



Franklin County Public Health
 280 East Broad Street
 Columbus, Ohio 43215-4562
 (614) 525-3160
 www.myfcph.org

Board of Health Hearing Summary & Recommendation

Facility information

Boston Chicken of OH
 4310 W Broad St
 Columbus, OH 43228
 Licensee: Narendra Pandya
 License #: SMUG-CTGS7B
 Designation: Food Service Operation (FSO)

Current situation

Repeat uncorrected violations, failure to maintain the facility in a sanitary manner and failure to allow entry to inspect according to the Ohio Uniform Food Safety Code.

Timeline

| Date | Action |
|---------|--|
| 6/12/23 | Change of Owner, Unlicensed Warning letter issued, Plan review needed |
| 6/20/23 | Hearing ordered for unlicensed and needing plan review (6/29) |
| 6/20/23 | Standard/CCP Inspection 12 violations, 2 critical |
| 7/05/23 | Hearing ordered for unlicensed and needing plan review (7/5) |
| 7/06/23 | Submitted plans and paid fee |
| 7/18/23 | Hearing ordered for unlicensed facility (8/1) |
| 7/19/23 | Paid license fee |
| 7/24/23 | Std/CCP Inspection, 20 violations, 6 Critical |
| 8/07/23 | Facility closed, could not conduct the follow-up |
| 8/08/23 | Facility closed, could not conduct the follow-up |
| 8/09/23 | Facility closed, could not conduct the follow-up, told to contact for entry by the 14th |
| 8/14/23 | Hearing ordered for no entry (8/24) Taped to door |
| 8/21/23 | 30 day inspection was attempted, facility was closed. |
| 8/24/23 | Held Administrative Hearing at FCPH. Facility failed to show. |
| 8/24/23 | Inspector delivered BOH notice and taped to door. Letter was emailed and sent by certified mail. |

Staff visited the facility 11 times between 6/12/23 and 8/24/23
 The facility was only open on two of these occasions.

32 violations were cited on the two inspections conducted:

- Critical = 8
- Non-critical = 24
- 2 warning letters issued
- 2 Hearing letters issued
- Over 22 emails and numerous phone and text messages to Alex the DM

Failure to cooperate and communicate in a timely fashion has been ongoing since the prior ownership, with the same District Manager.

Options

1. Suspend the Food Service Operation License; Until the violations are corrected, the new hand sink is installed, future cooperation and communication assured and a schedule of when the facility will be open is provided and entry to inspect is granted.
2. Revoke the Food Service Operation License for lack of cooperation and communication and lack of access to the facility.
3. Require Level II food safety training for employees and a certified employee be on-site.

Recommend

- Require Level II food safety training for at least one (1) employee within 30 days; and,
 - Require a certified employee be on-site during operating hours.
 - Facility is to be inspected before the suspension is lifted and the facility is able to demonstrate compliance with the food code by having no critical or repeat violations.
 - Required future cooperation, communication, and entry to the facility during hours of operation.
-

Documentation

The following documentation is attached:

- 2023 FSO License
- Inspection Reports
- Administrative Hearing documentation
- Board of Health Hearing notice
- Warning letters



Food Service Operation License

Audit Number:
BFRY-CTVPXW

License No.
SMUG-CTGS7B

| |
|---|
| Licensors Franklin County Public Health , 280 E Broad Street , Columbus , OH , 43215 |
| Name of Facility/License Holder Boston Chicken of OH LLC , Narendra Pandya |
| Address/City/State/Zip 4310 W Broad Street , Columbus , OH ,43228 |
| Category / Descriptive Commercial FSO < 25000 sq. ft. - Risk Level IV |

This license has been issued in accordance with the requirements of Chapter 3717 of the Ohio Revised Code and is subject to revocation or suspension for cause and is not transferable without consent of the licenser.

This license shall expire on 03/01/2024

If this is a mobile food service operation, the license is not valid unless pertinent information appears on the reverse side.

07/19/2023
Date

Joe Mazzola, MPA
Health Commissioner

Narendra Pandya
ATTN: Boston Chicken of OH LLC
121 Friends Lane Ste 301
Newtown PA 18940

State of Ohio
Food Inspection Report
 Authority: Chapters 3717 and 3715 Ohio Revised Code

| | | | |
|--|---|--|--|
| Name of facility Boston Market #613 | Check one <input checked="" type="checkbox"/> FSO <input type="checkbox"/> RFE | License Number NFRY-9C34HG | Date 12-Jun-2023 |
| Address 4310 W Broad Street | | City/State/Zip Code Columbus OH 43228 | |
| License holder Boston Market Corp | Inspection Time 135 | Travel Time 0 | Category/Descriptive Commercial FSO < 25000 sq. ft. - Risk Level IV |
| Type of Inspection Follow-up | | Follow up date (if required) | Water sample date/result (if required) |

FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS

Mark designated compliance status (IN, OUT, N/O, N/A) for each numbered item: **IN**=In Compliance **OUT**=Out of Compliance **N/O**=Not Observed **N/A**=Not Applicable

| Supervision | | Time/Temperature Controlled for Safety Food (TCS food) | |
|--|---|---|---|
| 1 | Person in charge present, demonstrates knowledge, and performs duties | 21 | Proper hot holding temperatures |
| 2 | OUT Certified Food Protection Manager | 22 | Proper cold holding temperatures |
| Employee Health | | 23 | Proper date marking and disposition |
| 3 | OUT Management, food employees and conditional employees; knowledge, responsibilities and reporting | 24 | Time as a public health control: procedures & records |
| 4 | Proper use of restriction and exclusion | Consumer Advisory | |
| 5 | Procedures for responding to vomiting and diarrheal events | 25 | Consumer advisory provided for raw or undercooked foods |
| Good Hygienic Practices | | Highly Susceptible Populations | |
| 6 | Proper eating, tasting, drinking, or tobacco use | 26 | Pasteurized foods used; prohibited foods not offered |
| 7 | No discharge from eyes, nose, and mouth | Chemical | |
| Preventing Contamination by Hands | | 27 | Food additives: approved and properly used |
| 8 | Hands clean and properly washed | 28 | Toxic substances properly identified, stored, used |
| 9 | No bare hand contact with ready-to-eat foods or approved alternate method properly followed | Conformance with Approved Procedures | |
| 10 | Adequate handwashing facilities supplied & accessible | 29 | Compliance with Reduced Oxygen Packaging, other specialized processes, and HACCP Plan |
| Approved Source | | 30 | Special Requirements: Fresh Juice Production |
| 11 | Food obtained from approved source | 31 | Special Requirements: Heat Treatment Dispensing Freezers |
| 12 | Food received at proper temperature | 32 | Special Requirements: Custom Processing |
| 13 | Food in good condition, safe, and unadulterated | 33 | Special Requirements: Bulk Water Machine Criteria |
| 14 | Required records available: shellstock tags, parasite destruction | 34 | Special Requirements: Acidified White Rice Preparation Criteria |
| Protection From Contamination | | 35 | Critical Control Point Inspection |
| 15 | Food separated and protected | 36 | Process Review |
| 16 | Food-contact surfaces: cleaned and sanitized | 37 | Variance |
| 17 | Proper disposition of returned, previously served, reconditioned, and unsafe food | | |
| Time/Temperature Controlled for Safety Food (TCS food) | | | |
| 18 | Proper cooking time and temperatures | Risk factors are food preparation practices and employee behaviors that are identified as the most significant contributing factors to foodborne illness. Public Health Interventions are control measures to prevent foodborne illness or injury. | |
| 19 | Proper reheating procedures for hot holding | | |
| 20 | Proper cooling time and temperatures | | |

HEA 5302A Ohio Department of Health (10/19)
 AGR 1268 Ohio Department of Agriculture (10/19)

State of Ohio
Food Inspection Report
 Authority: Chapters 3717 and 3715 Ohio Revised Code

| | | |
|--|---------------------------------|---------------------|
| Name of facility Boston Market #613 | Type of Inspection Follow-up | Date 12-Jun-2023 |
|--|---------------------------------|---------------------|

| GOOD RETAIL PRACTICES | | | |
|---|--|---|--|
| Good Retail Practices are preventative measures to control the introduction of pathogens, chemicals, and physical objects into foods. Mark designated compliance status (IN, OUT, N/O, N/A) for each numbered item: IN =In Compliance OUT =Out of Compliance N/O =Not Observed N/A =Not Applicable | | | |
| Safe Food and Water | | Utensils, Equipment and Vending | |
| 38 | Pasteurized eggs used where required | 54 OUT Food and non-food contact surfaces cleanable, proper designed, constructed, and used | |
| 39 | Water and ice from approved source | 55 Warewashing facilities: installed, maintained, used; test strips | |
| Food Temperature Control | | 56 OUT Non-food contact surfaces clean | |
| 40 | Proper cooling methods used; adequate equipment for temp control | Physical Facilities | |
| 41 | Plant food properly cooked for hot holding | 57 Hot and cold water available; adequate pressure | |
| 42 | Approved thawing methods used | 58 OUT Plumbing installed; proper backflow devices | |
| 43 | Thermometers provided and accurate | 59 OUT Sewage and waste water properly disposed | |
| Food Identification | | 60 Toilet facilities: properly constructed, supplied, cleaned | |
| 44 | Food properly labeled; original container | 61 OUT Garbage/refuse properly disposed; facilities maintained | |
| Prevention of Food Contamination | | 62 OUT Physical facilities installed, maintained, and cleaned; dogs in outdoor dining areas | |
| 45 OUT | Insects, rodents, and animals not present/outer openings protected | 63 Adequate ventilation and lighting; designated areas used | |
| 46 | Contamination prevented during food preparation, storage & display | 64 Existing Equipment and Facilities | |
| 47 | Personal cleanliness | Administrative | |
| 48 | Wiping cloths: properly used and stored | 65 901:3-4 OAC | |
| 49 | Washing fruits and vegetables | 66 OUT 3701-21 OAC | |
| Proper Use of Utensils | | | |
| 50 | In-use utensils: properly stored | | |
| 51 | Utensils, equipment and linens: properly stored, dried, handled | | |
| 52 | Single-use/single-service articles: properly stored, used | | |
| 53 | Slash-resistant, cloth, and latex glove use | | |

