



**CAL CODE OFFICIAL INSPECTION REPORT**

FACILITY NAME <b>BIRRIERIA XOLOS</b>		DATE 12/1/2020	REINSPECTION DATE 12/15/2020	PERMIT EXPIRATION 8/31/2020
LOCATION 105 N EUCLID AV, ONTARIO, CA 91761			INSPECTOR Rose Ann Dooley	
MAILING ADDRESS 105 N EUCLID AVE, ONTARIO CA 91762			IDENTIFIER: None	
			SERVICE: 001 - Inspection - Routine	
			RESULT: 05 - Corrective Action / Follow up Required	
			ACTION: 03 - Reinspection Required	
TIME IN 11:03 AM	TIME OUT 12:54 PM	FACILITY ID FA0014016	RELATED ID PR0018519	PE 1620

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 81**

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

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

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	⊘
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	1

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	⊘
COMPLIANCE & ENFORCEMENT	
49. Permits Available	
50. Restrooms Required	
51. Plan Review	
52. VC&D	⊘
53. Impoundment	
54. Permit Suspension	



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9. PROPER COOLING METHODS



POINTS  
4

Compliance date not specified  
Complied on 12/1/2020  
Violation Reference - HSC -  
114000

**Inspector Comments:** Observed three large deep containers of cooked beans measured at 56-67F. Operator stated that beans were cooked since yesterday.

Ensure all potentially hazardous food is rapidly cooled from 135F to 70F within 2 hours, and then from 70F to 41F within a total of 6 hours.

Approved cooling methods include:

- 1) Placing the food in shallow pans (recommend using heat-conductive pans)
- 2) Separating the food into smaller or thinner portions
- 3) Using rapid cooling equipment such as chill blasters
- 4) Using containers that facilitate heat transfer
- 5) Adding ice as an ingredient
- 6) Using ice paddles
- 7) Placing containers in an ice bath, stirring food frequently

Corrected on site. See VC&D.

**Violation Description:** All potentially hazardous food shall be RAPIDLY cooled from 135F to 70F, within 2 hours, and then from 70F to 41 F, within 4 hours. Cooling shall be by one or more of the following methods: in shallow containers; separating food into smaller portions; adding ice as an ingredient; using an ice bath; stirring frequently; using rapid cooling equipment; or, using containers that facilitate heat transfer. PHF is to be cooled within 4 hours to 41F if prepared from ingredients at ambient temperature. Deliveries of PHF is to be cooled to below 41F within 4 hours if received between 41F to 45F.

**More Information:** [http://www.sbcounty.gov/uploads/dph/dehs/Depts/EnvironmentalHealth/FormsPublications/cooling\\_hot\\_food\\_safely.pdf](http://www.sbcounty.gov/uploads/dph/dehs/Depts/EnvironmentalHealth/FormsPublications/cooling_hot_food_safely.pdf)

1. DEMONSTRATION OF KNOWLEDGE; FOOD SAFETY CERTIFICATION

POINTS  
2

Compliance date not specified  
Not In Compliance  
Violation Reference - HSC -  
113947-113947.1

**Inspector Comments:** 1. Observed Certified Food Manager's Certificate missing. Obtain at least one food manager certificate from one of the below accredited organization that has been certified by the American National Standards Institute (ANSI):  
-360training.com, Inc.- Learn2Serve® Food Protection Manager Certification Program  
- National Registry of Food Safety Professionals- Food Protection Manager Certification Program  
- National Restaurant Association-ServSafe® Food Protection Manager Certification Program  
- Prometric Inc.- Food Protection Manager Certification Program  
- AboveTraining/StateFoodSafety.com

Provide manager's certificate at facility within 60 days. Non-compliance will result in a future charged inspection at an hourly rate of \$245.

2. Upon questioning, employees demonstrated insufficient knowledge of warewashing large pots. Operator states that pot are not sanitized due to how large they are. Ensure all food employees have adequate knowledge of and be trained in food safety as it relates to their assigned duties.

Educated employee on proper warewashing.

