



**CAL CODE OFFICIAL INSPECTION REPORT**

|  |                     |                          |   |                                 |
|--|---------------------|--------------------------|---|---------------------------------|
| FACILITY NAME<br>PHO-HA VIETNAMESE RESTRNT                   |                     | DATE<br>12/21/2020       | REINSPECTION DATE<br>Next Routine   | PERMIT EXPIRATION<br>11/30/2021 |
| LOCATION<br>385 E MILL ST 5, SAN BERNARDINO, CA 92408        |                     |                          | INSPECTOR<br>Virginia McDonald  |                                 |
| MAILING ADDRESS<br>385 E MILL ST 5, SAN BERNARDINO, CA 92408 |                     |                          | IDENTIFIER: PEP   |                                 |
| TIME IN<br>10:26 AM  | TIME OUT<br>1:00 PM | FACILITY ID<br>FA0004966 | RELATED ID<br>PR0009360   | PE<br>1621                      |
|  |                     |                          | SERVICE: 033 - Re-score Grade Inspection<br>RESULT: 05 - Corrective Action / Follow up Required<br>ACTION: 03 - Reinspection Required |                                 |

Based on an inspection this day, the items marked below identify the violation(s) in operation or facilities which must be corrected. Failure to correct listed violation(s) prior to the designated compliance date may necessitate an additional inspection to be billed at the hourly rate as provided in the San Bernardino County Code [Schedule of Fees](#).

Administrative Order to Show Cause (OSC): The Permittee has the right to a hearing if requested in writing within 15 calendar days of receipt of this notice, to show cause why the permit to operate should not be suspended or revoked; otherwise the right to a hearing shall be deemed waived.



**SCORE 84**

Reduce food loss, and feed those in need by donating your surplus food. [Learn more about donating surplus food.](#)

See the following pages for the code sections and general requirements that correspond to each violation listed below.

- In = In compliance
- N/O = Not observed
- N/A = Not applicable
- + COS = Corrected on-site
- ⊘ MAJ = Major violation
- ⊘ OUT = Out of compliance

| DEMONSTRATION OF KNOWLEDGE           |     |     |  | COS | MAJ | OUT |
|--------------------------------------|-----|-----|--|-----|-----|-----|
| In                                   | N/O |     | 1. Demonstration of knowledge; food safety certification |     |     | ⊘   |
| EMPLOYEE HEALTH & HYGIENIC PRACTICES |     |     |  |     |     |     |
| In                                   |     |     | 2. Communicable disease; reporting, restrictions & excl  |     | 4   |     |
| In                                   | N/O |     | 3. No discharge from eyes, nose, and mouth               |     |     | 2   |
| In                                   | N/O |     | 4. Proper eating, tasting, drinking or tobacco use       |     |     | 2   |
| PREVENTING CONTAMINATION BY HANDS    |     |     |  |     |     |     |
| In                                   | N/O |     | 5. Hands clean and properly washed; gloves used prop     |     | 4   | 2   |
| In                                   |     |     | 6. Adequate handwashing facilities supplied & accessib   |     |     | ⊘   |
| TIME AND TEMPERATURE RELATIONSHIPS   |     |     |  |     |     |     |
| In                                   | N/O | N/A | 7. Proper hot and cold holding temperatures              | +   | ⊘   | 2   |
| In                                   | N/O | N/A | 8. Time as a public health control; procedures & record  |     | 4   | 2   |
| In                                   | N/O | N/A | 9. Proper cooling methods                                |     | 4   | 2   |
| In                                   | N/O | N/A | 10. Proper cooking time & temperatures                   |     | 4   |     |
| In                                   | N/O | N/A | 11. Proper reheating procedures for hot holding          |     | 4   |     |
| PROTECTION FROM CONTAMINATION        |     |     |  |     |     |     |
| In                                   | N/O | N/A | 12. Returned and reserve of food                         |     |     | 2   |
| In                                   |     |     | 13. Food in good condition, safe and unadulterated       |     | 4   | 2   |
| In                                   | N/O | N/A | 14. Food contact surfaces: clean and sanitized           |     | 4   | 2   |