| Observations and Corrective Actions | | | | | |
|---|--------------------|----------------|--|-----|---|
| Mark "X" in appropriate box for COS and R: COS=corrected on-site during inspection R=repeat violation PRIORITY LEVEL: C=CRITICAL NC=NON-CRITICAL | | | | | |
| Item No. | Code Section | Priority Level | Comment | COS | R |
| 02 | 3717-1-02.4(A)(2) | NC | Observations: Facility does not have an employee with manager certification in food protection. THE EMPLOYEE ON DUTY (ONLY ONE EMPLOYEE WAS PRESENT AT THE TIME OF INSPECTION) COULD NOT DEMONSTRATE IF THE FACILITY HAS A MANAGER, WHO IS CERTIFIED BY THE STATE OF OHIO IN A MANAGER FOOD PROTECTION COURSE. | | X |
| 03 | 3717-1-02.4(C)(15) | C | Observations: Employees are not informed in a verifiable manner of their responsibility to report information about their health. OBSERVED A POSTED EMPLOYEE HEALTH POLICY, BUT IT LACKED SIGNATURES OF EMPLOYEES TO INDICATE THE EMPLOYEES WERE INFORMED OF THEIR HEALTH REPORTING RESPONSIBILITIES, AS REQUIRED BY STATE CODE. HAVE ALL FOOD EMPLOYEES READ, UNDERSTAND AND SIGN YOUR HEALTH POLICY TO REDUCE THE LIKELIHOOD OF FOODBORNE ILLNESSES AND CONTAMINATION RISKS. | | X |
| 45 | 3717-1-06.1(M) | NC | Observations: Outer opening not protected. OBSERVED GAPS AND LIGHT UNDER THE BACK DOOR. ALL OUTER OPENINGS NEED TO BE FREE OF GAPS TO PREVENT THE ENTRY OF PESTS AND RODENTS. REPAIR. 6/12 - NOT NOTED CHANGE. ENSURE THE BACK EXTERIOR DOOR IS FREE OF LIGHT/GAPS UNDER THE DOOR. | | X |
| 54 | 3717-1-04.3(B) | NC | Observations: Fixed equipment not properly sealed or spaced for cleaning. THE HANDSINK IN THE LEFT MOST RESTROOM IS NOT PROPERLY SEALED TO THE WALL NOR THE LEFT SIDE OF THE FOOD PREP SINK. CAULK TO SEAL TO ENSURE PROPER CLEANING. | | X |
| 56 | 3717-1-04.5(A)(3) | NC | Observations: Non-food contact surfaces of equipment are unclean. 1. OBSERVED AN AREA ON THE BASE OF THE MIXER AND THE GUARDS ON THE MIXER TO BE SOILED. 1. OBSERVED SOILED FAN GUARDS IN THE WALK-IN COOLER. CLEAN AND SANITIZE | | X |
| 58 | 3717-1-05.1(S) | NC | Observations: Plumbing system not properly maintained or repaired. THE FAUCET AT THE FOOD PREP SINK LEAKS. REPAIR 6/12 - THE FOOD PREP SINK STILL LEAKS AND THE SPRAYER HOSE DRIPS. | | X |
| 59 | 3717-1-05.3(C) | C | Observations: Direct connection between the sewage system and a drain originating from equipment in which food, portable equipment, or utensils are placed. OBSERVED DIRECT PLUMBING CONNECTIONS AT THE FOLLOWING PIECES OF EQUIPMENT: ICE MAKER RETHEMALIZER AND THE STEAMTABLE. AIR GAPS ARE REQUIRED TO PREVENT BACK SIPHONAGE. | | X |
| 61 | 3717-1-05.4(F)(1) | NC | Observations: Outdoor refuse containers without tight fitting lids, doors, or covers. OBSERVED AN OUTDOOR GREASE RECEPTACLE WITH A DAMAGED LID. REPAIR. OUTDOOR REFUSE CONTAINER MUST BE EQUIPPED WITH TIGHT LIDS FOR PEST AND RODENT CONTROL AS WELL AS ENVIRONMENT REASONS. | | X |
| 61 | 3717-1-05.4(N) | NC | Observations: Waste receptacles not covered properly. OBSERVED AN OUTDOOR GREASE RECEPTACLE NOT PROPERLY COVERED DUE TO A DAMAGED LID. | | X |

| | | | | |
|----|----------------|----|---|---|
| | | | KEEP COVERED. | |
| 62 | 3717-1-06.4(B) | NC | Observations: Facility not maintained clean. OBSERVED DUST ON AREAS OF THE WALL AND CEILING, AS WELL AS SOME SPILLS. THE WALL UNDER THE 3 BAY SINK HAS BROWNISH STREAK MARKS. OBSERVED AN UNCLEAR FLOOR BY THE RETHERMALIZER. ENSURE YOUR FLOORS, WALLS AND CEILING ARE CLEAN AND MAINTAINED. | X |
| 62 | 3717-1-06.4(A) | NC | Observations: Physical facilities not maintained in good repair. 1. THE OUTSIDE OF THE BUILDING WHERE A PORTION OF THE BUILDING HAS FALLEN OFF HAS NOT BE FULLY REPAIRED. ON THE BACKSIDE OF THE BUILDING SYTROFOAM WAS PUT UP. ON THE LOWER LEFT OF THE SYTROFOAM A HOLE IS PRESENT. - 6/12 - WORK WAS COMPLETED ON THE EXTERIOR OF THE BUILDING. A SANDERS INDICATED VIA A PHONE CALL THAT THE BUILDING REPAIRS OUTSIDE WILL BE COMPLETED BY WEDNESDAY. 2. THERE IS A MISSING CEILING TILE IN THE BACK OF HOUSE. - 6/12 - CORRECTED 3. THERE IS PEELING PAINT ON THE WALK-IN COOLER CEILING. 6/12 - NO CHANGE COMPLETE ALL REPAIRS ON THE OUTSIDE BY THURSDAY, MAY 25TH. | X |
| 66 | 3701-21-02(H) | NC | Observations: FSO license not displayed; improper display of mobile FSO information. THE STORE'S CURRENT FOOD LICENSE WAS NOT ON DISPLAY; IT COULD NOT BE LOCATED IN THE RESTAURANT. OBTAIN AND POST YOUR CURRENT FOOD LICENSE (NO COPIES) 6/12 - WAS INFORMED TODAY THAT BOSTON MARKET CORPORATION NO LONGER OWNES THIS LOCATION. THE DISTRICT MGR, ACCOUNT EXECUTIVE AND GM WERE EMAILED INFORMATION RE: THE NEED TO SUBMIT A PLAN REVIEW TO GET THE FOOD LICENSE FOR THIS LOCATION IN THE CORRECT OWNERS NAME. | X |

| Corrected Violations | | | |
|----------------------|----------------|----------------|--|
| Item No. | Code Section | Priority Level | Comment |
| 55 | 3717-1-04.2(I) | NC | Observations: No sanitizer test kit available. OBSERVED EXPIRED QUAT TEST STRIPS. ACQUIRE NEW. |
| 63 | 3717-1-06.4(D) | NC | Observations: Ventilation system not maintained. OBSERVED BLACK BUILD UP ON BACK OF HOUSE CEILING VENTS. CLEAN |

DUE TO A CHANGE OF OWNERSHIP, A PLAN REVIEW APPLICATION MUST BE COMPLETED AND SUBMITTED TO FRANKLIN COUNTY PUBLIC HEALTH BY MONDAY, JUNE 19TH. THIS IS REQUIRED BEFORE A LICENSE CAN BE ISSUED IN THE NEW OWNERS NAME. NEW INSPECTIONS WILL BE COMPLETED UNDER THE NEW OWNERSHIP.

AN UNLICENSED FSO WARNING LETTER WAS ISSUED TODAY. A COPY WAS SENT TO A SANDERS, THE GM AND D PATOLIYA AS WELL AS A PLAN REVIEW APPLICATION.

A COPY OF THE WARNING LETTER AND REPORT WERE PROVIDED TO THE FSO ON THIS DATE.

| | |
|-----------------------------|--|
| Person in Charge CELSO | Date 12-Jun-2023 |
| Sanitarian Mary Madlener | Licensors Franklin County Public Health |

HEA 5302B Ohio Department of Health (10/19)
AGR 1268 Ohio Department of Agriculture (10/19)

WARNING LETTER FOR UNLICENSED FOOD ESTABLISHMENT

June 12, 2023

Name: Boston Market #613
Address: 14310 W Broad Street
City/State/Zip: Columbus, Ohio

Re: Operating a Foodservice Establishment without a valid license.

