



CAL CODE OFFICIAL INSPECTION REPORT

FACILITY NAME LA VACA Y EL BUEY		DATE 8/25/2020	REINSPECTION DATE Next Routine	PERMIT EXPIRATION 5/31/2070
LOCATION 2872 W RIALTO AV, SAN BERNARDINO, CA 92410			INSPECTOR Rebecca Koo	
MAILING ADDRESS 679 N. GARDENIA ST, SAN BERNARDINO CA 92411			IDENTIFIER: None	
TIME IN 10:07 AM	TIME OUT 11:48 AM	FACILITY ID FA0005175	RELATED ID PR0005014	PE 1620
			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. 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 83

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

FOOD FROM APPROVED SOURCES				COS	MAJ	OUT
In			15. Food obtained from approved source		4	
In	N/O	N/A	16. Compliance with shell stock tags, condition, display			2
In	N/O	N/A	17. Compliance with Gulf Oyster Regulations			2
CONFORMANCE WITH APPROVED PROCEDURES						
In		N/A	18. Compliance with variance, specialized process, and HACCP Plan			2
CONSUMER ADVISORY						
In	N/O	N/A	19. Consumer advisory provided for raw or undercooked foods			2
HIGHLY SUSCEPTIBLE POPULATIONS						
In		N/A	20. Licensed health care facilities/public and private schools; prohibited foods not offered		4	
WATER/HOT WATER						
In			21. Hot and cold water available		4	2
LIQUID WASTE DISPOSAL						
In			22. Sewage and wastewater properly disposed		4	2
VERMIN						
In			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	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	1
36. Equipment, utensils and linens: storage and use	⊗
38. Adequate ventilation and lighting; designated area	1
39. Thermometers provided and accurate	⊗
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	⊗
48. Food handler cards	3
COMPLIANCE & ENFORCEMENT	
49. Permits Available	
50. Restrooms Required	
51. Plan Review	
52. VC&D	⊗
53. Impoundment	
54. Permit Suspension	



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7. PROPER HOT AND COLD HOLDING TEMPERATURES MAJOR

POINTS 4	<p>Compliance date not specified Complied on 8/25/2020 Violation Reference - HSC - 113996, 113998, 114037</p>	<p>Inspector Comments: 1) Observed the following temperatures in the open top 2-door refrigeration unit behind the grill:</p> <ul style="list-style-type: none"> -Sliced tomatoes measured at 51.5F -Crumbled cotija cheese measured at 46.8 F -Cooked red salsa measured at 108.7 F -Cooked green salsa measured at 104.5 F <p>Upon questioning, employee stated the sliced tomatoes and cotija cheese were placed into the refrigeration unit yesterday. Employee stated the red and green salsas were prepared approximately 1 hour prior to inspection.</p> <p>Ensure all potentially hazardous food is held at or below 41 F for cold holding. Ensure all potentially hazardous food is held at or above 135 F for hot holding.</p> <p>NOTE: Corrected on site. Employee discarded the sliced tomatoes and cotija cheese. Employee placed both red and green salsas into the steam table to maintain proper hot holding temperature.</p>
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Violation Description: Potentially hazardous foods shall be held at or below 41F or at or above 135F. (113996, 113998, 114037, 114343(a))

More Information: http://www.sbcounty.gov/uploads/dph/dehs/Depts/EnvironmentalHealth/FormsPublications/Food_Danger_Zone.pdf

14. FOOD CONTACT SURFACES: CLEAN AND SANITIZED MAJOR

POINTS 4	<p>Compliance date not specified Complied on 8/25/2020 Violation Reference - HSC - 113984(e), 114097, 114099</p>	<p>Inspector Comments: 1) Observed the concentration of chlorine sanitizer measured less than 50 PPM during active manual warewashing.</p> <p>Ensure to adhere to the following steps when manually warewashing equipment, utensils, and other food contact surfaces:</p> <ol style="list-style-type: none"> 1) Wash in warm soapy water measuring a minimum of 100 F 2) Rinse in clear water 3) Sanitize by soaking in a sanitizer solution of 100 PPM chlorine for 30 seconds or 200 PPM quaternary ammonia for 60 seconds 4) Air dry <p>NOTE: Corrected on site. Employee was instructed to add additional chlorine sanitizer and the sanitizer solution was measured at 100 PPM. Employee was instructed to wash, rinse, and sanitize dishes currently air-drying prior to reuse.</p> <p>2) Observed accumulation of black mold-like growth and slime on the deflector shield of the ice machine.</p> <p>Ensure to thoroughly clean and sanitize the ice machine regularly to prevent contamination of ice.</p>
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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>



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1. DEMONSTRATION OF KNOWLEDGE; FOOD SAFETY CERTIFICATION

POINTS <div style="border: 1px solid black; padding: 5px; display: inline-block; font-size: 24pt; font-weight: bold; color: red;">2</div>	Compliance date not specified Not In Compliance Violation Reference - HSC - 113947-113947.1	Inspector Comments: Employees demonstrated insufficient knowledge of proper concentration of chlorine sanitizer required to effectively sanitize food contact surfaces. Upon questioning, employee stated chlorine sanitizer is 50 PPM when sanitizing during the last step of warewashing. Ensure all food employees have adequate knowledge of and be trained in food safety as it relates to their assigned duties. Ensure all food contact surfaces are submerged in sanitizer measuring at a minimum of 100 PPM chlorine for 30 seconds or 200 PPM quaternary ammonia for one minute during the final stage of warewashing.
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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>

27. FOOD SEPARATED AND PROTECTED

POINTS <div style="border: 1px solid black; padding: 5px; display: inline-block; font-size: 24pt; font-weight: bold; color: red;">1</div>	Compliance date not specified Not In Compliance Violation Reference - HSC - 113984 (a, b, c, d, f)	Inspector Comments: 1) Observed the storage of raw frozen meat above bagged ice ready for service and frozen french fries. Observed frozen raw hamburger patties next to ice cream. Ensure raw food is not stored above ready-to-eat foods. 2) Observed multiple containers of food uncovered and unprotected from overhead contamination throughout the facility (on the cook's line, dry storage shelves, underneath preparation tables, in the walk-in refrigerator). Ensure to provide lids and protective covering for all food or food ingredients stored throughout the facility. Ensure all food is stored, prepared, displayed, or held so that it is protected from contamination.
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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.

30. FOOD STORAGE; FOOD STORAGE CONTAINERS IDENTIFIED

POINTS <div style="border: 1px solid black; padding: 5px; display: inline-block; font-size: 24pt; font-weight: bold; color: red;">1</div>	Compliance date not specified Not In Compliance Violation Reference - HSC - 114047, 114049, 114051	Inspector Comments: 1) Observed 9 containers and boxes of food stored directly on the ground of the walk-in refrigerator. Ensure all food is stored at least six (6) inches above the floor. 2) Observed unlabeled or incorrectly labeled sauces, spices, and other food ingredients throughout the facility (walk-in refrigerator, refrigeration units by the cook's line, dry storage shelves) Ensure that all working containers holding food or food ingredients that are removed from their original packages are properly identified with common name of the food.
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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

POINTS
1

Compliance date not specified
Not In Compliance
Violation Reference - HSC -
114115 (c)

Inspector Comments: 1) Observed food debris, grease, and grime on the refrigerator doors and door handles throughout the facility.
2) Observed accumulation of dust on the fan guards inside the walk-in refrigerator where food is stored unprotected.
3) Observed grease build-up on the filters of the exhaust hood.
4) Observed dried and old food debris on the shelves on the food preparation tables throughout the facility.
Ensure to thoroughly clean and sanitize nonfood contact surfaces in the facility. Maintain all nonfood contact surfaces in a clean and sanitary manner free from accumulation of dust, dirt, food residue, and other debris.

Violation Description: All nonfood contact surfaces of utensils and equipment shall be clean. (114115 (c))

36. EQUIPMENT, UTENSILS AND LINENS: STORAGE AND USE

POINTS
1

Compliance date not specified
Not In Compliance
Violation Reference - HSC -
114074, 114081, 114119

Inspector Comments: 1) Observed tongs used for food preparation stored directly on the oven rail on the cook's line.
Discontinue this practice. Ensure to use and store all utensils and equipment in a sanitary manner to prevent contamination of food or food contact surfaces.
2) Observed handled scoop stored inside the bulk sugar container in direct contact with food ingredient.
3) Observed plastic single-use items intended for customer service used as scooping utensils and stored inside bulk food ingredient containers.
Ensure to store handles facing out and away from direct contact with food or food ingredients to prevent contamination.

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)

39. THERMOMETERS PROVIDED AND ACCURATE

POINTS
1

Compliance date not specified
Not In Compliance
Violation Reference - HSC -
114157, 114159

Inspector Comments: Observed no thermometers provided in the 2 open top 2-door refrigeration units on the cook's line.
Ensure to provide an accurate, easily readable thermometer to measure and facilitate proper cold holding temperatures.

Violation Description: An accurate easily readable metal probe thermometer suitable for measuring temperature of food shall be available to the food handler. A thermometer +/- 2 F shall be provided for each hot and cold holding unit of potentially hazardous foods and high temperature warewashing machines. (114157, 114159)

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



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

POINTS 1	Compliance date not specified	Inspector Comments: Observed employees' food and beverages stored commingled with food and single-use items intended for customers throughout the facility (front cashier area, walk-in refrigerator, various refrigeration units). Ensure all personal effects, employee foods, and beverages are stored in a designated room or area where contamination of food, equipment, utensils, linens, and single-use articles cannot occur.
	Not In Compliance Violation Reference - HSC - 114067 (j), 114123	

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)

47. SIGNS POSTED; LAST INSPECTION REPORT AVAILABLE

POINTS 1	Compliance date not specified	Inspector Comments: Observed no copy of the last routine inspection report available on site upon request. Ensure to maintain a copy of the most recent routine inspection report available on site at all times.
	Not In Compliance Violation Reference - HSC - 113725.1, 113953.5	

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

52. VC & D

POINTS 0	Compliance date not specified	Inspector Comments: Operator has voluntarily consented to the condemnation and destruction of sliced tomatoes and crumbled cotija cheese as said material being unfit for human consumption or otherwise in violation of California Health and Safety Code.
	Not In Compliance Violation Reference - HSC - 113980	

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."



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CV. COVID-19 OBSERVATIONS

POINTS 0	<p>Compliance date not specified Not In Compliance Violation Reference - SBC Policy - No Reference Number Specified</p>	<p>Inspector Comments: Observed no written risk assessment and site-specific protection plan available on site. Observed no employee temperature screenings or health checks conducted prior to the start of shifts.</p> <p>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.</p> <p>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</p>
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Violation Description: Observations regarding COVID-19 associated changes to practices are recorded here.

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 posted on this date. Do not remove, relocate, or alter letter grade placard.

The following handouts were provided on this date:

- Food Safety Practices Overview
- Top 5 CDC Risk Factors
- Request for Re-score Inspection Form
- Active Managerial Control

A PEP Talk was given on this date.

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



Public Health
Environmental Health Services

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SNA

NAME: Enrique Carreon
TITLE: Person in Charge