When manually warewashing, equipment and utensils shall be properly washed by using the following steps:

- 1) Wash in warm soapy water measuring a minimum of 100F
- 2) Rinse in clear water
- 3) Sanitize by soaking in a sanitizer solution of at least 100 ppm of chlorine for 30 seconds or at least 200 ppm of quaternary ammonia for 60 seconds
- 4) Air dry

**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>



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

**POINTS**  
**2**

Compliance date not specified  
Not In Compliance  
Violation Reference -

**Inspector Comments:** 1. Observed no hand soap available for use inside the soap dispenser at the cook's line.

Ensure to maintain all handwash sinks clean, unobstructed, accessible, and fully stocked with soap and paper towels in dispensers at all times.

2. Observed no paper towels and soap maintained at the handwash sink located in the back prep area.

Ensure that all handwashing sinks are fully supplied with paper towels and hand soap at all times.

**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)

**23. NO RODENTS, INSECTS, BIRDS, OR ANIMALS**

**POINTS**  
**2**

Compliance date not specified  
Not In Compliance  
Violation Reference - HSC -  
114259.1, 114259.4, 11425

**Inspector Comments:** Observed several old/new rodent droppings on the floor located in the bottom basement storage room. Ensure this facility is free from vermin-including but not limited to-rodents. Clean and sanitize all affected areas.

A reinspection shall be conducted on or after 12/8/2020 to ensure this facility is free from vermin-including but not limited to-rodents. Any further inspections conducted after the reinspection shall be conducted at a billable rate of \$245/ hour with a half an hour minimum charge of \$122.50.

**Violation Description:** Food facility shall be kept free of vermin: rodents (rats, mice), cockroaches, flies. (114259.1, 114259.4, 114259.5) Live animals are not allowed in a food facility unless, food employees with service animals may handle or care for their service animal if they wash their hands as required or persons who are licensed pursuant to Chapter 11.5 of Division 3 of the Business and Professions Code. (114259.4, 114259.5)

**27. FOOD SEPARATED AND PROTECTED**

**POINTS**  
**1**

Compliance date not specified  
Not In Compliance  
Violation Reference - HSC -  
113984 (a, b, c, d, f)

**Inspector Comments:** Observed the following food item(s) stored on the floor:

- 20 boxes of tortillas located in the back storage
- 7 boxes of tomatoes located in the back storage
- 1 container of oil used for cooking

Discontinue this practice and ensure that all food item(s) are stored at least 6" above the floor to prevent potential contamination.

**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**  
**1**

Compliance date not specified  
Not In Compliance  
Violation Reference - HSC -  
114047, 114049, 114051

**Inspector Comments:** Observed the following:

One container of sugar

Label container as to it's own content and ensure that food or ingredients removed from original packages are identified with the common name of the food, if not easily identifiable.

**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))



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**33. NONFOOD-CONTACT SURFACES CLEAN**

<b>POINTS</b> <b>1</b>	Compliance date not specified Not In Compliance Violation Reference - HSC - 114115 (c)	<b>Inspector Comments:</b> Observed the following:  - Grease buildup on the sides of the stove and grill - Food debris accumulation on boxes located at cook's line - Food debris accumulation walls located at cook's line  Clean and sanitize these areas and maintain clean.
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**Violation Description:** All nonfood contact surfaces of utensils and equipment shall be clean. (114115 (c))

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

<b>POINTS</b> <b>1</b>	Compliance date not specified Not In Compliance Violation Reference - HSC - 114130, 114130.1, 114130	<b>Inspector Comments:</b> 1. Observed 4 large cooking pots used for cooking that are not able to be properly washed. Discontinued practice and used approved equipment.  2. Observed prep table with duck tape wrapped on top surface. Discontinue use and provided a prep table with cleanable surface.
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**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)

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

<b>POINTS</b> <b>1</b>	Compliance date not specified Not In Compliance Violation Reference - HSC - 114074, 114081, 114119	<b>Inspector Comments:</b> Observed one small plastic cup and one small bowl being used as scoops and stored inside a container of sugar and cooking oil located at cook's line.  Discontinue this practice. Ensure that approved scoops with handles are used to handle food and that the handles are stored upright so that they are not in contact with any food.
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**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**