Pursuant to Ohio Revised Code (ORC) Section 3717.41: *Except as provided in section 3717.42 of the Revised Code, no person or government entity shall operate a foodservice establishment without a license. A separate license is required for each foodservice establishment that a person or government entity operates.*

No person or government entity shall fail to comply with any other requirement of this chapter applicable to foodservice establishments.

This letter serves a warning as, pursuant to Resolution No. 14-117, the Board of Health has authorized the Health Commissioner to refer for criminal prosecution and/or a temporary restraining order or injunctive relief any matter involving a violation of Revised Code section 3717.41.

To comply with this Warning Letter, you are prohibited from serving, preparing, delivering, or selling food for charge until a license is granted by Franklin County Public Health pursuant to Revised Code section 3717.43.

I have attached a plan review packet if you would like to operate out of a licensed operation. I urge you to review the rules at <https://myfcph.org/environmental-health/food-safety/> also, to learn how to become licensed. We are more than happy to help you through this process.

If you have any questions regarding this matter, please contact Rebecca Keller, REHS, Food Safety Program Supervisor at 614-561-3671.

Sincerely,



Rebecca J Keller, REHS
Food Safety & School Health Supervisor
Franklin County Public Health
280 East Broad Street
Columbus, Ohio 43215-4562
rebeccakeller@franklincountyohio.gov
(614) 561-3671 Cell

June 20, 2023

Boston Market
4310 W Broad St
Columbus, OH 43228
Licensee: New owner is unknown
License #: Unlicensed

Re: Repeated violations and failure to maintain standards of Ohio Administrative Code 3717: Ohio Uniform Food Safety Code

Dear Boston Market:

For failure to submit a plan review and license your facility. The exterior is not repaired as required and failure to maintain minimum standards of the Ohio Uniform Food Safety Code, you are hereby requested to appear for an Administrative Hearing on:

Thursday June 29, 2023, at 10:00am

Boston Market is currently in violation of Ohio Administrative Code, Chapter 3717 governing food service operations and retail food establishments.

This hearing will be at the office of the Franklin County District Board of Health, Memorial Hall 280 E. Broad Street, located on the 2nd floor, Columbus, Ohio 43215, and will be conducted by the Food Safety and School Health Division Manager or her designee.

Failure to appear may result in immediate legal action by Franklin County Public Health. Please contact this office if you have any questions regarding this hearing at (614)525-3160.

Sincerely,



Rebecca J Keller, REHS
Supervisor, Food Safety Program
Franklin County Public Health
280 East Broad Street
Columbus, Ohio 43215-4562

Received by

Date

Hand delivered by M. Madlener, REHS on:

-
Date

ADMINISTRATIVE HEARING LETTER FOR UNLICENSED FOOD ESTABLISHMENT

July 5, 2023

Name: Boston Market
Address: 14310 W Broad Street
City/State/Zip: Columbus, Ohio

Re: Operating a Foodservice Establishment without a valid license.

Pursuant to Ohio Revised Code (ORC) Section 3717.41: *Except as provided in section 3717.42 of the Revised Code, no person or government entity shall operate a foodservice establishment without a license. A separate license is required for each foodservice establishment that a person or government entity operates.*

This notice cannot be removed by the facility and can only be removed by an FCPH representative. For failure to submit a plan review and license your facility. You are hereby ordered to appear for an Administrative Hearing on:

Friday July 5, 2023, at 2:00pm

This hearing will be at the office of the Franklin County District Board of Health, Memorial Hall 280 E. Broad Street, Columbus, Ohio 43215, in the Alpha conference room and will be conducted by the Food Safety and School Health Division Manager or her designee.

To get in compliance, the plan review fee of \$500 made to Franklin County Public Health or with an additional expedited fee of \$1,250 for a total of \$1,750 must be received before the hearing.

Failure to appear may result in immediate legal action by Franklin County Public Health. If you have any questions regarding this matter, please contact Karin Kasper, REHS, Food Safety Division Manager 614-653-2235.

Sincerely,



Karin Kasper, REHS
Food Safety & School Health Division Manager
Franklin County Public Health
280 East Broad Street
Columbus, Ohio 43215-4562
karinkasper@franklincountyohio.gov
(614) 653-2235 Cell



July 18, 2023

Boston Market
4310 W Broad St
Columbus, OH 43228
Licensee: New owner is unknown
License #: Unlicensed

Re: Operating without a license -Repeated violations and failure to maintain standards of Ohio Administrative Code 3717: Ohio Uniform Food Safety Code

Dear Boston Market:

Failure to maintain minimum standards of the Ohio Uniform Food Safety Code, you are hereby requested to appear for an Administrative Hearing on:

Tuesday August 1, 2023, at 11:30am

Boston Market is currently in violation of Ohio Administrative Code, Chapter 3717 governing food service operations and retail food establishments, operating without a license.

This hearing will be at the office of the Franklin County District Board of Health, Memorial Hall 280 E. Broad Street, located on the 2nd floor, Columbus, Ohio 43215, and will be conducted by the Food Safety and School Health Division Manager or her designee.

Failure to appear may result in immediate legal action by Franklin County Public Health. Please contact this office if you have any questions regarding this hearing at (614)525-3160.

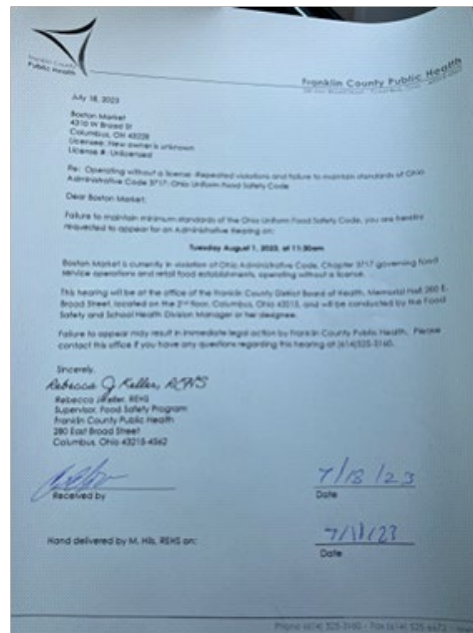
Sincerely,

Rebecca J Keller, REHS

Rebecca J Keller, REHS
Supervisor, Food Safety Program
Franklin County Public Health
280 East Broad Street
Columbus, Ohio 43215-4562

Received by _____

Hand delivered by M. Hils, REHS on:



State of Ohio Food Inspection Report

Authority: Chapters 3717 and 3715 Ohio Revised Code

| | | | | |
|--|---|---|---|---------------------|
| Name of facility Boston Chicken of OH LLC | | Check one <input checked="" type="checkbox"/> FSO <input type="checkbox"/> RFE | License Number SMUG-CTGS7B | Date 18-Jul-2023 |
| Address 4310 W Broad Street | | City/State/Zip Code Columbus OH 43228 | | |
| License holder Narendra Pandya | Inspection Time 60 | Travel Time 0 | Category/Descriptive Commercial FSO < 25000 sq. ft. - Risk Level IV | |
| Type of Inspection Standard | Follow up date (if required) | | Water sample date/result (if required) | |
| FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS | | | | |
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HEA 5302A Ohio Department of Health (10/19)
 AGR 1268 Ohio Department of Agriculture (10/19)

State of Ohio Food Inspection Report

Authority: Chapters 3717 and 3715 Ohio Revised Code

| | | |
|--|--------------------------------|---------------------|
| Name of facility Boston Chicken of OH LLC | Type of Inspection Standard | Date 18-Jul-2023 |
|--|--------------------------------|---------------------|

| GOOD RETAIL PRACTICES | | | |
|---|--|---------------------------------|--|
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| Prevention of Food Contamination | | 62 | Physical facilities installed, maintained, and cleaned; dogs in outdoor dining areas |
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| 51 | Utensils, equipment and linens: properly stored, dried, handled | | |
| 52 | Single-use/single-service articles: properly stored, used | | |
| 53 | Slash-resistant, cloth, and latex glove use | | |

| Observations and Corrective Actions | | | | | |
|--|--------------|----------------|---|-----|---|
| Mark "X" in appropriate box for COS and R: COS=corrected on-site during inspection R=repeat violation PRIORITY LEVEL: C=CRITICAL NC=NON-CRITICAL | | | | | |
| Item No. | Code Section | Priority Level | Comment | COS | R |
| | | NC | Observations: | | |
| <p style="color: blue;">THIS VISIT WAS TO DROP OFF A HEARING LETTER DUE TO NOT PAYING THE LICENSE FEE.</p> <p style="color: blue;">THE HEARING IS SCHEDULED FOR **8/1/2023**</p> <p style="color: blue;">PAYING THE FOOD LICENSE FEE WILL CAUSE THE HEARING TO BE CANCELED.</p> <p style="color: blue;">- A HEARING LETTER WAS GIVEN TO THE PIC.</p> <p style="color: blue;">BONITA'S CONEY'S IS A PROXY FACILITY FOR UNLICENSED FACILITIES.</p> | | | | | |
| Person in Charge CEL SO | | | Date 18-Jul-2023 | | |
| Sanitarian Mike Hils | | | Licenser Franklin County Public Health | | |

