets and seals on inline unit cracked and in disrepair. Dishwasher not working properly to dispense sanitizing solution
<b>49. Non-food contact surfaces clean</b>	
4-601.11(B),(C)	Core; Many non-food contact surfaces and equipment such as racks and shelving and cold holding units, show evidence of infrequent cleaning. Need to be thoroughly cleaned. A moldy board located on top shelf in walk in cooler needs to be discarded. Food was bring stored on top of and below this board. Chest freezers, including freezer in bar area, need to be de-iced and cleaned.
<b>55. Physical facilities installed, maintained, &amp; clean</b>	
6-501.12	Core; Storage room for dry goods has cobwebs and dead spiders under racks. Needs to be thoroughly cleaned. Flooring in dry storage area has significant buildup and needs to be thoroughly cleaned.
<b>56. Adequate ventilation &amp; lighting; designated areas used</b>	
6-303.11	Core; Dry goods storage room in back needs additional lighting.



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## Food Establishment Inspection Report

### Footnote 1

**Notes:**

White Rice in cooker held at >200F

### Footnote 2

**Notes:**

temperatures take on rack in kitchen near 3-bay sink

white rice 45F & 53F (improper cooling)

raw pork in bag 47.5F



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