



**City of Newton**  
**Health and Human Services**  
 Linda Walsh, Commissioner  
 1000 Commonwealth Ave Newton, MA 02459  
 (617) 796-1420



**Public Health**  
 Prevent. Promote. Protect.

**Food Establishment Inspection Report - FDA**

<b>Insp Date:</b> 5/9/2023	<b>Business ID:</b> 1N2979	<b>Inspection:</b> 4N001178
<b>Business:</b> Ding's Kitchen		<b>Section:</b> 2
10 Langley Rd		<b>Phone:</b> 617-332-3600
		<b>Inspector:</b> 1N11125 Paul Dinwoodie
		<b>Reason:</b> 3-General Complaint
		<b>Results:</b> No Follow-up R3

Newton, MA 02459

**Inspection Summary**

Official Order for Correction: Based on an inspection today, the items checked indicate violations of 105 CMR 590.000/ 2013 Federal Food Code. This report, when signed below by the Commissioner of Health / Agent constitutes an order by the Commissioner of Health. Failure to correct violations cited in this report may result in suspension or revocation of the food establishment permit and cessation of food establishment operations. If aggrieved by this order, you have the right to a hearing. The request must be in writing and submitted to the Commissioner of Health at the above address within 10 days of receipt of this order.

Est. Type 1-Food Svc License/Permit # FE-362 Risk Category 03 Risk Level Observed 03 Medium  
 Establishment  
 Foodborne Illness Complaint Investigated (All)  Involving More Than Two Persons

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

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

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

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

Supervision	IN	OUT	N/O	N/A	COS	REPEAT
1. PIC Present, Knowledge and Duties	<input checked="" type="checkbox"/>	i			..	..
2. Certified Food Protection Manager	<input checked="" type="checkbox"/>	i		i	..	..
Employee Health / Responding to Contamination Events	IN	OUT	N/O	N/A	COS	REPEAT
3A. Employee Health: PIC Knowledge, Responsibilities & Reporting	<input checked="" type="checkbox"/>	i			..	..
3B. Employee Reporting to PIC	<input checked="" type="checkbox"/>	i			..	..
4. Proper Use of Restriction & Exclusion	<input checked="" type="checkbox"/>	i			..	..
5. Clean-up of Vomiting and Diarrheal Events	<input checked="" type="checkbox"/>	i			..	..
Good Hygienic Practices	IN	OUT	N/O	N/A	COS	REPEAT
6A. Proper eating, tasting, drinking, or tobacco use	<input checked="" type="checkbox"/>	i	i		..	..
6B. Preventing contamination when tasting	<input checked="" type="checkbox"/>	i	i		..	..

*Paul Dinwoodie*  
 Inspector

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 Acknowledged Receipt : Peter

## Food Establishment Inspection Report - FDA

Good Hygienic Practices	IN	OUT	N/O	N/A	COS	REPEAT
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7. No discharge from eyes, nose, and mouth	☒	i	i		..	..
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Control of Hands as a Vehicle of Contamination	IN	OUT	N/O	N/A	COS	REPEAT
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8A. Hands clean & properly washed	☒	i	i		..	..
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8B. Where to wash, hand antiseptics	☒	i	i		..	..
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9. No bare hand contact with RTE food or a pre-approved alternative procedure properly allowed	☒	i	i	i	..	..
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10A. Adequate handwashing sinks properly supplied and accessible	i	☒			..	p
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<i>Fail Notes</i>	5-205.11	<p><i>Accessibility, Operation and Maintenance</i>  <i>[The handwashing sink near the 3-compartment sink was observed blocked with a metal cooking sheet placed over the sink basin. The PIC removed this item from the handwashing sink. A handwashing sink shall be maintained so that it is accessible at all times for employee use. A handwashing sink may not be used for purposes other than handwashing. Facilities must be maintained in a condition that promotes handwashing and restricted for that use. Convenient accessibility of a handwashing facility encourages timely handwashing which provides a break in the chain of contamination from the hands of food employees to food or food-contact surfaces. Sinks used for food preparation and warewashing can become sources of contamination if used as handwashing facilities by employees returning from the toilet or from duties which have contaminated their hands. Repeat violation.]</i></p>
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10B. Handwashing sinks accesible with proper signage, handwashing aids	☒	i			..	..
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Approved Sources	IN	OUT	N/O	N/A	COS	REPEAT
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11A. Milk, eggs, juice, bottled water, hermetically sealed food, game animals	☒	i	i	i	..	..
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11B. Packaged foods, labeling, whole muscle beef	☒	i	i	i	..	..
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11C. Obtaining raw fish, packaged meat & poultry, eggs	☒	i	i	i	..	..
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12A. Food received at proper temperature	i	i	☒	i	..	..
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12B. Shipping and receiving frozen food	i	i	☒	i	..	..
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13. Food in good condition, honestly presented, safe, & unadulterated	☒	i			..	..
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13B. Food package integrity	☒	i			..	..
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14A. Required records available: shellstock tags, parasite destruction	i	i	i	☒	..	..
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14B. Missing shellstock tags, destruction	i	i	i	☒	..	..
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14C. Parasite destruction- storing raw/partially cooked fish	i	i	i	☒	..	..
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Protection from Contamination	IN	OUT	N/O	N/A	COS	REPEAT
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15A. Food separated & protected	☒	i	i	i	..	..
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15B. Cleaning equip/utensils/food containers	☒	i	i	i	..	..
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16A. Food-contact surfaces: cleaned & sanitized immersion 171° F and above	☒	i		i	..	..
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16B. Food contact surfaces cleaned and sanitized NMT 194° F, NLT 180° F	☒	i		i	..	..
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*Paul Dink*  
 Inspector

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## Food Establishment Inspection Report - FDA

Protection from Contamination	IN	OUT	N/O	N/A	COS	REPEAT
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|--|---|--|--|--|----|----|
| 16C. Mechanical warewashing equipment sanitization food contact surfaces, equip., utensils | ☒ |  |  |  | .. | .. |
| 17. Proper disposition of returned, previously served reconditions, & unsafe food          | ☒ |  |  |  | .. | .. |

Time/Temperature Control for Safety Food (TCS Food)	IN	OUT	N/O	N/A	COS	REPEAT
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|---|---|---|---|---|----|----|
| 18A. Proper cooking time & temperatures         | ☒ |   |   |   | .. | .. |
| 18B. Whole meat cooking and serving, storing    |   |   |   | ☒ | .. | .. |
| 18C. Microwave cooking of raw animal foods      |   |   | ☒ |   | .. | .. |
| 19. Proper reheating procedures for hot holding |   |   | ☒ |   | .. | .. |
| 20. Proper cooling time & temperatures          |   | ☒ |   |   | .. | .. |

<i>Fail Notes</i>	3-501.14	<p><i>*Proper Cooling of TCS food</i>  <i>[Cooked white rice was observed cooling out at room temperature in a large metal bowl. The food product had an internal temperature of 77.9°F. In discussion with the PIC, it was determined that the white rice was cooked the previous night. The PIC was instructed to discard the food item by the Inspector. Cooked TCS (Time / Temperature Control for Safety Food) shall be cooled: (1) Within two (2) hours from 135°F to 70°F, and (2) Within a total of six (6) hours from 135°F to 41°F or less. ]</i></p>
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|--------------------------------------|---|---|--|--|----|----|
| 21. Proper hot holding temperatures  | ☒ |   |  |  | .. | .. |
| 22. Proper cold holding temperatures |   | ☒ |  |  | .. | .. |