HEA 5302B Ohio Department of Health (10/19)
AGR 1268 Ohio Department of Agriculture (10/19)

State of Ohio
Food Inspection Report
 Authority: Chapters 3717 and 3715 Ohio Revised Code

| | | | |
|---|---|--|--|
| Name of facility Boston Chicken of OH LLC | Check one <input checked="" type="checkbox"/> FSO <input type="checkbox"/> RFE | License Number SMUG-CTGS7B | Date 24-Jul-2023 |
| Address 4310 W Broad Street | | City/State/Zip Code Columbus OH 43228 | |
| License holder Narendra Pandya | Inspection Time 165 | Travel Time 0 | Category/Descriptive Commercial FSO < 25000 sq. ft. - Risk Level IV |
| Type of Inspection Standard/Critical Control Point | | Follow up date (if required) 7-Aug-2023 | Water sample date/result (if required) |

FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS

Mark designated compliance status (IN, OUT, N/O, N/A) for each numbered item: **IN**=In Compliance **OUT**=Out of Compliance **N/O**=Not Observed **N/A**=Not Applicable

| Supervision | | | Time/Temperature Controlled for Safety Food (TCS food) | | |
|-----------------------------------|-----|---|---|-----|---|
| 1 | OUT | Person in charge present, demonstrates knowledge, and performs duties | 21 | IN | Proper hot holding temperatures |
| 2 | OUT | Certified Food Protection Manager | 22 | IN | Proper cold holding temperatures |
| Employee Health | | | 23 | IN | Proper date marking and disposition |
| 3 | IN | Management, food employees and conditional employees; knowledge, responsibilities and reporting | 24 | N/A | Time as a public health control: procedures & records |
| 4 | IN | Proper use of restriction and exclusion | Consumer Advisory | | |
| 5 | IN | Procedures for responding to vomiting and diarrheal events | 25 | N/A | Consumer advisory provided for raw or undercooked foods |
| Good Hygienic Practices | | | Highly Susceptible Populations | | |
| 6 | IN | Proper eating, tasting, drinking, or tobacco use | 26 | N/A | Pasteurized foods used; prohibited foods not offered |
| 7 | IN | No discharge from eyes, nose, and mouth | Chemical | | |
| Preventing Contamination by Hands | | | 27 | N/A | Food additives: approved and properly used |
| 8 | IN | Hands clean and properly washed | 28 | IN | Toxic substances properly identified, stored, used |
| 9 | IN | No bare hand contact with ready-to-eat foods or approved alternate method properly followed | Conformance with Approved Procedures | | |
| 10 | OUT | Adequate handwashing facilities supplied & accessible | 29 | N/A | Compliance with Reduced Oxygen Packaging, other specialized processes, and HACCP Plan |
| Approved Source | | | 30 | N/A | Special Requirements: Fresh Juice Production |
| 11 | IN | Food obtained from approved source | 31 | N/A | Special Requirements: Heat Treatment Dispensing Freezers |
| 12 | N/O | Food received at proper temperature | 32 | N/A | Special Requirements: Custom Processing |
| 13 | IN | Food in good condition, safe, and unadulterated | 33 | N/A | Special Requirements: Bulk Water Machine Criteria |
| 14 | N/A | Required records available: shellstock tags, parasite destruction | 34 | N/A | Special Requirements: Acidified White Rice Preparation Criteria |
| Protection From Contamination | | | 35 | | Critical Control Point Inspection |
| 15 | IN | Food separated and protected | 36 | N/A | Process Review |
| 16 | OUT | Food-contact surfaces: cleaned and sanitized | 37 | N/A | Variance |
| 17 | IN | Proper disposition of returned, previously served, reconditioned, and unsafe food | Time/Temperature Controlled for Safety Food (TCS food) | | |
| 18 | N/O | Proper cooking time and temperatures | Risk factors are food preparation practices and employee behaviors that are identified as the most significant contributing factors to foodborne illness. Public Health Interventions are control measures to prevent foodborne illness or injury. | | |
| 19 | N/O | Proper reheating procedures for hot holding | | | |
| 20 | N/O | Proper cooling time and temperatures | | | |

HEA 5302A Ohio Department of Health (10/19)
 AGR 1268 Ohio Department of Agriculture (10/19)

State of Ohio Food Inspection Report

Authority: Chapters 3717 and 3715 Ohio Revised Code

| | | |
|--|---|---------------------|
| Name of facility Boston Chicken of OH LLC | Type of Inspection Standard/Critical Control Point | Date 24-Jul-2023 |
|--|---|---------------------|

| GOOD RETAIL PRACTICES | | | | | |
|---|-----|--|--|-----|--|
| Good Retail Practices are preventative measures to control the introduction of pathogens, chemicals, and physical objects into foods. Mark designated compliance status (IN, OUT, N/O, N/A) for each numbered item: IN =In Compliance OUT =Out of Compliance N/O =Not Observed N/A =Not Applicable | | | | | |
| Safe Food and Water | | | Utensils, Equipment and Vending | | |
| 38 | N/A | Pasteurized eggs used where required | 54 | OUT | Food and non-food contact surfaces cleanable, proper designed, constructed, and used |
| 39 | IN | Water and ice from approved source | 55 | OUT | Warewashing facilities: installed, maintained, used; test strips |
| Food Temperature Control | | | 56 | OUT | Non-food contact surfaces clean |
| 40 | IN | Proper cooling methods used; adequate equipment for temp control | Physical Facilities | | |
| 41 | N/O | Plant food properly cooked for hot holding | 57 | IN | Hot and cold water available; adequate pressure |
| 42 | N/O | Approved thawing methods used | 58 | OUT | Plumbing installed; proper backflow devices |
| 43 | IN | Thermometers provided and accurate | 59 | OUT | Sewage and waste water properly disposed |
| Food Identification | | | 60 | IN | Toilet facilities: properly constructed, supplied, cleaned |
| 44 | IN | Food properly labeled; original container | 61 | IN | Garbage/refuse properly disposed; facilities maintained |
| Prevention of Food Contamination | | | 62 | OUT | Physical facilities installed, maintained, and cleaned; dogs in outdoor dining areas |
| 45 | OUT | Insects, rodents, and animals not present/outer openings protected | 63 | OUT | Adequate ventilation and lighting; designated areas used |
| 46 | IN | Contamination prevented during food preparation, storage & display | 64 | IN | Existing Equipment and Facilities |
| 47 | IN | Personal cleanliness | Administrative | | |
| 48 | N/O | Wiping cloths: properly used and stored | 65 | N/A | 901:3-4 OAC |
| 49 | N/O | Washing fruits and vegetables | Administrative | | |
| Proper Use of Utensils | | | 66 | IN | 3701-21 OAC |
| 50 | OUT | In-use utensils: properly stored | | | |
| 51 | OUT | Utensils, equipment and linens: properly stored, dried, handled | | | |
| 52 | OUT | Single-use/single-service articles: properly stored, used | | | |
| 53 | IN | Slash-resistant, cloth, and latex glove use | | | |

