



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

**(800) 442-2283**

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

FACILITY NAME <b>E-Z TAKE OUT BURGER UPLAND 2</b>					DATE <b>11/13/2013</b>	SIGNATURE 	
LOCATION <b>515 N MOUNTAIN AV, UPLAND, CA 91786</b>					REINSPECTION DATE <b>5/13/2014</b>	PERMIT EXPIRATION <b>12/31/2013</b>	
MAILING ADDRESS <b>2822 WHISPERING OAK CT, CHINO HILLS CA 91709</b>					<input type="checkbox"/> FACILITY <input type="checkbox"/> OWNER <input checked="" type="checkbox"/> ACCOUNT REHS <b>Shannon Johnson</b>		
FA # <b>FA0009972</b>	PR # <b>PR0004821</b>	SR #	CO #	PE <b>1620</b>	PROGRAM IDENTIFIER: None		
TIME IN <b>1:02 PM</b>	TIME OUT <b>2:42 PM</b>	CONTACT <b>Not Captured</b>			SERVICE: 001 - Inspection - Routine		
					RESULT: 03 - Corrective Action / No Follow up Required		
					ACTION: 01 - No Further Action 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.



**SCORE 85**

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
In		6. Adequate handwashing facilities supplied & accessib				<span style="color: red;">⊗</span> 2
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	N/A	8. Time as a public health control; procedures & record		4	2
<span style="color: green;">○</span> In	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	N/O	N/A	11. Proper reheating procedures for hot holding		4	
PROTECTION FROM CONTAMINATION						
In	N/O	<span style="color: blue;">○</span> 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
In	N/O	N/A	14. Food contact surfaces: clean and sanitized	<span style="color: green;">+</span>	<span style="color: red;">⊗</span>	2

FOOD FROM APPROVED SOURCES				COS	MAJ	OUT
<span style="color: green;">○</span> In			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> 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						
In			23. No rodents, insects, birds, or animals		4	<span style="color: red;">⊗</span> 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	<span style="color: red;">⊗</span>
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	<span style="color: red;">⊗</span>
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	<span style="color: red;">⊗</span>
36. Equipment, utensils and linens: storage and use	<span style="color: red;">⊗</span>
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	<span style="color: red;">⊗</span>
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	<span style="color: red;">⊗</span>
46. No unapproved private homes/living or sleeping qu	1
SIGNS REQUIREMENTS	
47. Signs posted; last inspection report available	1
48. Food worker cards	2
COMPLIANCE & ENFORCEMENT	
49. Permits Available	
50. Restrooms Required	
51. Plan Review	
52. VC&D	
53. Impoundment	
54. Permit Suspension	



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**14. FOOD CONTACT SURFACES: CLEAN AND SANITIZED** **⚠ CRITICAL ⚠**

<b>POINTS</b> <b>4</b>	Compliance date not specified	<b>Inspector Comments:</b> Observed a sanitizer level between 0-50ppm chlorine within the sole sanitizer bucket provided during use of wiping towels. Maintain the sanitizer level between 100-200ppm chlorine at all times. Also, observed a wiping towel sitting out on the prep counter of the cold holding unit near the main grill. Store all soiled towels submerged within a sanitizer solution when not in immediate use.
	Complied on 11/13/2013	

**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/dehs/Depts/EnvironmentalHealth/FormsPublications/documents/Towel\\_Sanitizing\\_solution\\_Eng\\_Spn\\_final\\_11\\_30\\_11.pdf](http://www.sbcounty.gov/dehs/Depts/EnvironmentalHealth/FormsPublications/documents/Towel_Sanitizing_solution_Eng_Spn_final_11_30_11.pdf)

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

<b>POINTS</b> <b>2</b>	Compliance date not specified	<b>Inspector Comments:</b> Observed no available paper towels at the hand wash sink. Also, observed a soiled utensil sitting inside the sink as well as food debris. Provide paper towels at all times within the approved dispenser provided to ensure proper employee hand washing. Also, do not store any clean or soiled utensils within this sink at any time. Do not dump food in this sink at any time. Use this sink for hand washing only.
	Not In Compliance	

**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**

<b>POINTS</b> <b>2</b>	Compliance date not specified	<b>Inspector Comments:</b> Observed flies within both buildings of this facility.
	Not In Compliance	Flies were observed in greater numbers in the room with the two compartment sink. Food prep was occurring at the time of this inspection in this area. The door is left open at all times and no air curtain is available.

No flies were observed to have landed on food items, but the possibility of contamination is great. Maintain this facility free of flies to ensure no food contamination will occur.

**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**

<b>POINTS</b> <b>1</b>	Compliance date not specified	<b>Inspector Comments:</b> Observed raw food items (raw meat and raw shell eggs) stored above ready to eat food items within the walk in refrigeration unit. Store all raw food items below ready to eat food items.
	Not In Compliance	

**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**

<b>POINTS</b> <b>1</b>	Compliance date not specified	<b>Inspector Comments:</b> Observed bagged food items sitting directly on the floor of the walk in refrigeration unit. Store all food items at least six inches off of the ground at all times.
	Not In Compliance	

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

<b>POINTS</b> <b>1</b>	Compliance date not specified	<b>Inspector Comments:</b> Observed the hand wash sink to be separated from the wall behind it. Repair and stabilize.  Observed a great deal of ice buildup within the reach in freezer unit. Defrost, clean, and maintain as needed.
	Not In Compliance	

**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	<b>Inspector Comments:</b> Observed the CO2 tanks stored next to the soda dispenser not securely fastened to a rigid structure. Correct and maintain.
	Not In Compliance	

**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)

**42. GARBAGE AND REFUSE PROPERLY DISPOSED; FACILITIES MAINTAINED**

<b>POINTS</b> <b>1</b>	Compliance date not specified	<b>Inspector Comments:</b> Observed a great deal of trash on the ground within the refuse enclosure. Maintain as needed at all times.
	Not In Compliance	

**Violation Description:** All food waste and rubbish shall be kept in leak proof and rodent proof containers. Containers shall be covered at all times. All waste must be removed and disposed of as frequently as necessary to prevent a nuisance. The exterior premises of each food facility shall be kept clean and free of litter and rubbish. (114244, 114245, 114245.1, 114245.2, 114245.3, 114245.4, 114245.5, 114245.6, 114245.7, 114245.8)

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

<b>POINTS</b> <b>1</b>	Compliance date not specified	<b>Inspector Comments:</b> Observed the storage room next to the reach in freezer to have a great deal of clutter. So much so that the door to this room cannot be opened or closed. Organize and maintain.
	Not In Compliance	

**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)

**45. FLOORS, WALLS AND CEILINGS: BUILT, MAINTAINED, AND CLEAN**

<b>POINTS</b> <b>1</b>	Compliance date not specified	<b>Inspector Comments:</b> Observed an accumulation of debris/grime on all parts of all floors within this whole facility. Clean and maintain as needed.  Observed an accumulation of debris/grime within all floor sinks within this facility. Clean and maintain as needed.
	Not In Compliance	

**Violation Description:** The walls / ceilings shall have durable, smooth, nonabsorbent, and washable surfaces. All floor surfaces, other than the customer service areas, shall be approved, smooth, durable and made of nonabsorbent material that is easily cleanable. Approved base coving shall be provided in all areas, except customer service areas and where food is stored in original unopened containers. Food facilities shall be fully enclosed. All food facilities shall be kept clean and in good repair. (114143 (d), 114257, 114266, 114268, 114268.1, 114271, 114272) Cleaning must be an approved dustless method. (114268.1) Mats and duckboards, if used, must be removable and easily cleanable. (114272) Open-air barbecues or wood-burning ovens floor surfaces must extend a minimum of five feet and be impervious or easily cleanable. (114143(d))



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**Overall Inspection Comments**

A request for re-score form was provided to this operator at the conclusion of this inspection.