



CAL CODE OFFICIAL INSPECTION REPORT

FACILITY NAME EL PESCADOR #16		DATE 6/5/2019	REINSPECTION DATE 6/19/2019	PERMIT EXPIRATION 6/30/2019
LOCATION 636 N EUCLID AV, ONTARIO, CA 91762			INSPECTOR Jin Lee	
MAILING ADDRESS 9833 HASTY AV, DOWNEY CA 90240			IDENTIFIER: None	
			SERVICE: 001 - Inspection - Routine	
			RESULT: 05 - Corrective Action / Follow up Required	
			ACTION: 03 - Reinspection Required	
TIME IN 2:59 PM	TIME OUT 6:23 PM	FACILITY ID FA0009888	RELATED ID PR0008747	PE 1622

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 80

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			2
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	+		⊗
TIME AND TEMPERATURE RELATIONSHIPS					
In	N/O	N/A	+	⊗	2
In	N/O	N/A		4	2
○ In	N/O	N/A		4	2
○ In	N/O	N/A		4	
In	N/O	N/A		4	
PROTECTION FROM CONTAMINATION					
In	N/O	N/A			2
○ In		13. Food in good condition, safe and unadulterated		4	2
In	N/O	N/A		4	⊗

FOOD FROM APPROVED SOURCES			COS	MAJ	OUT
○ In		15. Food obtained from approved source		4	
In	N/O	N/A			2
In	N/O	N/A			2
CONFORMANCE WITH APPROVED PROCEDURES					
In		N/A			2
CONSUMER ADVISORY					
In	N/O	N/A			2
HIGHLY SUSCEPTIBLE POPULATIONS					
In		N/A		4	
WATER/HOT WATER					
In				4	⊗
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	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	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	⊗
42. Garbage and refuse properly disposed; facilities m	⊗
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	⊗
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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7. PROPER HOT AND COLD HOLDING TEMPERATURES



POINTS

4

Compliance date not specified
Complied on 6/5/2019
Violation Reference - HSC -
113996, 113998, 114037

Inspector Comments: Observed the following potentially hazardous food temperatures to be stored at improper holding temperatures:
This is the repeated violation from last inspection.

At the cold holding unit next adjacent to the kitchen entrance wall and next to the hot holding units:

1. Sliced swiss and american cheeses were measured at 58 degree F.
2. Cooked sausages were measured at 61 degree F.
3. Queso cheeses were measured at 54 degree F.
4. Guacamoles and pica de gayo were measured at 53 degree F.
5. Creamy cilantro sauce was measured at 63 degree F.

The manager stated sliced cheeses, cooked sausages, and creamy cilantro sauce stored five (5) hours, guacamoles, pica de gayo, and queso cheeses stored for two (2) hours.

At cold holding drawers under the burners and the griddles at cook's line:

1. Shrimps with mixed veggies were measured at 52 degree F.
2. Crabs were measured at 48 degree F.
3. Raw beef steaks were measured at 50 degree F.

The manager stated shrimps with mixed veggies, crabs, and raw beef steaks stored for three (3) hours.

At server station:

1. Horchata in the ice bath was measured at 60 degree F.

The manager stated horchata stored for four (4) hours.

Maintain the temperature of all potentially hazardous foods at or below 41 degree F when cold holding and above 135 degree F when hot holding at all times.

Corrected on site. The sliced cheeses, cooked sausages, creamy cilantro sauce, queso cheeses, and horchata were discarded by the cook and the employee. The guacamoles and pica de gayo were removed and stored in the walk-in refrigerator by the cook. The shrimps with mixed veggies, crabs, and raw beef steaks were removed and stored in the walk-in refrigerator by the cook.

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

6. ADEQUATE HANDWASHING FACILITIES SUPPLIED & ACCESSIBLE

POINTS

2

Compliance date not specified
Complied on 6/5/2019
Violation Reference -

Inspector Comments: Observed no hand soap and paper towels in the paper towel dispenser at the bar handwashing sink at the time of this inspection. Observed stack of napkins stored on the upright reach-in glass door refrigeration unit behind the handwashing sink.