| Observations and Corrective Actions | | | | | |
|---|-------------------|----------------|--|-----|---|
| Mark "X" in appropriate box for COS and R: COS=corrected on-site during inspection R=repeat violation PRIORITY LEVEL: C=CRITICAL NC=NON-CRITICAL | | | | | |
| Item No. | Code Section | Priority Level | Comment | COS | R |
| 01 | 3717-1-02.4(B)(1) | C | Observations: PIC unable to demonstrate knowledge by having no critical violations. OBSERVED THREE OR MORE UNCORRECTED CRITICAL VIOLATIONS DURING THE INSPECTION. ENSURE THAT MORE OVERSIGHT IS PROVIDED IN ORDER TO PREVENT CRITICAL VIOLATIONS FROM OCCURRING. | | |
| 02 | 3717-1-02.4(A)(2) | NC | Observations: Facility does not have an employee with manager certification in food protection. OBSERVED NO EMPLOYEES HAVING MANAGER CERTIFICATION IN FOOD PROTECTION FROM OHIO DEPARTMENT OF HEALTH. ENSURE THAT AT LEAST ONE EMPLOYEE IN MANAGEMENT OBTAINS MANAGER CERTIFICATION IN FOOD PROTECTION. | | |
| 10 | 3717-1-05.1(L) | NC | Observations: Handwashing sink(s) are not conveniently located as specified in rule. OBSERVED THAT THE BACK HANDWASHING SINK IS APPROXIMATELY 40 FEET AWAY FROM THE THREE COMPARTMENT SINK AND IS BLOCKED FROM DIRECT VIEW BY SEVERAL WALLS. ENSURE THAT A HANDWASHING SINK IS STALLED NEAR THE THREE COMPARTMENT SINK IN ORDER FOR EMPLOYEES TO BE ABLE TO EASILY WASH THEIR HANDS. | | |
| 16 | 3717-1-04.4(N)(3) | C | Observations: Quaternary ammonium sanitizing solution at incorrect temperature, concentration, and/or water hardness. OBSERVED THAT THE QUAT AMMONIUM SANITIZER IS LESS THAN 100 PPM. ENSURE THAT THE CONCENTRATION IS AT LEAST 200 PPM IN ORDER TO SANITIZE CLEANED UTENSILS. | | |
| 16 | 3717-1-04.5(A)(1) | C | Observations: Equipment food-contact surfaces or utensils are unclean. OBSERVED THE FOLLOWING: 1) DRIED FOOD RESIDUE ON POTATO DICER ON WALL AT PREP SINK 2) FOOD RESIDUE ON CLEANED AND STORED KNIFE 3) WHITE BUILD-UP ON UNDERSIDE OF FLOOR MIXER 4) BLACK AND PINK BUILD-UP ON WHITE ICE DIVERTER PANEL INSIDE OF ICE MAKER 5) PINK BUILD-UP ON ICE CHUTE OF SODA FOUNTAIN IN DINING ROOM ENSURE THAT ALL FOOD CONTACT SURFACES AND UTENSILS ARE MAINTAINED CLEAN IN ORDER TO PREVENT CONTAMINATION OF FOOD AND TO PREVENT GROWTH OF HARMFUL PATHOGENS. | | |
| 45 | 3717-1-06.1(M) | NC | Observations: Outer opening not protected. OBSERVED GAPS IN BETWEEN BACK DOOR AND FLOOR LARGE ENOUGH FOR PESTS TO ENTER. ENSURE THAT THE GAP IS SEALED. | | |
| 50 | 3717-1-03.2(K) | NC | Observations: In-use utensils improperly stored. OBSERVED DEAD INSECT IN ICE SCOOP HOLDER BY ICE MAKER. ENSURE THAT THE ICE SCOOP IS STORED PROTECTED FROM CONTAMINATION. | | |
| 51 | 3717-1-04.8(E)(1) | NC | Observations: Improper storage of cleaned equipment, utensils, and laundered linens. OBSERVED THICK DUST BUILD-UP ON TOP OF KNIFE HOLDING BOX. ENSURE THAT THE BOX IS MAINTAINED CLEAN IN ORDER TO KEEP THE KNIVES CLEAN WHEN IN STORAGE. | | |
| 52 | 3717-1-04.8(E)(1) | NC | Observations: Improper storage of single-service and single-use articles. OBSERVED MULTIPLE SINGLE-SERVICE TO-GO CONTAINERS STORED UPRIGHT IN BACK STORAGE ROOM. ENSURE THAT SINGLE-USE ITEMS ARE STORED EITHER UPSIDE DOWN OR IN A CONTAINER TO PREVENT DUST AND DEBRIS FROM ACCUMULATING INSIDE. | | |

| | | | | | |
|----|-------------------|----|--|---|--|
| 54 | 3717-1-04.1(C) | C | Observations: Food contact surfaces not easily cleanable. OBSERVED THE FOLLOWING: 1) MULTIPLE RUBBER SPATULAS WITH ROUGH, CRACKED EDGES 2) MULTIPLE PLASTIC CONTAINERS WITH CRACKS ALONG THE INSIDES ENSURE THAT ALL FOOD CONTACT SURFACES ARE SMOOTH AND EASILY CLEANABLE IN ORDER FOR ALL FOOD CONTACT SURFACES TO BE CLEANED AND SANITIZED. | | |
| 54 | 3717-1-04.4(B) | NC | Observations: Cutting blocks or boards cannot be effectively cleaned and sanitized. OBSERVED CUTTING BOARD ON PREP COOLER WITH BLACK BUILD-UP IN SCRATCHES AND STAINED BROWN. ENSURE THAT CUTTING BOARDS ARE DISCARDED WHEN THEY CAN NO LONGER BE EFFECTIVELY CLEANED AND SANITIZED. | | |
| 54 | 3717-1-04.4(A)(2) | NC | Observations: Equipment components are not intact, tight or properly adjusted. OBSERVED THAT THE LIGHT FOR THE M3 TURBO FREEZER IS RESTING ON TOP OF BOXES OF FOOD INSIDE OF THE UNIT. ENSURE THAT THE LIGHT IS REPAIRED AND NOT RESTING ON FOOD. | | |
| 55 | 3717-1-04.2(I) | NC | Observations: No sanitizer test kit available. OBSERVED THAT THE QUAT AMMONIUM TEST STRIPS EXPIRED 11/1/2022. ENSURE THAT NEW TEST STRIPS ARE OBTAINED. | | |
| 56 | 3717-1-04.5(A)(3) | NC | Observations: Non-food contact surfaces of equipment are unclean. OBSERVED THE FOLLOWING: 1) WHITE BUILD-UP ON RACKS INSIDE OF WALK-IN COOLER 2) WHITE BUILD-UP ON FAN COVER INSIDE OF WALK-IN COOLER ENSURE THAT NONFOOD-CONTACT SURFACES ARE MAINTAINED CLEAN. | | |
| 58 | 3717-1-05.1(E) | C | Observations: Improper backflow prevention device installed on a water supply system. OBSERVED CONTROL CLOSED VALVE DOWNSTREAM OF BACKFLOW CONTROL AT MOP SINK. ENSURE THAT EITHER A THE CONTROL VALVE IS REMOVED, A BLEEDER VALVE IS INSTALLED, OR TURN OFF FAUCET ABOVE THE CONTROL VALVE IN ORDER TO PREVENT BUILD-UP OF PRESSURE WITHIN FAUCET. | X | |
| 59 | 3717-1-05.3(C) | C | Observations: Direct connection between the sewage system and a drain originating from equipment in which food, portable equipment, or utensils are placed. OBSERVED THE FOLLOWING: 1) HOSE FROM RETHERMALIZER INSIDE OF FLOOR DRAIN 2) NO AIR GAP IN BETWEEN DRAIN LINE AND FLOOR DRAIN FOR ICE MAKER ENSURE THERE IS A GAP TWICE THE DIAMETER OF THE DRAIN LINE FROM THE UNITS DRAIN LINES TO THE FLOOR DRAIN COVER. | | |
| 62 | 3717-1-06.4(B) | NC | Observations: Facility not maintained clean. OBSERVED THE FOLLOWING: 1) DUST BUILD-UP ON CEILING THROUGHOUT FOOD PREP AREA 2) BLACK BUILD-UP ON WALL BEHIND THREE COMPARTMENT SINK ENSURE THAT HE FACILITY IS MAINTAINED IN GOOD REPAIR. | | |
| 62 | 3717-1-06.4(A) | NC | Observations: Physical facilities not maintained in good repair. OBSERVED THE FOLLOWING: 1) WALL PAPER COMING OFF WALL IN FIRST RESTROOM 2) BROKEN CAULKING ON HANDWASHING SINK IN FIRST RESTROOM 3) LOW AND MISSING GROUT IN FLOOR TILES IN BACK PREP ROOM 4) MISSING COVING ON WALL CORNER AT THREE COMPARTMENT SINK ROOM ENSURE THAT THE FACILITY IS MAINTAINED IN GOOD REPAIR. | | |
| 62 | 3717-1-06.4(N) | NC | Observations: Unnecessary or nonfunctional items and /or litter on premises. OBSERVED UNUSED COOLER UNDER MICROWAVES IN BACK PREP ROOM OF FACILITY. ENSURE THAT THE EQUIPMENT IS REMOVED OR CLEANED AND USED. | | |
| 63 | 3717-1-06.2(J) | NC | Observations: Ventilation not sufficient. OBSERVED THAT IT FEELS VERY WARM IN THE FOOD PREP AREA. TWO FANS ARE SET UP TO PROVIDE COOLING. PIC STATED THAT THE AIR CONDITIONER ONLY WORKS IN THE DINING ROOM. ENSURE THAT THE VENTILATION IS ABLE TO REMOVE THE HEAT IN THE FOOD PREP AREAS. | | |
| 63 | 3717-1-06.4(D) | NC | Observations: Ventilation system not maintained. OBSERVED DUST BUILD-UP IN FUME HOODS OVER CHICKEN OVENS NEAR FRONT COUNTER. ENSURE THAT THE VENTILATION SYSTEM IS MAINTAINED CLEAN. | | |

THIS IS A CHANGE OF OWNERSHIP INSPECTION. DUE TO CONTINUOUS OPERATION OF THE FACILITY, THIS IS ALSO THE FIRST STANDARD/CRITICAL CONTROL POINT INSPECTION.

- THE NEW FOOD LICENSE WAS GIVEN TO THE PIC.

- THESE VIOLATIONS MUST BE CORRECTED BY THE FOLLOW-UP INSPECTION OR AN ADMINISTRATIVE HEARING WILL TAKE PLACE. THE FOLLOW-UP INSPECTION WILL OCCUR ON OR AFTER ****MONDAY 8/7/2023****.

****A WARNING LETTER WAS GIVEN AT THIS INSPECTOR. PLEASE HAVE THE VIOLATIONS CORRECTED BY THE FOLLOW-UP INSPECTION.****

- AN ADDITIONAL HANDWASHING SINK MUST BE INSTALLED WITHIN 30 DAYS OF THIS STANDARD INSPECTION. ****THIS DATE IS 8/23/2023****

Comments related to the Critical Control Point Inspection (Item 35) are listed below. Note: Positive observations are indicated by the element number and the letter P.

