



**CAL CODE OFFICIAL INSPECTION REPORT**

FACILITY NAME <b>OCEAN PHO RESTAURANT</b>		DATE 5/30/2019	REINSPECTION DATE Next Routine	PERMIT EXPIRATION 8/31/2019
LOCATION 33527 YUCAIPA BL C 3, YUCAIPA, CA 92399			INSPECTOR Emmily Phan	
MAILING ADDRESS 10463 AGATE AVE, MENTONE CA 92359			IDENTIFIER: None	
			SERVICE: 001 - Inspection - Routine	
			RESULT: 05 - Corrective Action / Follow up Required	
			ACTION: 03 - Reinspection Required	
TIME IN 10:18 AM	TIME OUT 12:39 PM	FACILITY ID FA0003162	RELATED ID PR0000673	PE 1621

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

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

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	⊗
27. Food separated and protected	⊗
28. Washing fruits and vegetables	1
29. Toxic substances properly identified, stored, use	⊗
FOOD STORAGE/DISPLAY/SERVICE	
30. Food storage; food storage containers identified	1
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	1
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	⊗
COMPLIANCE & ENFORCEMENT	
49. Permits Available	
50. Restrooms Required	
51. Plan Review	
52. VC&D	
53. Impoundment	
54. Permit Suspension	



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### 6. ADEQUATE HANDWASHING FACILITIES SUPPLIED & ACCESSIBLE

POINTS

2

Compliance date not specified  
Complied on 5/30/2019  
Violation Reference -

**Inspector Comments:** Observed the kitchen hand wash sink to be missing paper hand towels inside the dispenser. An employee restocked the dispenser at this time. This was the only hand wash sink available inside the back kitchen.

Maintain all hand wash sinks fully stocked and readily accessible 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 unclear. (113953.1)

### 14. FOOD CONTACT SURFACES: CLEAN AND SANITIZED

POINTS

2

Compliance date not specified  
Not In Compliance  
Violation Reference - HSC -  
113984(e), 114097, 114099

**Inspector Comments:** Observed orange grime build-up along the top of the ice maker unit inside the front ice machine.

Discard ice, drain, clean, rinse, and sanitize the ice machine.  
Ensure that all food contact surfaces are cleaned and sanitized.

**Violation Description:** All food contact surfaces of utensils and equipment shall be clean and sanitized. (113984(e), 114097, 114099.1, 114099.4, 114099.6, 114101 (b-d), 114105, 114109, 114111, 114113, 114115 (a, b, d), 114117, 114125(b), 114135, 114141)

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

### 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 the following inside the front customer cashier station:

- Approximately 40-45 old rodent droppings inside the reach-in cabinet next to the ice machine.
- Approximately 35-40 old rodent droppings inside the reach-in cabinet parallel to the ice machine.
- Approximately 15-20 old rodent droppings inside the reach-in cabinet located in between the two reach-in cabinets mentioned above.

No live vermin or evidence of a live infestation were observed on this date.

The operator has provided a copy of their most recent pest control service from the company On-Call Termite & Pest Control, Inc. on the following dates: 4/29/19 and 5/29/19.

Per pest control service reports, no evidence of a live infestation were observed.

The target of treatment is: cockroaches, ants, spiders, earwigs, crickets.

Per operator, they have not had any recent issues with pest control.

A follow-up inspection will be conducted to verify compliance with the following:

Eliminate all vermin and evidence of vermin from this facility.

Clean, rinse, and sanitize the reach-in cabinets that have come into contact with the old droppings.

**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)



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**26. APPROVED THAWING METHODS USED, FROZEN FOOD**

<b>POINTS</b> <b>1</b>	<p>Compliance date not specified Complied on 5/30/2019 Violation Reference - HSC - 114018, 114020, 114020.1</p>	<p><b>Inspector Comments:</b> Observed two pieces of beef thawing inside a container on a food preparation table. Beef was measured at 41-42F. The operator relocated the beef inside a refrigerator at this time.</p> <p>Discontinue this practice. Ensure that food items are being thawed in a sanitary manner under approved conditions. Food may be thawed using one or more of the following approved methods: 1). In the refrigeration unit. 2). In the microwave oven. 3). As part of the cooking the refrigeration unit. 4). Under cold running water.</p>
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**Violation Description:** Food shall be thawed under refrigeration; completely submerged under cold running water (less than 70F) of sufficient velocity to flush loose particles for less than 2 hours; in microwave oven; or during the cooking process. (114018, 114020, 114020.1)

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

**27. FOOD SEPARATED AND PROTECTED**

<b>POINTS</b> <b>1</b>	<p>Compliance date not specified Not In Compliance Violation Reference - HSC - 113984 (a, b, c, d, f)</p>	<p><b>Inspector Comments:</b> A.) Observed raw meat being stored on a shelf above ready to eat vegetables throughout multiple reach-in coolers inside the kitchen.</p> <p>Discontinue this practice and store all raw meats and fish in an area separate from or below ready to eat foods.</p> <p>B.) Observed a styrofoam container containing vegetables nesting inside a larger container of raw meat inside the reach-in cooler adjacent to the cooking equipment.</p> <p>Discontinue the practice of storing containers inside food product. Store all food in an appropriate manner so as to prevent cross contamination.</p>
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**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.

