



CAL CODE OFFICIAL INSPECTION REPORT

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|---|---------------------|--------------------------|---|--------------------------------|
| FACILITY NAME SPOT CAFE | | DATE 12/6/2018 | REINSPECTION DATE 12/20/2018 | PERMIT EXPIRATION 9/30/2019 |
| LOCATION 1042 N MOUNTAIN AV 1, UPLAND, CA 91786 | | | INSPECTOR Eduardo Ramirez | |
| MAILING ADDRESS 1042 N MOUNTAIN AV UNIT 1, UPLAND CA 91786 | | | IDENTIFIER: None | |
| TIME IN 1:54 PM | TIME OUT 4:10 PM | FACILITY ID FA0011963 | RELATED ID PR0004185 | PE 1621 |
| | | | SERVICE: 001 - Inspection - Routine | |
| | | | 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. 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 81

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 | + | ⊗ | 2 |
| ○ In | | 6. Adequate handwashing facilities supplied & accessib | | | ⊗ |
| TIME AND TEMPERATURE RELATIONSHIPS | | | | | |
| ○ In | N/O | N/A | + | | 4 ⊗ |
| ○ 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 | | | | | 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 | | | | 4 | 2 |
| VERMIN | | | | | |
| ○ In | | | | 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 | ⊗ |
| 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 | 1 |
| 40. Wiping cloths: properly used and stored | 1 |
| PHYSICAL FACILITIES | |
| 41. Plumbing: proper backflow devices | ⊗ |
| 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 | ⊗ |
| 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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5. HANDS CLEAN AND PROPERLY WASHED; GLOVES USED PROPERLY **MAJOR**

POINTS
4

Compliance date not specified
Complied on 12/6/2018
Violation Reference -

Inspector Comments: 1) A food handler was observed at the front food preparation area to wash his hands with cold water below 100F and proceed on donning single use gloves . Discontinue this practice. All food handler employees must thoroughly wash their hands with hand warm water prior to any food handling activities and prior to donning gloves.

Note-This violation was corrected and the employee washed his hands with warm water at 100F+ and was educated as to proper hand washing procedures.

2) Observed an employee wash his hands in the rear kitchen hand sink with cold water and then proceed on to food handling/ utensil handling activities. The rear kitchen hand sink hot water was not available as the line was turned off due to a leak, according to the operator. Ensure hands are being washed with warm water at 100F+ prior to any food and utensil handling.

Violation Description: Employees are required to wash their hands: before beginning work; before handling food / equipment / utensils; as often as necessary, during food preparation, to remove soil and contamination; when switching from working with raw to ready to eat foods, after touching body parts; after using toilet room; or any time when contamination may occur. Gloves shall be worn if an employee has cuts, wounds, fake nails, nail polish, and/or rashes. Gloves are to be used for no more than one task. Employees are not to wrap or package leftover food using bare hands or unclean utensils. Hand sanitizers may be used after proper hand washing. Employees handling food must have fingernails that are trimmed, cleanable, and smooth. (113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f))

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

6. ADEQUATE HANDWASHING FACILITIES SUPPLIED & ACCESSIBLE

POINTS
2

Compliance date not specified
Not In Compliance
Violation Reference -

Inspector Comments: 1) Observed the front and rear kitchen hand sinks to have hand towels available outside the dispensers. Repair/ replace the hand towel dispensers. Ensure hand towels are available through a dispenser at all times.

2) Observed the rear kitchen hand sink to be obstructed by a utensil/ cups storage rack. Ensure to maintain this hand sink easily accessible at all times.

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)

7. PROPER HOT AND COLD HOLDING TEMPERATURES

POINTS
2

Compliance date not specified
Complied on 12/6/2018
Violation Reference - HSC -
113996, 113998, 114037

Inspector Comments: Observed a container of cooked chicken at the steam table measured at 127F. The operator stated the chicken had been stored in that container for about three hours. Ensure potentially hazardous foods are held at 41F or below or 135F and above.

Note: The operator voluntarily discarded the chicken and corrected the violation on site.

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



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14. FOOD CONTACT SURFACES: CLEAN AND SANITIZED

| | | |
|---|--|--|
| 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 Complied on 12/6/2018 Violation Reference - HSC - 113984(e), 114097, 114099 | Inspector Comments: 1) Observed a stainless steel pizza cutter knife to be encrusted with old food debris, to be stored on the stainless steel magnetic holder located above the food preparation sink. In addition, observed the stainless steel magnetic holder to be rusty deteriorating and encrusted with old food debris. Ensure both the stainless steel pizza cutter knife and stainless steel magnetic holder are cleaned at the frequency required to maintain free from food debris. Ensure to repair/ replace the rusty knife holder. Ensure all food contact surfaces are cleaned, sanitized and maintained. Note: The operator cleaned and sanitized the pizza cutter knife and corrected the violation on site. 2) Observed all the soda nozzles at the soda machine in the rear kitchen area to be encrusted with old soda syrup debris. Ensure the soda nozzles are cleaned, sanitized and maintained. |
|---|--|--|

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 <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 - 113953(c), 114099.2(b) | Inspector Comments: 1) Observed the maximum hot water available at the janitorial sink measured at 106.2F. In addition, observed the maximum hot water available at the food preparation sink measured at 104.9F. Ensure hot water at 120F+ is available from the janitorial sink and food preparation sink. 2) No hot water was available at the rear kitchen hand sink. Ensure warm water at 100F+ is available from this hand sink. |
|---|---|--|

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)

33. NONFOOD-CONTACT SURFACES CLEAN

| | | |
|---|---|--|
| 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 - 114115 (c) | Inspector Comments: 1) Clean the stove tops and side of the stove of grease and dirt, debris build-up. Maintain all equipment in a clean and sanitary condition. 2) Clean the ventilation hood filters in the kitchen preparation area of grease build-up. Maintain all equipment to be kept in a clean and sanitary condition |
|---|---|--|

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

36. EQUIPMENT, UTENSILS AND LINENS: STORAGE AND USE

| | | |
|---|---|---|
| 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 - 114074, 114081, 114119 | Inspector Comments: 1) Observed cups being used for the brown sugar and quiona bulk food products. Ensure scoop utensils for bulk food products have a handle. Ensure the handle is stored in an upward position, away from bulk food products. 2) Observed a rice scoop was stored directly on top of the rice cooker lid that contained old food debris. Discontinue this practice. Store all utensils in an approved manner such as on a clean portion of the food preparation table-and wash rinse and sanitized at least once every four (4) hours- or in such a manner such that the scoop is stored below 41 F or above 135 F. |
|---|---|---|

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)



Public Health
Environmental Health Services

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41. PLUMBING; PROPER BACKFLOW DEVICES

| | | |
|---------------------------|---|---|
| POINTS 1 | Compliance date not specified | Inspector Comments: Observed no air gap between the drain lines coming from the soda/ ice machine and the floor sink. Maintain at least a 1" air gap between the floor sink and the drain lines. |
| | Not In Compliance Violation Reference - HSC - 114171, 114189.1 | |

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)

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

| | | |
|---------------------------|---|---|
| POINTS 1 | Compliance date not specified | Inspector Comments: 1) Observed dust build-up on the ceiling panels above the three compartment sink. Clean and maintain to protect the stored utensils below from contamination. 2) Observed a vent above the three compartment sink to be leaking. Repair/ replace the leaky vent. 3) Observed a torn ceiling panel next to the water heater, located above the walk-in cooler. Repair/ replace the torn ceiling panel to prevent the entrance of vermin. 4) Clean and maintain clean the kitchen floors in the following locations: 1). Clean the floors under the stove and hot holding units of severe dirt, debris and grease build-up. 2). Clean the floors under the three compartment sink of severe dirt and debris build-up. Maintain all floors and all kitchen equipment in a clean and sanitary manner at all times. |
| | Not In Compliance Violation Reference - HSC - 114143 (d), 114266 | |

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 | Inspector Comments: Observed three (3) food service workers at this facility- without a current / valid San Bernardino County food handler/ worker card. 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 a charged re-inspection to verify compliance. |
| | Not In Compliance Violation Reference - SBCC - 33.0409 | |

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



Public Health
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52. VC & D

| | | |
|--------------------|---|--|
| POINTS 0 | Compliance date not specified | Inspector Comments: Approximately 1/4 pound of cooked chicken. |
| | 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."

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

No summary comments have been made for this inspection.

Signature(s) of Acknowledgement

NAME: Desiree Gurba
TITLE: Assistant Manager