



CAL CODE OFFICIAL INSPECTION REPORT

FACILITY NAME MERCADO DON JUAN #2		DATE 4/12/2019	REINSPECTION DATE 4/26/2019	PERMIT EXPIRATION 10/31/2019
LOCATION 2199 DARBY ST, SAN BERNARDINO, CA 92407			INSPECTOR Steven Uhlman	
MAILING ADDRESS 18232 STALLION LN, BLOOMINGTON CA 92316			IDENTIFIER: Deli	
			SERVICE: 001 - Inspection - Routine	
			RESULT: 05 - Corrective Action / Follow up Required	
			ACTION: 13 - Permit Suspended / Facility Closed	
TIME IN 2:57 PM	TIME OUT 3:42 PM	FACILITY ID FA0016088	RELATED ID PR0021403	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 92

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
 COS = Corrected on-site
- N/O = Not observed
 MAJ = Major violation
- N/A = Not applicable
 OUT = Out of compliance

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

FOOD FROM APPROVED SOURCES		COS	MAJ	OUT
<input checked="" type="radio"/> In	15. Food obtained from approved source		4	
<input type="radio"/> In	N/O <input checked="" type="radio"/> N/A 16. Compliance with shell stock tags, condition, display			2
<input type="radio"/> In	N/O <input checked="" type="radio"/> N/A 17. Compliance with Gulf Oyster Regulations			2
CONFORMANCE WITH APPROVED PROCEDURES				
<input type="radio"/> In	<input checked="" type="radio"/> N/A 18. Compliance with variance, specialized process, and HACCP Plan			2
CONSUMER ADVISORY				
<input type="radio"/> In	N/O <input checked="" type="radio"/> N/A 19. Consumer advisory provided for raw or undercooked foods			2
HIGHLY SUSCEPTIBLE POPULATIONS				
<input type="radio"/> In	<input checked="" type="radio"/> N/A 20. Licensed health care facilities/public and private schools; prohibited foods not offered		4	
WATER/HOT WATER				
<input checked="" type="radio"/> In	21. Hot and cold water available		4	2
LIQUID WASTE DISPOSAL				
<input type="radio"/> In	22. Sewage and wastewater properly disposed		4	<input checked="" type="checkbox"/> OUT
VERMIN				
<input checked="" type="radio"/> 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	1
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	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	<input checked="" type="checkbox"/> OUT
38. Adequate ventilation and lighting; designated area	<input checked="" type="checkbox"/> OUT
39. Thermometers provided and accurate	<input checked="" type="checkbox"/> OUT
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	<input checked="" type="checkbox"/> OUT
46. No unapproved private homes/living or sleeping qu	1
SIGNS REQUIREMENTS	
47. Signs posted; last inspection report available	1
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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22. SEWAGE AND WASTEWATER PROPERLY DISPOSED **MAJOR**

POINTS 4	<p>Compliance date not specified Not In Compliance Violation Reference - HSC - 114197</p>	<p>Inspector Comments: 1) Observed an upwelling and overflow of grayish, black water coming from the kitchen floor sink. Management is currently engaging a plumber to deal with the problem.</p> <p>The deli portion of the facility is closed. Notice of closure posted. Food is not to be sold or prepared until: 1) the floor sink is repaired; 2) the entire kitchen floor is sanitized (the facility uses bleach as a sanitizer), and; 3) our Department reinspects after the work has been completed and approves the reinstatement of the health permit.</p> <p>2) Observed condensate leaking out of the deli hot-holding display case and onto the kitchen floor. An employee said the liquid was steam condensing inside the case.</p> <p><u>Repair case so that waste water can be properly disposed of in a floor sink.</u></p>
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Violation Description: All liquid waste must drain to an approved fully functioning sewage disposal system. (114197) Toilet facilities must be operable.

36. EQUIPMENT, UTENSILS AND LINENS: STORAGE AND USE

POINTS 1	<p>Compliance date not specified Not In Compliance Violation Reference - HSC - 114074, 114081, 114119</p>	<p>Inspector Comments: Observed an unsecured compressed gas cylinder next to the soda dispenser.</p> <p><u>Ensure all compressed gas cylinders are secured to a rigid structure.</u></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)

38. ADEQUATE VENTILATION AND LIGHTING; DESIGNATED AREA

POINTS 1	<p>Compliance date not specified Not In Compliance Violation Reference - HSC - 114149, 114149.1</p>	<p>Inspector Comments: Observed a non-functional light fixture in the deli's exhaust hood.</p> <p><u>Replace bulb, repair fixture or otherwise restore lighting to its original condition.</u></p>
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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)

39. THERMOMETERS PROVIDED AND ACCURATE

POINTS 1	<p>Compliance date not specified Not In Compliance Violation Reference - HSC - 114157, 114159</p>	<p>Inspector Comments: Observed that a thermometer could not be found in the deli cold preparation table's refrigeration compartment.</p> <p><u>Obtain and maintain accurate thermometers for all refrigeration units.</u></p>
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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>



Public Health
Environmental Health Services

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

POINTS

1

Compliance date not specified
Not In Compliance
Violation Reference - HSC -
114143 (d), 114266

Inspector Comments: 1) Observed that the ceiling in the deli's kitchen area is made up of both approved (smoother and easily cleanable) and unapproved (rough) ceiling tiles.

Remove the rough tiles and replace them with ones with smooth, easily cleanable surfaces.

2) Observed accumulations of grease and old food on the kitchen floor behind the fryer.

Clean this are and maintain it in clean condition.

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))

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

Facility closed due to overflowing floor sink.

The routine inspection resulted in a letter grade of "A". The grade card will be posted when the facility is cleared to reopen.

PEP talk given for critical violation. LEARN information left with management.

NOTE: Immediately cease all deli sales and food preparation. Repair / unclog floor sink. Sanitize the kitchen floor and call for a reopening inspection.

Signature(s) of Acknowledgement

NAME: roberto davila
TITLE: owner