I - P - Employee Health: The operation had an employee health policy on file.

III - P - Preventing Contamination by Hands: Hand washing facilities are properly supplied.

VI - P - TCS Food: Observed hot foods being held at 135°F or above; cold foods being held at 41°F or below.

VII - Protection from Contamination: Equipment food-contact surfaces or utensils are dirty.

VII - Protection from Contamination: Equipment food-contact surfaces and utensils were not being sanitized.

| | |
|-----------------------------|--|
| Person in Charge JAQUECE | Date 24-Jul-2023 |
| Sanitarian Mike Hils | Licensors Franklin County Public Health |

HEA 5302B Ohio Department of Health (10/19)
AGR 1268 Ohio Department of Agriculture (10/19)

State of Ohio
Food Inspection Report
 Authority: Chapters 3717 and 3715 Ohio Revised Code

| | | | |
|--|---|---|---|
| Name of facility Boston Chicken of OH LLC | Check one <input checked="" type="checkbox"/> FSO <input type="checkbox"/> RFE | License Number SMUG-CTGS7B | Date 7-Aug-2023 |
| Address 4310 W Broad Street | | City/State/Zip Code Columbus OH 43228 | |
| License holder Narendra Pandya | Inspection Time 45 | Travel Time 0 | Category/Descriptive Commercial FSO < 25000 sq. ft. - Risk Level IV |
| Type of Inspection Consultation | | Follow up date (if required) | Water sample date/result (if required) |
| FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS | | | |
| Mark designated compliance status (IN, OUT, N/O, N/A) for each numbered item: IN =In Compliance OUT =Out of Compliance N/O =Not Observed N/A =Not Applicable | | | |
| Supervision | | Time/Temperature Controlled for Safety Food (TCS food) | |
| 1 | Person in charge present, demonstrates knowledge, and performs duties | 21 | Proper hot holding temperatures |
| 2 | Certified Food Protection Manager | 22 | Proper cold holding temperatures |
| Employee Health | | 23 | Proper date marking and disposition |
| 3 | Management, food employees and conditional employees; knowledge, responsibilities and reporting | 24 | Time as a public health control: procedures & records |
| 4 | Proper use of restriction and exclusion | Consumer Advisory | |
| 5 | Procedures for responding to vomiting and diarrheal events | 25 | Consumer advisory provided for raw or undercooked foods |
| Good Hygienic Practices | | Highly Susceptible Populations | |
| 6 | Proper eating, tasting, drinking, or tobacco use | 26 | Pasteurized foods used; prohibited foods not offered |
| 7 | No discharge from eyes, nose, and mouth | Chemical | |
| Preventing Contamination by Hands | | 27 | Food additives: approved and properly used |
| 8 | Hands clean and properly washed | 28 | Toxic substances properly identified, stored, used |
| 9 | No bare hand contact with ready-to-eat foods or approved alternate method properly followed | Conformance with Approved Procedures | |
| 10 | Adequate handwashing facilities supplied & accessible | 29 | Compliance with Reduced Oxygen Packaging, other specialized processes, and HACCP Plan |
| Approved Source | | 30 | Special Requirements: Fresh Juice Production |
| 11 | Food obtained from approved source | 31 | Special Requirements: Heat Treatment Dispensing Freezers |
| 12 | Food received at proper temperature | 32 | Special Requirements: Custom Processing |
| 13 | Food in good condition, safe, and unadulterated | 33 | Special Requirements: Bulk Water Machine Criteria |
| 14 | Required records available: shellstock tags, parasite destruction | 34 | Special Requirements: Acidified White Rice Preparation Criteria |
| Protection From Contamination | | 35 | Critical Control Point Inspection |
| 15 | Food separated and protected | 36 | Process Review |
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| 17 | Proper disposition of returned, previously served, reconditioned, and unsafe food | | |
| Time/Temperature Controlled for Safety Food (TCS food) | | | |
| 18 | Proper cooking time and temperatures | Risk factors are food preparation practices and employee behaviors that are identified as the most significant contributing factors to foodborne illness. Public Health Interventions are control measures to prevent foodborne illness or injury. | |
| 19 | Proper reheating procedures for hot holding | | |
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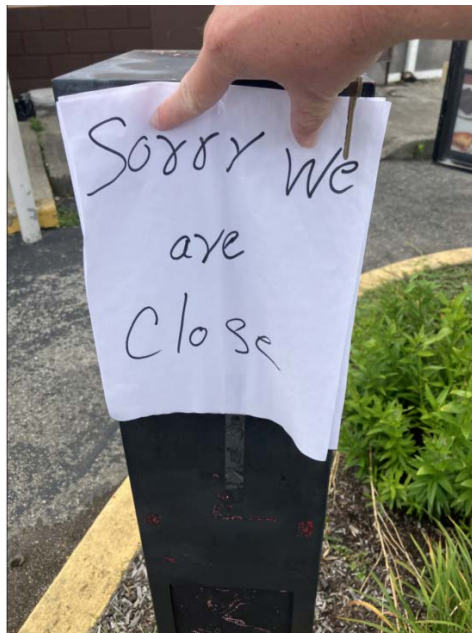
| | | |
|--|------------------------------------|--------------------|
| Name of facility Boston Chicken of OH LLC | Type of Inspection Consultation | Date 7-Aug-2023 |
|--|------------------------------------|--------------------|

| GOOD RETAIL PRACTICES | | | |
|---|--|---|-------------|
| Good Retail Practices are preventative measures to control the introduction of pathogens, chemicals, and physical objects into foods. Mark designated compliance status (IN, OUT, N/O, N/A) for each numbered item: IN =In Compliance OUT =Out of Compliance N/O =Not Observed N/A =Not Applicable | | | |
| Safe Food and Water | | Utensils, Equipment and Vending | |
| 38 | Pasteurized eggs used where required | 54 Food and non-food contact surfaces cleanable, proper designed, constructed, and used | |
| 39 | Water and ice from approved source | 55 Warewashing facilities: installed, maintained, used; test strips | |
| Food Temperature Control | | Physical Facilities | |
| 40 | Proper cooling methods used; adequate equipment for temp control | 57 Hot and cold water available; adequate pressure | |
| 41 | Plant food properly cooked for hot holding | 58 Plumbing installed; proper backflow devices | |
| 42 | Approved thawing methods used | 59 Sewage and waste water properly disposed | |
| 43 | Thermometers provided and accurate | 60 Toilet facilities: properly constructed, supplied, cleaned | |
| Food Identification | | 61 Garbage/refuse properly disposed; facilities maintained | |
| 44 | Food properly labeled; original container | 62 Physical facilities installed, maintained, and cleaned; dogs in outdoor dining areas | |
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| 45 | Insects, rodents, and animals not present/outer openings protected | 64 Existing Equipment and Facilities | |
| 46 | Contamination prevented during food preparation, storage & display | Administrative | |
| 47 | Personal cleanliness | 65 | 901:3-4 OAC |
| 48 | Wiping cloths: properly used and stored | 66 | 3701-21 OAC |
| 49 | Washing fruits and vegetables | | |
| Proper Use of Utensils | | | |
| 50 | In-use utensils: properly stored | | |
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| 52 | Single-use/single-service articles: properly stored, used | | |
| 53 | Slash-resistant, cloth, and latex glove use | | |

| Observations and Corrective Actions | | | | | |
|---|--------------|----------------|---------------|-----|---|
| Mark "X" in appropriate box for COS and R: COS=corrected on-site during inspection R=repeat violation PRIORITY LEVEL: C=CRITICAL NC=NON-CRITICAL | | | | | |
| Item No. | Code Section | Priority Level | Comment | COS | R |
| | | NC | Observations: | | |

| | |
|--|---|
| FACILITY WAS CLOSED AT TIME OF INSPECTION. | |
| Person in Charge N/A | Date 7-Aug-2023 |
| Sanitarian Mike Hills | Licenser Franklin County Public Health |

HEA 5302B Ohio Department of Health (10/19)
 AGR 1268 Ohio Department of Agriculture (10/19)



State of Ohio
Food Inspection Report
 Authority: Chapters 3717 and 3715 Ohio Revised Code

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FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS

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HEA 5302A Ohio Department of Health (10/19)
 AGR 1268 Ohio Department of Agriculture (10/19)

State of Ohio
Food Inspection Report
 Authority: Chapters 3717 and 3715 Ohio Revised Code