| FOOD FROM APPROVED SOURCES           |     |     |  | COS | MAJ | OUT |
|--------------------------------------|-----|-----|--|-----|-----|-----|
| In                                   |     |     | 15. Food obtained from approved source   |     | 4   |     |
| In                                   | N/O | N/A | 16. Compliance with shell stock tags, condition, display                                     |     |     | 2   |
| In                                   | N/O | N/A | 17. Compliance with Gulf Oyster Regulations  |     |     | 2   |
| CONFORMANCE WITH APPROVED PROCEDURES |     |     |  |     |     |     |
| In                                   |     | N/A | 18. Compliance with variance, specialized process, and HACCP Plan                            |     |     | 2   |
| CONSUMER ADVISORY                    |     |     |  |     |     |     |
| In                                   | N/O | N/A | 19. Consumer advisory provided for raw or undercooked foods                                  |     |     | 2   |
| HIGHLY SUSCEPTIBLE POPULATIONS       |     |     |  |     |     |     |
| In                                   |     | N/A | 20. Licensed health care facilities/public and private schools; prohibited foods not offered |     | 4   |     |
| WATER/HOT WATER                      |     |     |  |     |     |     |
| In                                   |     |     | 21. Hot and cold water available   |     | 4   | 2   |
| LIQUID WASTE DISPOSAL                |     |     |  |     |     |     |
| In                                   |     |     | 22. Sewage and wastewater properly disposed  |     | 4   | ⊘   |
| VERMIN                               |     |     |  |     |     |     |
| In                                   |     |     | 23. No rodents, insects, birds, or animals   |     | 4   | 2   |

| SUPERVISION   | OUT |
|---|-----|
| 24. Person in charge present and performs duties      | 1   |
| PERSONAL CLEANLINESS                                  |     |
| 25. Personal cleanliness and hair restraints          | 1   |
| GENERAL FOOD SAFETY REQUIREMENTS                      |     |
| 26. Approved thawing methods used, frozen food        | 1   |
| 27. Food separated and protected                      | ⊘   |
| 28. Washing fruits and vegetables                     | 1   |
| 29. Toxic substances properly identified, stored, use | 1   |
| FOOD STORAGE/DISPLAY/SERVICE                          |     |
| 30. Food storage; food storage containers identified  | ⊘   |
| 31. Consumer self-service                             | 1   |
| 32. Food properly labeled & honestly presented        | 1   |

| EQUIPMENT/UTENSILS/LINENS                                    | OUT |
|--|-----|
| 33. Nonfood contact surfaces clean                           | 1   |
| 34. Warewashing facilities: installed, maintained, used      | 1   |
| 35. Equipment/Utensils approved; installed; clean; good repa | ⊘   |
| 36. Equipment, utensils and linens: storage and use          | ⊘   |
| 38. Adequate ventilation and lighting; designated area       | ⊘   |
| 39. Thermometers provided and accurate                       | 1   |
| 40. Wiping cloths: properly used and stored                  | 1   |
| PHYSICAL FACILITIES  |     |
| 41. Plumbing: proper backflow devices                        | 1   |
| 42. Garbage and refuse properly disposed; facilities m       | 1   |
| 43. Toilet facilities: properly constructed, supplied, clea  | 1   |
| 44. Premises; personal/cleaning items; vermin-proofin        | ⊘   |

| PERMANENT FOOD FACILITIES                                | OUT |
|--|-----|
| 45. Floor, walls, ceilings: built, maintained, and clean | 1   |
| 46. No unapproved private homes/living or sleeping qu    | 1   |
| SIGNS REQUIREMENTS                                       |     |
| 47. Signs posted; last inspection report available       | 1   |
| 48. Food handler cards                                   | 3   |
| COMPLIANCE & ENFORCEMENT                                 |     |
| 49. Permits Available                                    |     |
| 50. Restrooms Required                                   |     |
| 51. Plan Review  |     |
| 52. VC&D   | ⊘   |
| 53. Impoundment  |     |
| 54. Permit Suspension                                    |     |