Provide and maintain hand soap and hand towels in their dispensers to this bar handwashing sink at all times.

Corrected on site. The hand soap was provided by the manager.

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)



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14. FOOD CONTACT SURFACES: CLEAN AND SANITIZED

POINTS 2	Compliance date not specified Not In Compliance Violation Reference - HSC - 113984(e), 114097, 114099	<p>Inspector Comments: 1. Observed black mold-like growth on the metal back deflector board inside of the ice making machine. Growth was not actively touching the ice.</p> <p>Empty, clean, and sanitize this ice making machine. Ensure that all food contact surfaces are kept clean and sanitized at all times.</p> <p>2. Observed dried food debris on the beverage gun nozzle at the bar.</p> <p>Thoroughly clean and sanitize the nozzle every day. Ensure that all food contact surfaces are kept clean and sanitized at all times.</p> <p>Corrected on site. The nozzle was removed, cleaned, and sanitized by the bartender.</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>

21. HOT AND COLD WATER AVAILABLE

POINTS 2	Compliance date not specified Not In Compliance Violation Reference - HSC - 113953(c), 114099.2(b)	<p>Inspector Comments: Observed no hot water at the bar handwashing sink. Temperature of hot water at the bar handwashing sink was measured at 82 degree F at the time of this inspection.</p> <p>Provide warm water to all handwashing sinks at a minimum of 100 degree F.</p>
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Violation Description: An adequate, protected, pressurized, potable supply of hot water and cold water shall be provided at all times. (113953(c), 114099.2(b) 114101(a), 114189, 114192, 114192.1, 114195)

27. FOOD SEPARATED AND PROTECTED

POINTS 1	Compliance date not specified Complied on 6/5/2019 Violation Reference - HSC - 113984 (a, b, c, d, f)	<p>Inspector Comments: Observed five (5) clear ice bags directly stored on shrimps with mixed veggies, pica de gayo, and queso cheeses at the cold holding units and cold holding drawers.</p> <p>Discontinue this practice. Store all food so as to be protected from any potential cross contamination.</p> <p>Corrected on site. Five (5) ice bags and contacted portions of the foods were removed and discarded by the employee.</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.

33. NONFOOD-CONTACT SURFACES CLEAN

POINTS 1	Compliance date not specified Not In Compliance Violation Reference - HSC - 114115 (c)	<p>Inspector Comments: Observed dusts on fan guards at the meat and produce walk-in refrigerator in the kitchen.</p> <p>Maintain all equipment in a clean and sanitary condition.</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 1	Compliance date not specified Not In Compliance Violation Reference - HSC - 114130, 114130.1, 114130	Inspector Comments: Observed a cold holding refrigeration unit adjacent to the kitchen entrance wall was not to be operable. The internal temperature of this cold holding refrigeration unit was measured at 60 degree F at the time of this inspection. Repair or replace this refrigeration unit so that all potentially hazardous foods are held at or below 41 degree F at all times. All potentially hazardous foods (cheeses, sausages, and cilantro sauce) were discarded, and non-potentially hazardous foods were removed and stored in the walk-in refrigerator by the manager. The manager contacted the maintenance for repairing.
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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)

41. PLUMBING; PROPER BACKFLOW DEVICES

POINTS 1	Compliance date not specified Not In Compliance Violation Reference - HSC - 114171, 114189.1	Inspector Comments: Observed no air gap between the drain line and the floor sink under the ice making machine. Maintain at least a one (1) inch air gap, or a gap of twice the diameter of the pipe, whichever value is greatest, between the drain line and the floor sink so as to prevent possible back-flow contamination.
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Violation Description: The potable water supply shall be protected with a backflow or back siphonage protection device, as required by applicable plumbing codes. (114192) All plumbing and plumbing fixtures shall be installed in compliance with local plumbing ordinances, shall be maintained so as to prevent any contamination, and shall be kept clean, fully operative, and in good repair. Any hose used for conveying potable water shall be of approved materials, labeled, properly stored, and used for no other purpose. (114171, 114189.1, 114190, 114193, 114193.1, 114199, 114201, 114269)

42. GARBAGE AND REFUSE PROPERLY DISPOSED; FACILITIES MAINTAINED

POINTS 1	Compliance date not specified Complied on 6/5/2019 Violation Reference - HSC - 114244, 114245	Inspector Comments: Observed waste container was opened at the disposal area room next to the beer keg rack near the rear kitchen exit / delivery door. The waste containers must be covered at all times. Corrected on site. The waste container was covered with the lid by the employee.
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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

POINTS 1	Compliance date not specified Not In Compliance Violation Reference - HSC - 114067 (j), 114123	Inspector Comments: Observed a gap under the rear kitchen exit / delivery door. Enclose the gap to prevent the entrance of vermin.
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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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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 holes and opening on the ceiling at the following area.

- 1) At the fire prevention system above the dish wash station.
- 2) At the fire sprinkler above the meat and produce walk-in refrigerator.
- 3) Above electrical panel near the rear kitchen exit / delivery door.

Seal all holes and openings that can harbor vermin.

2. Observed food debris and grease build ups on floor under the hot holding units, griddles and stove burners at cook's line.

Maintain all floors in a clean and sanitary manner at all times.

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))

48. FOOD HANDLER CERTIFICATION

POINTS
3

Compliance date not specified
Not In Compliance
Violation Reference - SBCC -
33.0409

Inspector Comments: Observed two (2) food handler(s) without current, valid San Bernardino County food handler card(s).

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 to (909) 387-4323 or send to sbcfoodworker@gmail.com.
Failure to do so will result in unannounced billable reinspections to verify compliance.

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

More Information: http://www.sbcounty.gov/dph/dehs/Depts/EnvironmentalHealth/FIRST/food_worker_training.aspx

52. VC & D

POINTS
0

Compliance date not specified
Not In Compliance
Violation Reference - HSC -
113980

Inspector Comments: The following items were voluntarily condemned and destroyed by the employee, the cook, and the manager.

1. Approximately one (1) lb. of sliced american cheeses.
2. Approximately one (1) lb. of sliced swiss cheeses.
3. Approximately two (2) lbs. of cooked sausages.
4. Approximately two (2) lbs. of creamy cilantro sauce.
5. Approximately one (1) lb. of queso cheeses.
6. Approximately half (1/2) lb. of shirmps with mixed vegetables.
7. Approximately half (1/2) lb. of pica de gayo.
8. Approximately twelve (12) lbs. of horchata.

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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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

A letter grade "B" was posted on the window next to the entrance. Do not remove, relocate, or obscure from public view. Non-compliance will result in a billable follow-up re-inspection at an hourly rate of \$245 with a minimum charge of \$122.50.

A Food Facility Risk Based Inspection Frequency handout was provided.

A Re-Score form was provided.

A Pep Talk was presented to the manager.

A Top 5 CDC Risk Factors handout was provided.

A Danger Zone handout was provided.

A Missing Food Handler Cards - Inspectors handout was provided.

Note:

Temperature of hot water at all sinks except the bar handwashing sink was measured above 127 degree F.

The concentration of chlorine cloth sanitizer buckets at the kitchen and at the bar was measured between 100 ppm and 200 ppm.

The concentration of chlorine at the final rinse of dish wash machine was measured at 100 ppm.

Temperature of meats and produces in the meat and produce walk-in was measured below 40 degree F.

Temperature of sauces in the sauce walk-in was measured below 38 degree F.

Temperature of foods in the freezer was measured below 14 degree F.

Signature(s) of Acknowledgement

NAME: Jose Vazquez
TITLE: Manager