<i>Fail Notes</i>	3-501.16(A2 &B)	<p><i>*Cold PHFs Maintained at or Below 41oF- also pertains to untreated eggs (45F)</i>  <i>[The following TCS (Time / Temperature Control for Safety Food) foods had the following internal temperatures: raw whole ducks = 55.1°F; observed thawing in a compartment of the 3-compartment sink, raw beef = 46.4°F; observed in a metal bowl which was nested in a flip-top unit, raw seafood = 44.2°F; observed in a metal bowl which was nested in a flip-top unit. The PIC stated that all food items had been left that way overnight. The PIC was instructed by the Inspector to discard the raw whole ducks.</i></p> <p style="text-align: center;"><i>Maintain the internal temperature of TCS Foods at 41°F or below.]</i></p>
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|---|---|--|--|---|----|----|
| 23. Proper Date Marking   | ☒ |  |  |   | .. | .. |
| 23B. TCS Foods Disposition  | ☒ |  |  |   | .. | .. |
| 24A. Time as a public health control: procedures                          |   |  |  | ☒ | .. | .. |
| 24B. Time as a public health control: temperatures & discarding food      |   |  |  | ☒ | .. | .. |
| 24C. Time as a public health control: highly susceptible population (HSP) |   |  |  | ☒ | .. | .. |

Consumer Advisory	IN	OUT	N/O	N/A	COS	REPEAT
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|---|---|--|--|--|----|----|
| 25. Consumer advisory provided for raw or undercooked foods | ☒ |  |  |  | .. | .. |
|---|---|--|--|--|----|----|

Highly Susceptible Populations (HSP)	IN	OUT	N/O	N/A	COS	REPEAT
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*Paul Dink*

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## Food Establishment Inspection Report - FDA

Highly Susceptible Populations (HSP)	IN	OUT	N/O	N/A	COS	REPEAT
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26A. Pasteurized foods used; prohibited foods not offered	i	i		x	..	..
26B. Reservice of foods	i	i		x	..	..

Chemical	IN	OUT	N/O	N/A	COS	REPEAT
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27. Food additives: approved and properly used	x	i		i	..	..
28A. Toxic substances identified, stored and used	x	i		i	..	..
28B. Poisonous materials, sanitizers, additives, medicines restriction, separation, storage	x	i		i	..	..
28C. Conditions of Use: law	x	i		i	..	..

Conformance with Approved Procedures	IN	OUT	N/O	N/A	COS	REPEAT
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29A. Compliance with variance, specialized process, & HACCP plan	i	i		x	..	..
29B. Treating juice- HACCP, reduced oxygen packaging w/out variance, conformance with approved procedures	i	i		x	..	..
29C. When HACCP plan is required	i	i		x	..	..

GOOD RETAIL PRACTICES
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Good Retail Practices are preventative measures to control the addition of pathogens, chemicals, and physical objects into foods.


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

Safe Food and Water	IN	OUT	N/O	N/A	COS	REPEAT
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30. Pasteurized eggs used where required	i	i			..	..
31A. Water & ice from approved source	x	i			..	..
31B. Sampling, alternative water supply	i	i		x	..	..
31C. Sampling report	i	i		x	..	..
32. Variance obtained for specialized processing methods	i	i		x	..	..

Food Temperature Control	IN	OUT	N/O	N/A	COS	REPEAT
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33A. Proper cooling methods used; adequate equipment for temperature control	i	x			..	p
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## Food Establishment Inspection Report - FDA

Food Temperature Control

IN OUT N/O N/A COS REPEAT

Fail Notes

3-501.15 (A)

*Cooling Methods for TCS foods*

*[Cooked white rice was observed cooling out at room temperature in a large metal bowl which was covered. The food product had an internal temperature of 77.9°F. In discussion with the PIC, it was determined that the white rice was cooked the night prior. The PIC was instructed to discard the food item by the Inspector. When cooling foods, use one or more of the following acceptable methods based on the type of food being cooled: 1) Place food in shallow pans; 2) Separate food into smaller or thinner portions; 3) Use rapid cooling equipment such ice wands, blast chillers; 4) Stir the food in a container placed in an ice water bath; 5) Use containers that facilitates the heat transfer; 6) Add ice as an ingredient, or other effective methods. Arrange the food in the equipment to provide maximum heat transfer through the container walls. Avoid covering foods until they are thoroughly cooled. Try to use the top shelf in the walk-in refrigerators for cooling. Cooked TCS Foods shall be cooled: 1) Within two (2) hours from 135°F to 70°F; and 2) within total of six (6) hours from 135°F to 41°F or less. If items are prepared from ambient temperatures such as tuna fish, cool to 41°F within four (4) hours or less. Repeat violation.*