**29. TOXIC SUBSTANCES PROPERLY IDENTIFIED, STORED, USED**

<b>POINTS</b> <b>1</b>	<p>Compliance date not specified Not In Compliance Violation Reference - HSC - 114254, 114254.1</p>	<p><b>Inspector Comments:</b> Observed two spray bottles of cleaning solution being stored above and directly next to opened containers of Sriracha.</p> <p>Ensure that all chemicals are stored below or away from products available for consumer consumption.</p>
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**Violation Description:** All poisonous substances, detergents, bleaches, and cleaning compounds shall be stored separate from food, utensils, packing material and food-contact surfaces. (114254, 114254.1, 114254.2) An insecticide, rodenticide, or other pesticide must be used in accordance with the manufacturer's instructions.

**33. NONFOOD-CONTACT SURFACES CLEAN**

<b>POINTS</b> <b>1</b>	<p>Compliance date not specified Not In Compliance Violation Reference - HSC - 114115 (c)</p>	<p><b>Inspector Comments:</b> Observed heavy grease build-up along the sides and below the cooking equipment.</p> <p>Eliminate heavy debris accumulation. Clean and maintain in sanitary manner to prevent cross contamination.</p>
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**Violation Description:** All nonfood contact surfaces of utensils and equipment shall be clean. (114115 (c))



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

POINTS <b>1</b>	Compliance date not specified Not In Compliance Violation Reference - HSC - 114130, 114130.1, 114130	<p><b>Inspector Comments:</b> A.) Observed the following:</p> <ul style="list-style-type: none"> <li>- Torn gaskets on the reach-in cooler stored parallel to the cooking equipment.</li> <li>- Door in disrepair at the front cabinet located below the soda dispensing station at the customer cashier station.</li> </ul> <p>The hinges of the doors are not properly attached to the door. The cabinet was observed to contain soda syrup boxes at this time.</p> <p>Repair/ replace torn gaskets. Repair doors in disrepair.</p> <p>B.) Observed duct tape wrapped around the pipes underneath the 3 compartment sink. No active water leak was observed at this time. However, the previous health inspection report did indicate a water leak below the 3 compartment sink.</p> <p>Discontinue using duct tape to repair equipment. Repair/replace in a manner that ensures the surface area is of a clean and easily washable surface.</p>
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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**

POINTS <b>1</b>	Compliance date not specified Not In Compliance Violation Reference - HSC - 114074, 114081, 114119	<p><b>Inspector Comments:</b> Observed a pressurized CO2 cylinder tank to be unsecured and unchained in the back hallway.</p> <p>Secure all CO2 cylinder tanks to a rigid structure.</p>
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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)

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

POINTS <b>1</b>	Compliance date not specified Not In Compliance Violation Reference - HSC - 114067 (j), 114123	<p><b>Inspector Comments:</b> Observed the following:</p> <ul style="list-style-type: none"> <li>- Both front and back door propped open.</li> <li>- Nonfunctional air curtain on the rear delivery door.</li> <li>- Plastic fly swap and a container of Raid stored inside the facility.</li> </ul> <p>Maintain front and back doors closed to prevent vermin entrance. Utilize commercial grade insecticide, maintain doors closed, and keep air curtains door activated at all times. Discontinue use of fly swaps and household insecticide as a preventative measure to rid facilities of flies and vermin.</p>
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**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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**48. FOOD HANDLER CERTIFICATION**

<b>POINTS</b>	Compliance date not specified Not In Compliance Violation Reference - SBCC - 33.0409	<p><b>Inspector Comments:</b> Observed two (2) food service workers at this facility- without a current / valid San Bernardino County food handler/ worker card. One food handler card was expired and another food handler card was obtained from Riverside County.</p> <p>Provide a valid San Bernardino County Food Handler Card for each of these workers within two (2) weeks. 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 the Missing Food Handler Card form and a copy of all missing food handler cards to (909) 387-4323, submit an email to <a href="mailto:sbcfoodworker@gmail.com">sbcfoodworker@gmail.com</a>, or text 1 (800) 442-2283. Failure to do so will result in a charged re-inspection to verify compliance. Charged inspections are conducted at a rate of \$245 per hour with a minimum of 30 minutes at \$122.50.</p>
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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](mailto: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)

**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.

**Overall Inspection Comments**



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A "B" grade placard has been posted.

DO NOT REMOVE, RELOCATE OR MOVE GRADE CARD.

Non-compliance will result in a charged follow-up inspection at an hourly rate of \$245. Due to this facility receiving a score between 89 and 80, this facility may request an optional re-score to improve their score or letter grade. The Health Official will complete the re-score inspection within ten County business days of the food facility submitting a request for a re-score inspection.

The following has been provided to the operator at this time:

- Top 5 CDC Risk Factors
- Safe Food Handling Practices flyer
- LEARN Class flyer
- Request for Rescore form
- Missing Food Handler Card form
- PEP talk video offered to operator

A follow-up inspection will be conducted on or after 6/05/2019 to verify that the cabinets have been cleaned, rinsed, and sanitized. All droppings must be eliminated from the facility.

Submit the Missing Food Handler Card Form and a copy of all food handler cards to our office before 6/13/19 by 5 pm to avoid a billable re-inspection.

Charged inspections are conducted at a rate of \$245 per hour with a minimum of 30 minutes at \$122.50.

**Signature(s) of Acknowledgement**

NAME: Phuong Nguyen  
TITLE: