



**County of San Bernardino • Department of Public Health  
Division of Environmental Health Services  
COMMUNITY ENVIRONMENTAL HEALTH  
CAL CODE OFFICIAL INSPECTION REPORT**

www.sbcounty.gov/dehs

**(800) 442-2283**

FACILITY NAME <b>NOGALES BURGERS 2</b>					DATE <b>11/1/2012</b>	SIGNATURE 	
LOCATION <b>11613 CHERRY AV, FONTANA, CA 92335</b>					REINSPECTION DATE <b>11/15/2012</b>	PERMIT EXPIRATION <b>7/31/2013</b>	
MAILING ADDRESS <b>11613 CHERRY AV, FONTANA, CA 92335</b>					<input checked="" type="checkbox"/> FACILITY <input type="checkbox"/> OWNER <input type="checkbox"/> ACCOUNT		
					REHS <b>Nicole Walker</b>		
FA # <b>FA0012019</b>	PR # <b>PR0000482</b>	SR #	CO #	PE <b>1621</b>	PROGRAM IDENTIFIER: None		
TIME IN <b>4:18 PM</b>	TIME OUT <b>5:18 PM</b>	CONTACT <b>Not Captured</b>			SERVICE: 033 - Re-score Grade Inspection		
					RESULT: 05 - Corrective Action / Follow up Required		
					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. 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.

Failure to correct listed violation(s) prior to the designated compliance date may necessitate an additional reinspection at a charge of \$61.25 per 15 minutes with a minimum time of 30 minutes, and a minimum charge of \$122.50.

<b>SCORE</b>
<b>85</b>

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 Food Safety Cert Name: <span style="color: red;">Data not collected</span>				<span style="color: red;">⊗</span>
EMPLOYEE HEALTH & HYGIENIC PRACTICES						
<span style="color: green;">○</span>		2. Communicable disease; reporting, restrictions & excl			4	
<span style="color: green;">○</span>	N/O	3. No discharge from eyes, nose, and mouth				2
In	N/O	4. Proper eating, tasting, drinking or tobacco use				<span style="color: red;">⊗</span>
PREVENTING CONTAMINATION BY HANDS						
<span style="color: green;">○</span>	N/O	5. Hands clean and properly washed; gloves used prop			4	2
<span style="color: green;">○</span>		6. Adequate handwashing facilities supplied & accessib				2
TIME AND TEMPERATURE RELATIONSHIPS						
In	N/O	N/A	7. Proper hot and cold holding temperatures	<span style="color: blue;">+</span>	4	<span style="color: red;">⊗</span>
<span style="color: green;">○</span>	N/O	N/A	8. Time as a public health control; procedures & record		4	2
<span style="color: green;">○</span>	N/O	N/A	9. Proper cooling methods		4	2
<span style="color: green;">○</span>	N/O	N/A	10. Proper cooking time & temperatures		4	
<span style="color: green;">○</span>	N/O	N/A	11. Proper reheating procedures for hot holding		4	
PROTECTION FROM CONTAMINATION						
<span style="color: green;">○</span>	N/O	N/A	12. Returned and reserve of food			2
<span style="color: green;">○</span>			13. Food in good condition, safe and unadulterated		4	2
<span style="color: green;">○</span>	N/O	N/A	14. Food contact surfaces: clean and sanitized		4	2
<b>Sanitizer Type:</b> Chlorine Quaternary Ammonia Hot Water Other <b>Sanitizer Concentration</b>						

FOOD FROM APPROVED SOURCES				COS	MAJ	OUT
<span style="color: green;">○</span>		15. Food obtained from approved source			4	
In	N/O	<span style="color: blue;">○</span> N/A	16. Compliance with shell stock tags, condition, display			2
In	N/O	<span style="color: blue;">○</span> N/A	17. Compliance with Gulf Oyster Regulations			2
CONFORMANCE WITH APPROVED PROCEDURES						
In		<span style="color: blue;">○</span> N/A	18. Compliance with variance, specialized process, and HACCP Plan			2
CONSUMER ADVISORY						
In	N/O	<span style="color: blue;">○</span> N/A	19. Consumer advisory provided for raw or undercooked foods			2
HIGHLY SUSCEPTIBLE POPULATIONS						
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>			21. Hot and cold water available _____Temp		4	2
LIQUID WASTE DISPOSAL						
<span style="color: green;">○</span>			22. Sewage and wastewater properly disposed		4	2
VERMIN						
<span style="color: green;">○</span>			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	<span style="color: red;">⊗</span>
27. Food separated and protected	<span style="color: red;">⊗</span>
28. Washing fruits and vegetables	1
29. Toxic substances properly identified, stored, use	<span style="color: red;">⊗</span>
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	1
34. Warewashing facilities: installed, maintained, used	1
35. Equipment/Utensils approved; installed; clean; good repa	1
36. Equipment, utensils and linens: storage and use	1
37. Vending machines	1
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	<span style="color: red;">⊗</span>

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	<span style="color: red;">⊗</span>
48. Food worker cards	<span style="color: red;">⊗</span>
COMPLIANCE & ENFORCEMENT	
49. Permits Available	
50. Restrooms Required	
51. Plan Review	
52. VC&D	
53. Impoundment	
54. Permit Suspension	



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LOCATION <b>11613 CHERRY AV, FONTANA, CA 92335</b>	REHS <b>Nicole Walker</b>	

**Non-critical Violations**

**1: Demonstration of knowledge; food manager certifica**

<b>POINTS</b> <b>2</b>	Compliance date not specified	<i>Violation Description:</i> 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)
	Not In Compliance	

*Inspector Comments:* Ensure cook line employees can demonstrate knowledge regarding the proper cooking temperature of chicken and hamburger patties. Not observed at time of inspection.

Ensure cook line employees can demonstrate knowledge in how to properly calibrate a thermometer. Not observed at time of inspection.

**4: Proper eating, tasting, drinking or tobacco use**

<b>POINTS</b> <b>2</b>	Compliance date not specified	<i>Violation Description:</i> Employees shall not eat, drink, or use tobacco in non-designated areas where contamination may result. (113977) An employee shall not use a utensil to taste food more than once without being properly washed, rinsed and sanitized between uses. (113976)
	Not In Compliance	

*Inspector Comments:* Observed open drinks resting at cook line grill.  
 Observed drink stored next to unprotected paper towels.  
 Observed open drink stored next to slicing equipment.  
 Observed open personal drink stored over food contact items at dry storage and bread storage rack.

**7: Proper hot and cold holding temperatures**

<b>POINTS</b> <b>4</b>	Compliance date not specified	<i>Violation Description:</i> Potentially hazardous foods shall be held at or below 41F or at or above 135F. (113996, 113998, 114037, 114343(a))
	Complied on 11/1/2012	

*Inspector Comments:* Observed chorizo hot holding at 125F. Corrected on site to 165F.

Observed two food items not properly hot holding (gravy and fresh salsa). Observed holding at 82-84F.  
 Ensure all food items are properly hot holding. Ensure food items are properly cold holding or hot holding.

**26: Approved thawing methods used, frozen food**

<b>POINTS</b> <b>1</b>	Compliance date not specified	<i>Violation Description:</i> 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)
	Not In Compliance	

*Inspector Comments:* Observed frozen food item defrosting in standing water at 3 compartment sink. Defrost properly (Hand out provided).

**27: Food separated and protected**

<b>POINTS</b> <b>1</b>	Compliance date not specified	<i>Violation Description:</i> 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.
	Not In Compliance	

*Inspector Comments:* Observed ice scoop resting directly on top of ice machine. Store in a smooth, cleanable, food grade container. Prevent all forms of cross contamination.

**29: Toxic substances properly identified, stored, used**

<b>POINTS</b> <b>1</b>	Compliance date not specified	<i>Violation Description:</i> 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.
	Not In Compliance	

*Inspector Comments:* Observed spray bottle of cleaner resting next to food items at front counter storage. Store toxic substances properly.

**44: Premises; personal/cleaning items; vermin-proofing**

<b>POINTS</b> <b>1</b>	Compliance date not specified
	Not In Compliance



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**Non-critical Violations**

*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)

*Inspector Comments:* Maintain lids closed at dumpsters. Maintain closed to prevent insect, rodent, and bird entry. Observed opened at time of inspection.

NOTE: Maintain dining room area clean more frequently.

**47: Signs posted; last inspection report available**

<b>POINTS</b>	Compliance date not specified
<b>1</b>	Not In Compliance

*Violation Description:* Handwashing signs shall be posted in each toilet room, directing attention to the need to thoroughly wash hands after using the restroom (113953.5) (b) No smoking signs shall be posted in food preparation, food storage, warewashing, and utensil storage areas (113978). (c) Consumers shall be notified that clean tableware is to be used when they return to self-service areas such as salad bars and buffets. (d) Any food facility constructed before January 1, 2004 without public toilet facilities, shall prominently post a sign within the food facility in a public area stating that toilet facilities are not provided (113725.1, 114381 (e)). A sign shall be posted stating that a copy of the most recent routine inspection report is available upon request. (113725.1) Permit shall be posted in conspicuous location. (114381(e)) Letter Grade Placecard shall be properly posted. SBCC 33.1406

*Inspector Comments:* Observed Letter "C" grade removed from location in front window where Inspector placed placard on 10/24/12.

**48: Food Worker Certification**

<b>POINTS</b>	Compliance date not specified
<b>2</b>	Not In Compliance

*Violation Description:* This facility is currently in violation with the food worker certification requirement for San Bernardino County, which states all food workers must obtain a valid food worker certificate within fourteen (14) days of employment (33.0410, 33.044). Failure to provide proof of food worker 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 Worker" form provided by the inspector and fax to 909-387-4272.

*Inspector Comments:* Observed one missing San Bernardino County Food Handler card. Ensure all employees obtain valid food handler cards on site at the time of inspection.

**Overall Inspection Comments**



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The following handouts provided to staff:

- Calibrating thermometer
- Cold holding (41F) sticker / Hot holding sticker 145F.
- Cooking temperature sticker
- Cooling and Defrosting food hand out
- Self inspection sheet
- Rescore form

Letter B posted -Do not remove, hide, tamper or remove letter grade. Maintain in location posted by inspector. Failure to comply will subject establishment to legal/administrative/billable action at \$245 per visit.