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**7. PROPER HOT AND COLD HOLDING TEMPERATURES** **MAJOR**

|                           |  |   |
|---------------------------|--|---|
| <b>POINTS</b><br><b>4</b> | <p>Compliance date not specified<br/>Complied on 12/21/2020<br/>Violation Reference - HSC - 113996, 113998, 114037</p> | <p><b>Inspector Comments:</b> The following foods were observed out of temperature in the cold-holding table across from the stock pot burners:</p> <ul style="list-style-type: none"> <li>- imitation cooked crab at 47 F, about 2 cups</li> <li>- piece of beef at 50 F, about 0.5 lb</li> <li>- round fish balls at 48 F, about 2 lbs</li> <li>- cooked tendon at 48 F, about 4 lbs</li> <li>- cooked chicken at 50 F, about 2 lbs</li> </ul> <p>All of the above food items were placed on the cold table more than four hours previous. Manager stated all items came from the walk-in cooler. Walk-in cooler noted to be in temperature at 41 F and below.</p> <p>Maintain all potentially hazardous foods in cold holding at 41F or below.</p> <p>Corrected on site: The above food items were voluntarily discarded. See violation #52. A reinspection will be conducted on this cold-holding table in three days to verify it can hold temperatures at 41 F.</p> |
|---------------------------|--|---|

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

**More Information:** [http://www.sbcounty.gov/uploads/dph/dehs/Depts/EnvironmentalHealth/FormsPublications/Food\\_Danger\\_Zone.pdf](http://www.sbcounty.gov/uploads/dph/dehs/Depts/EnvironmentalHealth/FormsPublications/Food_Danger_Zone.pdf)

**1. DEMONSTRATION OF KNOWLEDGE; FOOD SAFETY CERTIFICATION**

|                           |  |   |
|---------------------------|--|---|
| <b>POINTS</b><br><b>2</b> | <p>Compliance date not specified<br/>Not In Compliance<br/>Violation Reference - HSC - 113947-113947.1</p> | <p><b>Inspector Comments:</b> 1. A Food Manager Certificate was not observed at the facility.</p> <p>Provide a valid Food Manager Certificate from one of the below accredited organization that has been certified by the American National Standards Institute (ANSI):</p> <ul style="list-style-type: none"> <li>• 360training.com, Inc. - Learn2Serve® Food Protection Manager Certification Program</li> <li>• AboveTraining/StateFoodSafety.com - Certified Food Protection Manager (CFPM) Exam</li> <li>• National Registry of Food Safety Professionals - Food Protection Manager Certification Program</li> <li>• National Restaurant Association - ServSafe® Food Protection Manager Certification Program</li> <li>• Prometric Inc. - Food Protection Manager Certification Program</li> <li>• The Always Food Safe Company, LLC - Food Protection Manager Certification</li> </ul> <p>Provide a valid Food Manager Certificate within 60 days to avoid a billable re-inspection with a minimum charge of \$122.50. Original certificate must be provided.</p> |
|---------------------------|--|---|

**Violation Description:** All food employees shall have adequate knowledge of and be trained in food safety as it relates to their assigned duties. (113947) Food facilities that prepare, handle or serve non-prepackaged potentially hazardous food, shall have an employee who has passed an approved food safety certification examination. (113947-113947.1)

**More Information:** <http://www.sbcounty.gov/uploads/dph/dehs/Depts/EnvironmentalHealth/FormsPublications/FoodSafetyPracticesOverview.pdf>

**6. ADEQUATE HANDWASHING FACILITIES SUPPLIED & ACCESSIBLE**

|                           |  |   |
|---------------------------|--|---|
| <b>POINTS</b><br><b>2</b> | <p>Compliance date not specified<br/>Not In Compliance<br/>Violation Reference -</p> | <p><b>Inspector Comments:</b> Observed the hand wash sink near the front part of the kitchen to be blocked with equipment.</p> <p>Ensure the hand wash sink is accessible at all times.</p> |
|---------------------------|--|---|