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| Name of facility Boston Chicken of OH LLC | Type of Inspection Consultation | Date 8-Aug-2023 |
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| 42 | Approved thawing methods used | 59 Sewage and waste water properly disposed |
| 43 | Thermometers provided and accurate | 60 Toilet facilities: properly constructed, supplied, cleaned |
| Food Identification | | 61 Garbage/refuse properly disposed; facilities maintained |
| 44 | Food properly labeled; original container | 62 Physical facilities installed, maintained, and cleaned; dogs in outdoor dining areas |
| Prevention of Food Contamination | | 63 Adequate ventilation and lighting; designated areas used |
| 45 | Insects, rodents, and animals not present/outer openings protected | 64 Existing Equipment and Facilities |
| 46 | Contamination prevented during food preparation, storage & display | Administrative |
| 47 | Personal cleanliness | 65 901:3-4 OAC |
| 48 | Wiping cloths: properly used and stored | 66 3701-21 OAC |
| 49 | Washing fruits and vegetables | |
| Proper Use of Utensils | | |
| 50 | In-use utensils: properly stored | |
| 51 | Utensils, equipment and linens: properly stored, dried, handled | |
| 52 | Single-use/single-service articles: properly stored, used | |
| 53 | Slash-resistant, cloth, and latex glove use | |

| Observations and Corrective Actions | | | | | |
|---|--------------|----------------|---------------|-----|---|
| Mark "X" in appropriate box for COS and R: COS=corrected on-site during inspection R=repeat violation PRIORITY LEVEL: C=CRITICAL NC=NON-CRITICAL | | | | | |
| Item No. | Code Section | Priority Level | Comment | COS | R |
| | | NC | Observations: | | |

| | |
|---|--|
| INSPECTOR CAME TO DO FOLLOW-UP INSPECTION BUT FACILITY WAS CLOSED. INSPECTOR WILL RETURN AT A LATER TIME. | |
| Person in Charge N/A | Date 8-Aug-2023 |
| Sanitarian Mike Hills | Licensors Franklin County Public Health |

HEA 5302B Ohio Department of Health (10/19)
 AGR 1268 Ohio Department of Agriculture (10/19)

State of Ohio
Food Inspection Report
 Authority: Chapters 3717 and 3715 Ohio Revised Code

| | | | |
|--|---|---|---|
| Name of facility Boston Chicken of OH LLC | Check one <input checked="" type="checkbox"/> FSO <input type="checkbox"/> RFE | License Number SMUG-CTGS7B | Date 9-Aug-2023 |
| Address 4310 W Broad Street | | City/State/Zip Code Columbus OH 43228 | |
| License holder Narendra Pandya | Inspection Time 45 | Travel Time 0 | Category/Descriptive Commercial FSO < 25000 sq. ft. - Risk Level IV |
| Type of Inspection Consultation | | Follow up date (if required) | Water sample date/result (if required) |
| FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS | | | |
| Mark designated compliance status (IN, OUT, N/O, N/A) for each numbered item: IN =In Compliance OUT =Out of Compliance N/O =Not Observed N/A =Not Applicable | | | |
| Supervision | | Time/Temperature Controlled for Safety Food (TCS food) | |
| 1 | Person in charge present, demonstrates knowledge, and performs duties | 21 | Proper hot holding temperatures |
| 2 | Certified Food Protection Manager | 22 | Proper cold holding temperatures |
| Employee Health | | 23 | Proper date marking and disposition |
| 3 | Management, food employees and conditional employees; knowledge, responsibilities and reporting | 24 | Time as a public health control: procedures & records |
| 4 | Proper use of restriction and exclusion | Consumer Advisory | |
| 5 | Procedures for responding to vomiting and diarrheal events | 25 | Consumer advisory provided for raw or undercooked foods |
| Good Hygienic Practices | | Highly Susceptible Populations | |
| 6 | Proper eating, tasting, drinking, or tobacco use | 26 | Pasteurized foods used; prohibited foods not offered |
| 7 | No discharge from eyes, nose, and mouth | Chemical | |
| Preventing Contamination by Hands | | 27 | Food additives: approved and properly used |
| 8 | Hands clean and properly washed | 28 | Toxic substances properly identified, stored, used |
| 9 | No bare hand contact with ready-to-eat foods or approved alternate method properly followed | Conformance with Approved Procedures | |
| 10 | Adequate handwashing facilities supplied & accessible | 29 | Compliance with Reduced Oxygen Packaging, other specialized processes, and HACCP Plan |
| Approved Source | | 30 | Special Requirements: Fresh Juice Production |
| 11 | Food obtained from approved source | 31 | Special Requirements: Heat Treatment Dispensing Freezers |
| 12 | Food received at proper temperature | 32 | Special Requirements: Custom Processing |
| 13 | Food in good condition, safe, and unadulterated | 33 | Special Requirements: Bulk Water Machine Criteria |
| 14 | Required records available: shellstock tags, parasite destruction | 34 | Special Requirements: Acidified White Rice Preparation Criteria |
| Protection From Contamination | | 35 | Critical Control Point Inspection |
| 15 | Food separated and protected | 36 | Process Review |
| 16 | Food-contact surfaces: cleaned and sanitized | 37 | Variance |
| 17 | Proper disposition of returned, previously served, reconditioned, and unsafe food | | |
| Time/Temperature Controlled for Safety Food (TCS food) | | | |
| 18 | Proper cooking time and temperatures | Risk factors are food preparation practices and employee behaviors that are identified as the most significant contributing factors to foodborne illness. Public Health Interventions are control measures to prevent foodborne illness or injury. | |
| 19 | Proper reheating procedures for hot holding | | |
| 20 | Proper cooling time and temperatures | | |

HEA 5302A Ohio Department of Health (10/19)
 AGR 1268 Ohio Department of Agriculture (10/19)

State of Ohio
Food Inspection Report
 Authority: Chapters 3717 and 3715 Ohio Revised Code

| | | |
|--|------------------------------------|--------------------|
| Name of facility Boston Chicken of OH LLC | Type of Inspection Consultation | Date 9-Aug-2023 |
|--|------------------------------------|--------------------|

| GOOD RETAIL PRACTICES | | |
|---|--|---|
| Good Retail Practices are preventative measures to control the introduction of pathogens, chemicals, and physical objects into foods. Mark designated compliance status (IN, OUT, N/O, N/A) for each numbered item: IN =In Compliance OUT =Out of Compliance N/O =Not Observed N/A =Not Applicable | | |
| Safe Food and Water | | Utensils, Equipment and Vending |
| 38 | Pasteurized eggs used where required | 54 Food and non-food contact surfaces cleanable, proper designed, constructed, and used |
| 39 | Water and ice from approved source | 55 Warewashing facilities: installed, maintained, used; test strips |
| Food Temperature Control | | Physical Facilities |
| 40 | Proper cooling methods used; adequate equipment for temp control | 57 Hot and cold water available; adequate pressure |
| 41 | Plant food properly cooked for hot holding | 58 Plumbing installed; proper backflow devices |
| 42 | Approved thawing methods used | 59 Sewage and waste water properly disposed |
| 43 | Thermometers provided and accurate | 60 Toilet facilities: properly constructed, supplied, cleaned |
| Food Identification | | 61 Garbage/refuse properly disposed; facilities maintained |
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| 50 | In-use utensils: properly stored | |
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| 52 | Single-use/single-service articles: properly stored, used | |
| 53 | Slash-resistant, cloth, and latex glove use | |

| Observations and Corrective Actions | | | | | |
|---|--------------|----------------|---------------|-----|---|
| Mark "X" in appropriate box for COS and R: COS=corrected on-site during inspection R=repeat violation PRIORITY LEVEL: C=CRITICAL NC=NON-CRITICAL | | | | | |
| Item No. | Code Section | Priority Level | Comment | COS | R |
| | | NC | Observations: | | |

THIS WAS A THIRD ATTEMPT TO DO THE FOLLOW-UP INSPECTION, BUT THE FACILITY WAS AGAIN CLOSED.

- INSPECTOR MUST HAVE ACCESS TO THE BUILDING TO DO THE FOLLOW-UP INSPECTION.
- ARE EMPLOYEES MAINTAINING TEMPERATURES AND DISCARDING EXPIRED TCS FOODS WHILE THE FACILITY IS CLOSED? FOODBORNE ILLNESS COULD OCCUR IF CUSTOMERS ARE SERVED UNSAFE FOOD DUE TO EMPLOYEES BEING ABSENT.
- PLEASE PROVIDE THE NAME AND CONTACT INFORMATION FOR THE STORE OWNER TO THE INSPECTOR.

INSPECTOR MUST HAVE ACCESS TO THE BUILDING BY MONDAY 8/14/2023 OR A HEARING LETTER WILL BE ISSUED ON THAT DATE.

PLEASE RESPOND TO THIS EMAIL ADDRESS TO SCHEDULE AN INSPECTION TIME.

| | |
|-----------------------------------|--|
| Person in Charge Email on file | Date 9-Aug-2023 |
| Sanitarian Mike Hils | Licensors Franklin County Public Health |

State of Ohio
Food Inspection Report
 Authority: Chapters 3717 and 3715 Ohio Revised Code

| | | | |
|--|---|---|---|
| Name of facility Boston Chicken of OH LLC | Check one <input checked="" type="checkbox"/> FSO <input type="checkbox"/> RFE | License Number SMUG-CTGS7B | Date 14-Aug-2023 |
| Address 4310 W Broad Street | | City/State/Zip Code Columbus OH 43228 | |
| License holder Narendra Pandya | Inspection Time 45 | Travel Time 0 | Category/Descriptive Commercial FSO < 25000 sq. ft. - Risk Level IV |
| Type of Inspection Consultation | | Follow up date (if required) | Water sample date/result (if required) |
| FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS | | | |
| Mark designated compliance status (IN, OUT, N/O, N/A) for each numbered item: IN =In Compliance OUT =Out of Compliance N/O =Not Observed N/A =Not Applicable | | | |
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| 8 | Hands clean and properly washed | 28 | Toxic substances properly identified, stored, used |
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| Approved Source | | 30 | Special Requirements: Fresh Juice Production |
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HEA 5302A Ohio Department of Health (10/19)
 AGR 1268 Ohio Department of Agriculture (10/19)

State of Ohio Food Inspection Report

Authority: Chapters 3717 and 3715 Ohio Revised Code

| | | |
|--|------------------------------------|---------------------|
| Name of facility Boston Chicken of OH LLC | Type of Inspection Consultation | Date 14-Aug-2023 |
|--|------------------------------------|---------------------|

| GOOD RETAIL PRACTICES | | |
|---|--|---|
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| 52 | Single-use/single-service articles: properly stored, used | |
| 53 | Slash-resistant, cloth, and latex glove use | |

| Observations and Corrective Actions | | | | | |
|---|--------------|----------------|---------------|-----|---|
| Mark "X" in appropriate box for COS and R: COS=corrected on-site during inspection R=repeat violation PRIORITY LEVEL: C=CRITICAL NC=NON-CRITICAL | | | | | |
| Item No. | Code Section | Priority Level | Comment | COS | R |
| | | NC | Observations: | | |

THIS WAS A FOURTH ATTEMPT TO CONDUCT THE FOLLOW-UP INSPECTION, BUT THE FACILITY WAS CLOSED AT TIME OF INSPECTION.

- INSPECTOR REQUESTED ENTRY INTO FACILITY BY 8/14/2023 TO CONDUCT FOLLOW-UP INSPECTION.
- NO ONE CONTACTED INSPECTOR TO SCHEDULE FOLLOW-UP INSPECTION AS WAS REQUIRED IN NOTES IN PREVIOUS INSPECTION REPORT
- NAME OF OWNER WAS NOT PROVIDED AS WAS REQUIRED IN NOTES OF PREVIOUS INSPECTION REPORT

****A HEARING LETTER HAS BEEN ISSUED. A COPY HAS BEEN POSTED ON THE DOOR AND HAS BEEN EMAILED TO THE PROVIDED EMAIL ADDRESSES****

- THE HEARING IS SCHEDULED FOR **THURSDAY AUGUST 24, 2023, at 11:00 AM.**
- THE HEARING WILL BE IN-PERSON AT THE OFFICE OF FRANKLIN COUNTY PUBLIC HEALTH (280 East Broad Street, Columbus, Ohio 43215; 2ND FLOOR)
- **IT IS MANDATORY THAT THE OWNER AND MANAGER BE PRESENT FOR THIS HEARING.**
- **FAILURE TO COMPLY WITH THIS HEARING LETTER WILL RESULT IN BEING SENT TO A BOARD HEARING FOR REVOCATION OF THE LICENSE.**

| | |
|-----------------------------------|---|
| Person in Charge Email on File | Date 14-Aug-2023 |
| Sanitarian Mike Hils | Licenser Franklin County Public Health |

HEA 5302B Ohio Department of Health (10/19)
AGR 1268 Ohio Department of Agriculture (10/19)



August 14, 2023

Boston Chicken of Ohio LLC
4310 W Broad St
Columbus, OH 43228
Licensee: Boston Chicken of Ohio LLC
License #: SMUG-CTGS7B

Re: Repeated violations and failure to maintain standards of Ohio Administrative Code 3717: Ohio Uniform Food Safety Code

Dear Boston Chicken of Ohio LLC :

For failure to allow entry to the facility for inspection. The facility was in cited for numerous violations and time was given to allow entry, without hearing any communication back. Failure to maintain minimum standards of the Ohio Uniform Food Safety Code, you are hereby requested to appear for an Administrative Hearing on:

Thursday August 24, 2023, at 11:00am

Boston Chicken of Ohio LLC is currently in violation of Ohio Administrative Code, Chapter 3717 governing food service operations and retail food establishments.

This hearing will be at the office of the Franklin County District Board of Health, Memorial Hall 280 E. Broad Street, located on the 2nd floor, Columbus, Ohio 43215, and will be conducted by the Food Safety and School Health Division Manager or her designee.

Failure to appear may result in immediate legal action by Franklin County Public Health. Please contact this office if you have any questions regarding this hearing at (614)525-3160.

Sincerely,

Rebecca J Keller, REHS

Rebecca Keller, REHS
Supervisor, Food Safety Program
Franklin County Public Health
280 East Broad Street
Columbus, Ohio 43215-4562

Email on File
Received by

8/14/2023
Date

Hand delivered by M. Hils, REHS on:

8/14/2023
Date



Franklin County
Public Health

Franklin County Public Health
280 East Broad Street · Columbus, Ohio · 43215-4562

August 24, 2023

Narendra Pandya
Boston Chicken of OH LLC
4310 W Broad St
Columbus, OH 43228

RE: Notice of Proposed Suspension or Revocation of Food Service Operation License

Dear Boston Chicken of OH LLC,

Pursuant to Ohio Revised Code 3717.49, the Board of Health "may suspend or revoke a food service operation license on determining that the license holder is in violation of any requirement of this chapter, or the rules adopted under it applicable to food service operations, including a violation evidenced by the documented failure to maintain sanitary conditions within the operation."

Wherefore, the Franklin County Board of Health proposes to suspend or revoke your food service operation license for Boston Chicken of OH LLC on September 12, 2023, at 8:00 a.m. This meeting will be held at Memorial Hall, 280 East Broad Street, Columbus, Ohio, in the Alpha Conference Room (located on the first floor).

You have a right to appeal the proposed suspension or revocation of your food service operation license to the Franklin County Board of Health. We are automatically granting you this appeal hearing on September 12, 2023, at 8:00 a.m. This hearing will be held at Memorial Hall, 280 East Broad Street, Columbus, Ohio, in the Alpha Conference Room (located on the first floor).

At such hearing, Boston Chicken of OH LLC is entitled to present its case, orally or in writing, and confront and cross-examine witnesses. If Boston Chicken of OH LLC is a corporation, it must be represented by legal counsel. Boston Chicken of OH LLC also has the right to review the case prior to the scheduled hearing date, upon request.

Sincerely,

Sarah Jensen

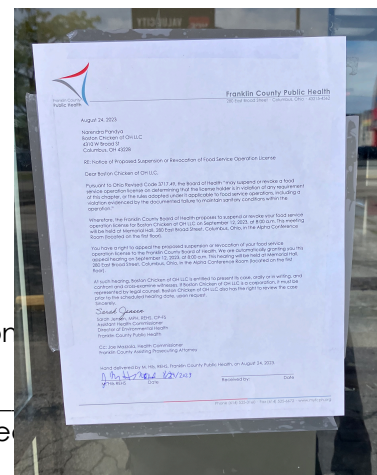
Sarah Jensen, MPH, REHS, CP-FS
Assistant Health Commissioner
Director of Environmental Health
Franklin County Public Health

Cc: Joe Mazzola, Health Commissioner
Franklin County Assisting Prosecuting Attorney

Hand delivered by M. Hils, REHS, Franklin County Public Health, on

J. Mike Hils 8/24/2023
M. Hils REHS Date

Receive



From: [Kasper, Karin C.](#)
To: dpatoliya@bost.com; [Alex Sanders](#)
Cc: [Keller, Rebecca](#); [Hils, J Michael](#); [Jensen, Sarah E.](#)
Subject: Boston Chicken Admin Hearing-Failure to Show
Date: Thursday, August 24, 2023 12:07:00 PM
Attachments: [September 2023 BOH Hearing Letter Boston Chicken \(002\).pdf](#)

Attention,

For failure to attend the Administrative hearing on 8/24/23 at 11 am you are hereby ordered to the Board of Health Hearing on **September 12, 2023, at 8:00 a.m.**

This hearing will be held at Memorial Hall, 280 East Broad Street, Columbus, Ohio, in the Alpha Conference Room (located on the first floor). See attached notice.

This notice is being hand delivered by Mike Hils to the facility today as well as sending this notice by certified mail to the addresses we have on file.

Please notify us if Boston Chicken located at: 4310 W Broad St, Columbus, OH 43228 is permanently no longer in operation under your ownership.

If this business is still operating notify us your operating hours. **We need access to the business before the Board hearing** for a follow-up inspection from the Standard inspection completed on 7/24/23. Our inspector has not been able to complete due to the business being closed. We issued a letter to provide access before the 14th and did not get any reply and was not granted access.

Thank you.

Karin Kasper, REHS
Food Safety & School Health Division Manager
Franklin County Public Health
280 East Broad Street
Columbus, Ohio 43215-4562

KarinKasper@franklincountyohio.gov
Cell: (614) 653-2235
Food Protection Program (614) 525-7462
WE ARE HIRING! www.myfcph.org/careers

Pronouns: she, her, hers [\(Why Pronouns Matter\)](#)

For COVID-19 information visit our website at vax2normal.org/
For general information visit our website at myfcph.org/

The information contained in this electronic mail message, medical or otherwise, is intended for the personal and confidential use of the designated recipient(s) named above. If you have received this information in error, NOTIFY FRANKLIN COUNTY PUBLIC HEALTH at (614) 525-3160. If you are not the designated recipient(s), do not review or copy any of the message text or attached document(s). Disclosure of this information to any party other than the intended recipient(s) and the use of this information for other than the stated purpose(s) is prohibited. When your records are destroyed or archived, this electronic mail and attached document(s) must be stored or disposed of in the same manner.

