



# Boston Inspectional Services

## Health Division - Food Services Inspection

1010 Massachusetts Avenue, Boston, MA 02118  
Telephone: (617) 635-5326 Fax: (617) 635-5388  
Web: www.cityofboston.gov/isd/health

AKA

momagoose

### TEMPORARY SUSPENSION OF PERMIT

Business Name: **Indochine**

License/AP #: **68113**

Address: **1 Citywide St**

Inspector: **Ronald Aquino**

Owner/Operator: **Smart Gourmet LLC, Loc Vo - APPLICANT (P)**

Type: **Mobile Food Server**

Inspection Time: **01:47 PM**

Issue Date: **2/24/2011**

Foodborne illness risk factors and intervention violations: **2**

Other critical violations: **0**

Non-critical violations: **2**

Med1

#### Initial Inspection

Result Notes: Provide at least one person certified in allergy awareness training. also provide all other requirements of new allergy regulations in effect since 10/2010.

The Boston Inspectional Services Department, Health Division, acting as an agent for the Boston Public Health Commission, has determined that an **imminent health hazard** exists which requires the immediate suspension of operations per 105 CMR 590.000: Massachusetts Sanitary Code, Article X, Section 590.014, Minimum Standards for Food Establishment operations.

The suspension shall remain in effect until the conditions cited in this order are corrected and confirmed by the Health Division.

Upon receiving this order, you have a right to a hearing, if requested in writing within ten (10) days. A hearing will be scheduled within three (3) business days upon receipt of the hearing request.

#### Code Violations

Code	Description	Result
27-5-103.11-.12	<b>Hot and Cold Water - Provide proper water pressure and capacity</b> Notes: Provide hot and cold running water under pressure for good hand washing practices	Fail
M-2-102.11	<b>PIC Knowledge - Provide knowledgeable PIC</b> Notes: Provide PIC in the absence of the truck owner or manager	Fail
17-4-204.112/.115	<b>Equipment Thermometers - Provide all equipment with proper thermometers and pressure gauges</b> Notes: Provide metal stemmed thermometer for monitoring food temperatures	Fail
32-6-301.11-02.11	<b>Hand Cleaner, Drying, Tissue, Signage - Provide proper hand cleaner, hand drying device, tissue and proper hand washing</b> Notes: Provide hand soap and paper towels for hand sink	Fail

License/AP #: 68113

Type: Mobile Food Server

Inspection Time: 01:47 PM

Issue Date: 2/24/2011

Address: 1 Citywide St

Inspector: Ronald Aquino

Owner/Operator: Smart Gourmet LLC, Loc Vo - APPLICANT (P)

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Sincerely,



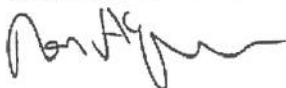
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Thomas Goodfellow  
Assistant Commissioner, Health Division  
City of Boston, Inspectional Services Dept.

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Re-inspection Date: 02/25/2011

Signed 2/24/2011 2:05:05PM by RONALD AQUINO - INSPECTOR



Signed 2/24/2011 2:09:55PM by Person In Charge -





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## Health Division - Food Services Inspection

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Web: [www.cityofboston.gov/isd/health](http://www.cityofboston.gov/isd/health)

Business Name: **Indochine**

License/AP #: **68113**

Address: **1 Citywide St**

Inspector: **Ronald Aquino**

Owner/Operator: **Smart Gourmet LLC, Loc Vo - APPLICANT (P)**

Type: **Mobile Food Server**

Inspection Time: **01:52 PM**

Issue Date: **3/01/2011**

**Med1**

**Compliance Inspection**

**PASSED**

Official Order for Correction: Based on an inspection this day, the items cited below identify the violations in operation or facilities which must be corrected by the date specified below. This report, when signed by a Board of Health (BOH) member or its agent constitutes and order of the BOH to correct violations. Failure to comply with this notice may result in immediate suspension of your permit. If aggrieved by this directive, you have a right to a hearing. Your request must be in writing and submitted to ISD at the above address within ten (10) days of receipt of this order.

Re-inspection Date:    /    /   

Signed 3/1/2011 1:52:30PM by RONALD AQUINO - INSPECTOR

Signed 3/1/2011 1:53:22PM by Smart Gourmet LLC, Loc Vo - APPLICANT (P)



# Boston Inspectional Services

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Telephone: (617) 635-5326 Fax: (617) 635-5388  
Web: www.cityofboston.gov/isd/health

### TEMPORARY SUSPENSION OF PERMIT

Business Name: **Momogoose**

License/AP #: **68113**

Address: **1 Citywide St**

Inspector: **Ronald Aquino**

Owner/Operator: **Smart Gourmet LLC, Loc Vo - APPLICANT (P)**

Type: **Mobile Food Server**

Inspection Time: **12:30 PM**

Issue Date: **4/07/2011**

Foodborne illness risk factors and intervention violations: **1**  
Other critical violations: **0**  
Non-critical violations: **0**

**Med2**

#### Initial Inspection

Result Notes: Hand sink not properly set up with hot and cold running water. Brownish colored weater came out of nozzle when cold water was turned on

Hearing set up for 4/8/11 @ 9 AM at 1010 Mass Ave., Roxbury, MA

The Boston Inspectional Services Department, Health Division, acting as an agent for the Boston Public Health Commission, has determined that an **imminent health hazard** exists which requires the immediate suspension of operations per **105 CMR 590.000: Massachusetts Sanitary Code, Article X, Section 590.014, Minimum Standards for Food Establishment operations.**

The suspension shall remain in effect until the conditions cited in this order are corrected and confirmed by the Health Division.

Upon receiving this order, you have a right to a hearing, if requested in writing within ten (10) days. A hearing will be scheduled within three (3) business days upon receipt of the hearing request.

#### Code Violations

Code	Description	Result
27-5-103.11-.12	<b>Hot and Cold Water - Provide proper water pressure and capacity</b> Notes: Provide hot and cold running water at hand sink on cart.	<b>Fail</b>

Sincerely,

Thomas Goodfellow  
Assistant Commissioner, Health Division  
City of Boston, Inspectional Services Dept.

Re-inspection Date: **04/08/2011**

Signed 4/7/2011 12:38:50PM by RONALD AQUINO - INSPECTOR

Signed 4/7/2011 12:39:11PM by Smart Gourmet LLC, Loc Vo - APPLICANT (P)

**OWNER'S NAME:**  
Smart Gourmet (Loc Vu)  
Momogoose  
Mobile  
Boston, MA 1

**ESTABLISHMENT:**  
Momogoose  
Mobile Truck  
Boston, MA

**NOTICE OF DECISION**

On April 7, 2011 the Boston Inspectional Services Department, Division of Health Inspections, conducted an inspection at the above referenced establishment. The Division of Health Inspections issued a temporary suspension of Momogoose's establishment permit pursuant to 105 CMR 590:000 Massachusetts Sanitary Code, Article X, Section 590:014, Minimum Sanitation Standards for Food Establishments. The inspector's report documenting the imminent health hazards found at Momogoose is incorporated herein and made part of this decision by reference. An administrative hearing was scheduled for April 8, 2011 at 9:00 AM.

**HEARING:**

An administrative hearing, Permit #68113, commenced at or about 9:00 AM on April 8, 2011 at 1010 Massachusetts Avenue, in the Division of Health Inspections conference room. Testimony in support of the suspension of Momogoose's permit to operate was presented by Ronald Aquino, Health Inspector, Division of Health Inspections. The violation notices regarding the illegal conditions observed during the inspection were entered into evidence and are incorporated herein by reference. Momogoose was represented by operator Loc Vo (Smart Gourmet). Documents and testimony were submitted and received into evidence.

**DETERMINATION:**

After consideration of the testimony and evidence presented at the hearing, the Hearing Officer has determined that there is sufficient cause to uphold the temporary suspension of permit for Momogoose due to the serious nature of the violations observed during the inspection of April 7, 2011. These violations include but are not limited to (1) Person in Charge not performing duties as required/Imminent Health Hazard, (2) Lack of sufficient hot water (repeated violation), (3) Evidence of improperly operating hand sink unit (brown liquid).

The Hearing Officer may consider lifting the temporary suspension when and if all of the following conditions are met.

1. The operator shall correct all violations cited by the Division of Health Inspections.
2. The operator shall provide evidence of an approved food safety consultant who will perform food safety training to all personnel (prior to re-inspection) and perform unannounced audits for a minimum of three months. These audits will be submitted to the Division of Health Inspections for review.

3. The operator shall provide evidence of proper repair to hand sink unit by a licensed plumber. The plumber's report shall be in detail stating what the issue was and what was done to ensure continued proper operation.
4. The operator is responsible for any and all costs incurred by the city of Boston and all fines assessed regarding this establishment. **The fee for a re-inspection of an establishment with risk factor critical violations is one hundred dollars (\$100) which shall be paid prior to a re-inspection.**

If any of the above conditions are not met the Hearing Officer reserves the right to reinstate the temporary suspension of operations and may pursue further remedies available under applicable laws.

Sincerely,

Thomas J. Goodfellow RS, CHO  
Assistant Commissioner  
Hearing Officer

Date: April 8, 2011



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Business Name: **Momogoose**

License/AP #: **68113**

Address: **1 Citywide St**

Inspector: **Ronald Aquino**

Owner/Operator: **Smart Gourmet LLC, Loc Vo - APPLICANT (P)**

Type: **Mobile Food Server**

Inspection Time: **08:25 AM**

Issue Date: **4/11/2011**

**Med2**

**Compliance Inspection**

**PASSED**

Official Order for Correction: Based on an inspection this day, the items cited below identify the violations in operation or facilities which must be corrected by the date specified below. This report, when signed by a Board of Health (BOH) member or its agent constitutes and order of the BOH to correct violations. Failure to comply with this notice may result in immediate suspension of your permit. If aggrieved by this directive, you have a right to a hearing. Your request must be in writing and submitted to ISD at the above address within ten (10) days of receipt of this order.

Re-inspection Date:     /    /    

Signed 4/11/2011 8:35:09AM by RONALD AQUINO - INSPECTOR