**Violation Description:** Handwashing soap and towels or drying device shall be provided in dispensers; dispensers shall be maintained in good repair. (113953.2) Adequate facilities shall be provided for hand washing. (113953, 113953.1, 114067(f)). Handwashing sink is not separated from a warewashing sink by a 6 inch high metal splashguard or 24 inch separation. (113953) Handwashing sinks shall not be obstructed, inaccessible, used improperly or kept unclean. (113953.1)



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**22. SEWAGE AND WASTEWATER PROPERLY DISPOSED**

|                    |  |  |
|--------------------|--|--|
| POINTS<br><b>2</b> | Compliance date not specified<br>Not In Compliance<br>Violation Reference - HSC - 114197 | <p><b>Inspector Comments:</b> 1. Observed food worker washing mop out in the 3-compartment sink.</p> <p>Food preparation sinks, handwashing sinks, and warewashing equipment shall not be used for the cleaning of maintenance tools, preparation or holding of maintenance materials, or the disposal of mop water and similar liquid wastes.</p> <p>2. Observed air-conditioning drainage pipe draining into the hand wash sink near the front.</p> <p>All liquid waste must drain to an approved fully functioning sewage disposal system. Food preparation sinks, handwashing sinks, and warewashing equipment shall not be used for the cleaning of maintenance tools, preparation or holding of maintenance materials, or the disposal of mop water and similar liquid wastes.</p> |
|                    |  |  |

**Violation Description:** All liquid waste must drain to an approved fully functioning sewage disposal system. (114197) Toilet facilities must be operable.

**27. FOOD SEPARATED AND PROTECTED**

|                    |  |   |
|--------------------|--|---|
| POINTS<br><b>1</b> | Compliance date not specified<br>Not In Compliance<br>Violation Reference - HSC - 113984 (a, b, c, d, f) | <p><b>Inspector Comments:</b> 1. Observed raw food stored above ready-to-eat food in the walk-in freezer and walk-in cooler.</p> <p>Store all raw foods beneath all ready to eat foods to avoid possible cross contamination.</p> |
|                    |  |   |

**Violation Description:** All food shall be separated and protected from contamination. (113984 (a, b, c, d, f), 113986, 114060, 114067(a, d, e, j), 114069(a, b), 114077, 114089.1 (c), 114143 (c)) All food shall be stored, prepared, displayed or held so that it is protected from contamination.

**30. FOOD STORAGE; FOOD STORAGE CONTAINERS IDENTIFIED**

|                    |  |   |
|--------------------|--|---|
| POINTS<br><b>1</b> | Compliance date not specified<br>Not In Compliance<br>Violation Reference - HSC - 114047, 114049, 114051 | <p><b>Inspector Comments:</b> Observed food stored on the floor in the walk-in freezer and walk-in cooler.</p> <p>Store all food at least six inches above the floor.</p> |
|                    |  |   |

**Violation Description:** Food shall be stored in approved containers and labeled as to contents. Food shall be stored at least 6" above the floor on approved shelving in an approved location to prevent possible contamination. (114047, 114049, 114051, 114053, 114055, 114067(h), 14069 (b))

**35. EQUIPMENT/UTENSILS - APPROVED; INSTALLED; CLEAN; GOOD REPAIR, CAPACITY**

|                    |  |   |
|--------------------|--|---|
| POINTS<br><b>1</b> | Compliance date not specified<br>Not In Compliance<br>Violation Reference - HSC - 114130, 114130.1, 114130 | <p><b>Inspector Comments:</b> 1. Observed gaskets in disrepair on the 3-door cold-holding table refrigeration unit located across from the stock pot burners. One door would not close properly.</p> <p>Maintain equipment in good repair.</p> <p>2. Observed the following unapproved noncommercial equipment on a shelf above a cold table across from the wok stove.</p> <ul style="list-style-type: none"> <li>- Toaster oven</li> <li>- Microwave</li> </ul> <p>Ensure all equipment in the kitchen is commercial ANSI-approved equipment.</p> |
|                    |  |   |