<b>POINTS</b> <b>1</b>	Compliance date not specified Not In Compliance Violation Reference - HSC - 114149, 114149.1	<b>Inspector Comments:</b> Observed two light bulbs missing shield guards.  Repair/replace and maintain light bulbs in good repair.
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**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)



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**48. FOOD HANDLER CERTIFICATION**

<b>POINTS</b>  <div style="border: 1px solid black; padding: 5px; display: inline-block; font-size: 24pt; font-weight: bold; color: red;">3</div>	Compliance date not specified Not In Compliance Violation Reference - SBCC - 33.0409	<b>Inspector Comments:</b> Observed six (6) food service workers at this facility without a current/ valid San Bernardino County food handler/ worker card.  Provide a valid San Bernardino County Food Handler card for each of these workers within 14 days. A missing food handler card information and verification sheet was provided to fill out and fax and return to San Bernardino County Environmental Health Services department.  Fax to (909)387-4323 or send to sbcfoodworker@gmail.com  <u>Failure to do so will result in a charged re-inspection to verify compliance.</u>
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**Violation Description:** This facility is currently in violation with the food handler certification requirement for San Bernardino County, which states all food handlers must obtain a valid food handler certificate within fourteen (14) days of employment (33.0410, 33.044). Failure to provide proof of food handler certification within fourteen (14) days will result in unannounced billable (at our current hourly rate) re-inspections to verify compliance.

This facility operator must complete the 'Missing Food Handler' form provided by the inspector and email an electronic copy (scans or photos are ok as long as they are readable to sbcfoodworker@gmail.com

**More Information:** [http://www.sbcounty.gov/dph/dehs/Depts/EnvironmentalHealth/FIRST/food\\_worker\\_training.aspx](http://www.sbcounty.gov/dph/dehs/Depts/EnvironmentalHealth/FIRST/food_worker_training.aspx)

**52. VC & D**

<b>POINTS</b>  <div style="border: 1px solid black; padding: 5px; display: inline-block; font-size: 24pt; font-weight: bold; color: red;">0</div>	Compliance date not specified Not In Compliance Violation Reference - HSC - 113980	<b>Inspector Comments:</b> The following items were voluntarily consented to the condemnation by the operator: -three large deep containers of cooked beans measured at 56-67F
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**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."

**CV. COVID-19 OBSERVATIONS**

<b>POINTS</b>  <div style="border: 1px solid black; padding: 5px; display: inline-block; font-size: 24pt; font-weight: bold; color: red;">0</div>	Compliance date not specified Not In Compliance Violation Reference - SBC Policy - No Reference Number Specified	<b>Inspector Comments:</b> Observed no written risk assessment or site-specific protection plan available and posted on site.  Ensure to adhere to all San Bernardino County Environmental Health Services and California Department of Public Health guidelines and restrictions for operating during COVID-19.  Per the Industry Statewide Guidance to Reduce Risk, facilities must: 1) Perform a detailed risk assessment and implement a site-specific protection plan 2) Train employees on how to limit the spread of COVID-19, including how to screen themselves for symptoms and stay home if they have them 3) Implement individual control measures and screenings 4) Implement disinfecting protocols 5) Implement physical distancing providers
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**Violation Description:** Observations regarding COVID-19 associated changes to practices are recorded here.



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**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**

Letter grade "B" was posted on this date.

DO NOT REMOVE, RELOCATE, OR ALTER LETTER GRADE PLACARD.

A reinspection will be conducted on 2/28/2020 to ensure that the facility has adhered to necessary plan check adjustments.

A PEP Talk was given on this date.

The following handouts were provided:

- COVID Guidance for Operation
- Food worker form
- Compliance Manager Form
- Request for a Re-Score Inspection
- Top 5 CDC Risk Factors

**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](#).

**Signature(s) of Acknowledgement**

NAME: edwin arteaga  
TITLE: manager