*Large food items, such as roast, turkeys, and large containers of rice or refried beans, take longer to cool because of the mass and volume form which heat must be removed. By reducing the volume of the food in an individual container, the rate of cooling is dramatically increased and opportunity for pathogen growth is minimized. If the hot food container is tightly covered, the rate of heat transfer is reduced. Commercial refrigeration equipment is designed to hold cold food temperatures, not cool large masses of food. Rapid chilling equipment is designed to cool the food to acceptable temperatures quickly by using very low temperatures and high rates of air circulation. ]*

33B. Frozen food

☒ i " "

34. Plant food properly cooked for hot holding

☒ i i i " "

35. Approved thawing methods used

i ☒ i i " p



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## Food Establishment Inspection Report - FDA

Food Temperature Control		IN	OUT	N/O	N/A	COS	REPEAT
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Fail Notes	3-501.13	<p><i>Thawing</i>  <i>[Multiple metal bowls of cooked pork were observed thawing out at room temperature on racks directly outside of the walk-in units. Additionally, raw whole ducks were observed thawing in a compartment of the 3-compartment sink. The PIC stated that all food items had been in the thawing stage since the previous night. The PIC was instructed by the Inspector to discard these food items. Frozen TCS (Time / Temperature Control for Safety Food) shall be thawed: A) Under refrigeration that maintains the food temperature at 41°F or less; or B) Completely submerged under running water: 1) At a water temperature of 70°F or below, 2) With sufficient water velocity to agitate and float off loose particles in an overflow, and 3) For a period of time that does not allow thawed portions of RTE (ready-to-eat) to rise above 41°F, or 4) For a period of time that does not allow thawed portions of raw animal food requiring cooking to be above 41°F, for more than four 4) hours including: (a) The time the food is exposed to the running water and the time needed for preparation for cooking, or b) The time it takes under refrigeration to lower the food temperature to 41°F; C) As part of a cooking process if the food that is frozen is: 1) Cooked to the proper required temperature for that product, or 2) Thawed in a microwave and immediately transferred to conventional cooking equipment, with no interruption in the process; or D) Using any procedure if a portion of frozen RTE food is thawed and prepared for immediate service in response to an individual consumer's order. Repeat violation.]</i></p>
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36A. Thermometers provided and accurate	☒	i		..	..
36B. Thermometers function properly	☒	i		..	..

Food Identification		IN	OUT	COS	REPEAT
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37A. Food properly labeled; original container	☒	i		..	..
37B. Food labels, labeling of ingredients	☒	i		..	..

Prevention of Food Contamination		IN	OUT	COS	REPEAT
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38A. Insects, rodents, & animals not present	☒	i		..	..
38B. Handling prohibition, controlling pests, prohibiting animals	☒	i		..	..
39A. Contamination prevented during food storage	☒	i		..	..
39B. Food display; ice used as an exterior coolant prohibited as an ingredient	☒	i		..	..
39C. Consumer self-service operations- utensils and monitoring	☒	i		..	..
40A. Personal cleanliness- prohibition jewelry	☒	i		..	..
40B. Maintenance of fingernails	☒	i		..	..
41. Wiping cloths; properly used and stored	☒	i		..	..
42A. Washing Produce - following chemical manufacturers label	i	i		..	..
42B. Washing produce	☒	i		..	..
42C. Washing produce- chemicals	i	i		..	..



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## Food Establishment Inspection Report - FDA

Proper Use of Utensils	IN	OUT	COS	REPEAT
43. In-use utensils; properly stored	☒	i	..	..
44. Utensils, equipment & linens; properly stored, dried, and handled	☒	i	..	..
45A. Single-use/ single service articles properly stored and used, required	☒	i	..	..
45B. Single-use/service articles use limitation, kitchenware and tableware preventing contamination	☒	i	..	..
46. Gloves used properly	☒	i	..	..

Utensils, Equipment and Vending	IN	OUT	COS	REPEAT
47A. Food & non-food contact surfaces cleanable	☒	i	..	..
47B. Food contact surfaces /utensils cleanability, molluscan shellfish tanks, consumer self-service	☒	i	..	..
47C. Properly designed characteristics: food and non-food contact surfaces, molluscan shellfish tanks	☒	i	..	..
48A. Warewashing facilities: installed, maintained, & used; test strips	☒	i	..	..
48B. Operational warewashing machines	☒	i	..	..
49. Non-food contact surfaces clean	☒	i	..	..

Physical Facilities	IN	OUT	N/A	COS	REPEAT
50. Hot & cold water available; adequate pressure	☒	i		..	..
51A. Plumbing installed; proper backflow devices	☒	i		..	..
51B. Prohibiting a cross-connection, inspection and servicing system	☒	i		..	..
51C. Approved system and cleanable fixtures, service sink	☒	i	i	..	..
52A. Sewage and waste water properly disposed	☒	i		..	..
52B. Grease traps easily accessible for cleaning	☒	i		..	..
52C. Removing mobile food establishment waste	i	i	☒	..	..
53A. Toilet facilities; properly constructed, supplied, & cleaned	☒	i		..	..
53B. Toilet tissue availability	☒	i		..	..
54. Garbage & refuse properly disposed; facilities maintained	☒	i		..	..
55A. Physical facilities installed, maintained, & clean	i	☒		..	..

*Fail Notes* | 6-501.11 *Repairing-Premises, Structures, Attachments, and Fixtures-Methods*  
 [A hole was observed in the wall at the end of the cookline area. Physical facilities shall be maintained in good repair. Repair the hole.]

*Paul Dinkel*

Inspector

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## Food Establishment Inspection Report - FDA

Physical Facilities	IN	OUT	N/A	COS	REPEAT
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<i>Fail Notes</i>	6-501.12	<p><i>Cleaning, Frequency and Restrictions</i>  <i>[Rodent droppings were observed throughout the main kitchen area. Rodent droppings shall be cleaned up frequently using a strong bleach and water solution. Avoid sweeping the droppings. If after cleaning more droppings are observed, this is a sign that there is still an active problem. The physical facilities shall be cleaned as often as necessary to keep them clean. Cleaning the physical facilities is an important measure in ensuring the protection and sanitary preparation of food. A regular cleaning schedule should be established and followed to maintain the facility in a clean and sanitary manner. Primary cleaning should be done at times when foods are in protected storage and when food is not being served or prepared.]</i></p>
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55B. Private homes and living or sleeping quarters, use prohibition	☒	i	..	..
56. Adequate ventilation & lighting; designated areas used	☒	i	..	..

MASSACHUSETTS ONLY REGULATIONS
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Rules and Regulations adopted for use in Massachusetts only.

Facilities	IN	OUT	COS	REPEAT
57A. Catering	i	i	..	..
57B. When plans are reviewed, prerequisite for operations- valid permit	i	i	..	..
57C. Contents of plans and specifications, preoperational inspections	i	i	..	..
58. Mobile Food Operations	i	i	..	..
59. Temporary Food Establishments	i	i	..	..
60. Residential Kitchens	i	i	..	..

Procedures	IN	OUT	COS	REPEAT
61. Anti-choking Procedures	☒	i	..	..
62. Tobacco Products: Notice and Sale	i	i	..	..
63. Food Allergy Awareness Requirements	☒	i	..	..



Inspector

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