**Violation Description:** All utensils and equipment shall be fully operative and in good repair. (114175). All utensils and equipment shall be approved, installed properly, and meet applicable standards. (114130, 114130.1, 114130.2, 114130.3, 114130.4, 114130.5, 114132, 114133, 114137, 114139, 114153, 114155, 114163, 114165, 114167, 114169, 114177, 114180, 114182)



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**36. EQUIPMENT, UTENSILS AND LINENS: STORAGE AND USE**

**POINTS**  
**1**

Compliance date not specified  
Not In Compliance  
Violation Reference - HSC -  
114074, 114081, 114119

**Inspector Comments:** 1. Observed a metal can being used as a scoop in the bulk rice container near the 3-compartment sink.

2. Observed a plastic round container being used as a scoop in the bulk fish sauce container.

Ensure to use scoops with handles. Do not allow handles to contact the food.

3. Observed rice scoops stored in 65 F water behind the rice warmers.

Store in-use utensils above 135 F or below 41 F, or keep utensils in a clean container at room temperature and replace every 4 (four) hours with clean utensils.

**Violation Description:** All clean and soiled linen shall be properly stored; non-food items shall be stored and displayed separate from food and food-contact surfaces. (114185.3 - 114185.4) Utensils and equipment shall be handled and stored so as to be protected from contamination. (114074 - 114075, 114081, 114119, 114121, 114161, 114178, 114179, 114083, 114185, 114185.2, 114185.5) Pressurized cylinders must be securely fastened to a rigid structure. (114172)

**38. ADEQUATE VENTILATION AND LIGHTING; DESIGNATED AREA**

**POINTS**  
**1**

Compliance date not specified  
Not In Compliance  
Violation Reference - HSC -  
114149, 114149.1

**Inspector Comments:** Observed two ventilation filters on the right side of the ventilation hood to not be pulling air. Food worker stated when it gets too hot, they turn off and, when it cools down, they turn back on. Observed the two ventilation filters turn back on during the inspection. The remainder of the ventilation filters stayed on continuously.

All areas shall have sufficient ventilation to facilitate proper food storage.

The cycling off of ventilation filters will be taken under advisement.

**Violation Description:** Exhaust hoods shall be provided to remove toxic gases, heat, grease, vapors and smoke and be approved by the local building department. Canopy-type hoods shall extend 6" beyond all cooking equipment. All areas shall have sufficient ventilation to facilitate proper food storage. Toilet rooms shall be vented to the outside air by a screened openable window, an air shaft, or a light-switch activated exhaust fan, consistent with local building codes. (114149, 114149.1) Adequate lighting shall be provided in all areas to facilitate cleaning and inspection. Light fixtures in areas where open food is stored, served, prepared, and where utensils are washed shall be of shatterproof construction or protected with light shields. (114149.2, 114149.3, 114252, 114252.1)

**44. PREMISES; PERSONAL/CLEANING ITEMS; VERMIN-PROOFING**

**POINTS**  
**1**

Compliance date not specified  
Not In Compliance  
Violation Reference - HSC -  
114067 (j), 114123

**Inspector Comments:** 1. Observed a basket of personal items hanging on the cold table across from the 3-compartment sink. Basket contained vitamin supplements, Q-tips, a cell phone and personal clothing.

Provide designated space for employee's personal items separate from customer food and food contact surfaces.

2. Observed no complete mop sink at this facility. There is a curbed drain area to the left and under the 3-compartment sink, however, there are no hot and cold faucets associated with it.

Janitorial sink or approved curbed cleaning facility shall be provided.

**Violation Description:** The premises of each food facility shall be kept clean and free of litter and rubbish; all clean and soiled linen shall be properly stored; non-food items shall be stored and displayed separate from food and food-contact surfaces; the facility shall be kept vermin proof. (114067 (j), 114123, 114143 (a) & (b), 114256, 114256.1, 114256.2, 114256.4, 114257, 114257.1, 114259, 114259.2, 114259.3, 114279, 114281, 114282) Food preparation sinks, handwashing sinks and warewashing equipment shall not be used for the cleaning of maintenance tools, the holding of maintenance materials, or the disposal of liquid wastes. (114123) Open-air barbecue and/or outdoor wood burning oven must operate on the same premises, in conjunction with a permanent food facility and not in an area that may pose as a fire hazard. (114143(a) (b)) Janitorial sink or approved curbed cleaning facility (exemption for restricted food service facilities Section 114279 (b)) shall be provided. (114279(a)) First aid supplies must have a legible manufacturer's label and stored in a kit or container that is located to prevent contamination. (114256.4) Insect electrocution devices are not allowed in food or utensil handling areas. (114259.3)



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**52. VC & D**

**POINTS**  
**0**

Compliance date not specified  
Not In Compliance  
Violation Reference - HSC -  
113980

**Inspector Comments:** The following items were voluntarily condemned and discarded:

- imitation cooked crab at 47 F, about 2 cups
- piece of beef at 50 F, about 0.5 lb
- round fish balls at 48 F, about 2 lbs
- cooked tendon at 48 F, about 4 lbs
- cooked chicken at 50 F, about 2 lbs

**Violation Description:** Operator has voluntarily consented to the condemnation and destruction of food as said material being unfit for human consumption or otherwise in violation of California Health and Safety Code, Division 104, Part 5, Chapter 1 through 8, the disposition of which is provided for by Chapter 8, Article 3, Section 111895.

"I (We) hereby voluntarily agree to the condemnation and destruction of the following material(s) listed in violation number 52. By signing this Official Inspection Report (OIR), I (We) hereby release the County of San Bernardino and its agent from any and all liability."

**IMPORTANT: Risk Based Inspection Frequency**

Food facilities that pose a higher risk level for causing foodborne illness will be subject to an additional inspection, to be billed at the hourly rate as provided in the San Bernardino County Code [Schedule of Fees](#). Facilities that received one or more of the following will be elevated to a high risk tier:

- A score letter of "C" or lower on one of the last two graded inspections,
- A score letter of "B" on two of the last three graded inspections,
- Repeated "four (4) point violation Risk Factor" (critical violation codes 1-23) on the last two inspections, or
- Four (4) or more critical violations (codes 1-23) noted during an inspection, or
- A permit suspension (closure) on your last graded inspection.

**Food Establishment Donor Survey**

Will you please take a few moments of your time to complete our [Food Establishment Donor Survey](#)? The purpose of this survey is to learn about current food recovery and food waste reduction efforts and struggles throughout San Bernardino County.

The feedback from the survey will help us identify barriers and opportunities, and connect you with nearby charitable feeding organizations so you can donate your surplus food. Once you complete the survey, you can view your entry and connect with other donor food establishments and charitable feeding organizations in the following [Live Web Map](#).

**Overall Inspection Comments**

"B" grade posted.

Do not obscure, relocate, or remove grade card. Failure to comply may result in a billable grade card reposting follow-up at a rate of \$245.00 per hour, with a minimum of 30 minutes.

The following forms were left with the management:

- Rescore Form

Unable to give PEP talk at this time due to the language barrier.

No signature obtained due to COVID precautions. Report discussed with the translator, who was not an employee of this facility. Translator will discuss the report with the food worker. Name given for the signature line is an employee at this facility.

**FREE Classes to L.E.A.R.N!**

Liaison Education And Risk Network (L.E.A.R.N.) is a FREE class based on the fundamentals of Active Managerial Control and the Centers for Disease Control and Prevention's five risk factors that lead to foodborne illnesses. Find out when the next L.E.A.R.N. class is by checking our [calendar](#).



Public Health  
Environmental Health Services

[www.SBCounty.gov](http://www.SBCounty.gov)  
[www.SBCounty.gov/dph/dehs](http://www.SBCounty.gov/dph/dehs)

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**Signature(s) of Acknowledgement**

*No Sig*

NAME: Tuyet Pham  
TITLE: