



**CAL CODE OFFICIAL INSPECTION REPORT**

|  |                     |                          |   |                                |
|--|---------------------|--------------------------|---|--------------------------------|
| FACILITY NAME<br><b>MIGUEL'S JR #15</b>              |                     | DATE<br>4/8/2021         | REINSPECTION DATE<br>4/26/2021                      | PERMIT EXPIRATION<br>9/30/2021 |
| LOCATION<br>7490 CHERRY AV, FONTANA, CA 92336        |                     |                          | INSPECTOR<br>Kathryn Gutierrez                      |                                |
| MAILING ADDRESS<br>1920 FRONTAGE RD, CORONA CA 92882 |                     |                          | IDENTIFIER: None                                    |                                |
|  |                     |                          | SERVICE: 001 - Inspection - Routine                 |                                |
|  |                     |                          | RESULT: 05 - Corrective Action / Follow up Required |                                |
|  |                     |                          | ACTION: 03 - Reinspection Required                  |                                |
| TIME IN<br>3:20 PM                                   | TIME OUT<br>5:00 PM | FACILITY ID<br>FA0016569 | RELATED ID<br>PR0022101                             | PE<br>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 86**

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 |
|---|---|-----|-----|-----|
| <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   |
| <span style="color: green;">○</span> In | 6. Adequate handwashing facilities supplied & accessib  | +   |     | ⊗   |
| TIME AND TEMPERATURE RELATIONSHIPS      |   |     |     |     |
| <span style="color: green;">○</span> In | N/O N/A 7. Proper hot and cold holding temperatures   | +   | ⊗   | 2   |
| <span style="color: green;">○</span> In | N/O <span style="color: blue;">○</span> 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           |   |     |     |     |
| <span style="color: green;">○</span> In | <span style="color: blue;">○</span> N/O 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   |
| <span style="color: green;">○</span> In | N/O N/A 14. Food contact surfaces: clean and sanitized  |     | 4   | 2   |

| FOOD FROM APPROVED SOURCES              |  | COS | MAJ | OUT |
|---|--|-----|-----|-----|
| <span style="color: green;">○</span> In | 15. Food obtained from approved source   |     | 4   |     |
| <span style="color: green;">○</span> In | N/O <span style="color: blue;">○</span> N/A 16. Compliance with shell stock tags, condition, display                                 |     |     | 2   |
| <span style="color: green;">○</span> In | N/O <span style="color: blue;">○</span> N/A 17. Compliance with Gulf Oyster Regulations  |     |     | 2   |
| CONFORMANCE WITH APPROVED PROCEDURES    |  |     |     |     |
| <span style="color: green;">○</span> In | <span style="color: blue;">○</span> N/A 18. Compliance with variance, specialized process, and HACCP Plan                            |     |     | 2   |
| CONSUMER ADVISORY                       |  |     |     |     |
| <span style="color: green;">○</span> In | N/O <span style="color: blue;">○</span> N/A 19. Consumer advisory provided for raw or undercooked foods                              |     |     | 2   |
| HIGHLY SUSCEPTIBLE POPULATIONS          |  |     |     |     |
| <span style="color: green;">○</span> 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                                  |  |     |     |     |
| <span style="color: green;">○</span> 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 | ⊗   |
| 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                           | 1   |
| 34. Warewashing facilities: installed, maintained, used      | 1   |
| 35. Equipment/Utensils approved; installed; clean; good repa | ⊗   |
| 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                        | 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       | 1   |
| 48. Food handler cards                                   | ⊗   |
| COMPLIANCE & ENFORCEMENT                                 |     |
| 49. Permits Available                                    |     |
| 50. Restrooms Required                                   |     |
| 51. Plan Review  |     |
| 52. VC&D   | ⊗   |
| 53. Impoundment  |     |
| 54. Permit Suspension                                    |     |



Public Health  
Environmental Health Services

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| LOCATION<br>7490 CHERRY AV, FONTANA, CA 92336 | INSPECTOR<br>Kathryn Gutierrez |

#### 7. PROPER HOT AND COLD HOLDING TEMPERATURES



##### POINTS

4

Compliance date not specified  
Complied on 4/8/2021  
Violation Reference - HSC -  
113996, 113998, 114037

**Inspector Comments:** 1) Observed the following potentially hazardous foods to be measuring at unsafe temperatures in the preparation refrigerator located next to the wall:

- Approximately five ( 5 oz ) of white cheese at 47 F.
- Approximately forty four ( 44 oz ) of cut tomatoes at 50 F.
- One (1) medium size tray of sour cream at 50 F.
- One (1) large size tray of cheddar cheese at 47 F.

( Upon questioning, employee stated that the above food items were placed in the unit approximately two (2) hours ago).

2) Observed the following potentially hazardous foods to be measuring at unsafe temperatures in the preparation refrigerator located next to the cook line entrance:

- One (1) small tray of cut tomatoes at 46-48 F.
- One ( 1 ) small tray of cheddar cheese at 53 F.
- Two (2) small trays of sour cream at 53 F. One tray to be located above the preparation refrigerator.
- One (1) small tray of Guacamole at 45 F.

( Upon questioning, employees were initially unsure on how long the items were stored in the preparation refrigerator; employee then stated that the foods items have been in the unit for approximately three ( 3 ) hours. Halfway through the inspection the items reached the four (4) hour mark).

Maintain all potentially hazardous foods at 41 F or below or 135 F or more.

Corrected on site:

1) Instructed employees to cool down the items listed on # 1. Employees voluntarily agreed to cool down the following items:

- Approximately five ( 5 oz ) of white cheese at 47 F.
- Approximately forty four ( 44 oz ) of cut tomatoes at 50 F.
- One (1) medium size tray of sour cream at 50 F.
- One (1) large size tray of cheddar cheese at 47 F

2) Employees voluntarily discarded and replaced the following food items

- One (1) small tray of cut tomatoes at 46-48 F.
- One ( 1 ) small tray of cheddar cheese at 53 F.
- Two (2) small trays of sour cream at 53 F.
- One (1) small tray of Guacamole at 45 F.

**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](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 4/8/2021  
Violation Reference -

**Inspector Comments:** Observed paper towel roll to not be on a dispenser for the hand wash sink located at the cook line area.

Place and maintain an adequate supply of paper towels and hand soap in approved dispensers at all hand wash stations.

Corrected on site: Employee temporarily placed roll in horizontal position against the back guard to allow the rolls to be pulled.

**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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**29. TOXIC SUBSTANCES PROPERLY IDENTIFIED, STORED, USED**

|   |  |  |
|---|--|--|
| <b>POINTS</b><br><br><div style="border: 1px solid black; padding: 5px; display: inline-block; font-size: 24pt; font-weight: bold; color: red;">1</div> | <b>Compliance date not specified</b><br>Complied on 4/8/2021<br><b>Violation Reference - HSC -</b><br>114254, 114254.1 | <b>Inspector Comments:</b> 1) Observed spray bottle with unidentifiable liquid under the hand wash sink located at the cook line area.<br><br>2) Observed a second spray bottle with unidentifiable liquid next to the 3-compartment sink.<br><br>Upon questioning, employee stated that both the spray bottles contain degreaser.<br><br>Provide labels to identify the chemical compounds.<br><br>Corrected on site: Employee labeled the spray bottles. |
|---|--|--|

**Violation Description:** All poisonous substances, detergents, bleaches, and cleaning compounds shall be stored separate from food, utensils, packing material and food-contact surfaces. (114254, 114254.1, 114254.2) An insecticide, rodenticide, or other pesticide must be used in accordance with the manufacturer's instructions.

**30. FOOD STORAGE; FOOD STORAGE CONTAINERS IDENTIFIED**

|   |   |   |
|---|---|---|
| <b>POINTS</b><br><br><div style="border: 1px solid black; padding: 5px; display: inline-block; font-size: 24pt; font-weight: bold; color: red;">1</div> | <b>Compliance date not specified</b><br>Not In Compliance<br><b>Violation Reference - HSC -</b><br>114047, 114049, 114051 | <b>Inspector Comments:</b> 1) Observed small bottle with clear liquid to be stored on tortilla press.<br><br>( Upon questioning, employee stated that the bottle contains oil ).<br><br>Provide labels for containers of food or ingredients that have been removed from original packages and/or are not easily recognizable (except food that can be easily recognized e.g., pasta, rice, or beans).<br><br>2) Observed several buckets of food to be stored directly on the ground in the walk in cooler.<br><br>( NOTE: Buckets were difficult to open. Upon questioning, the employee stated the bucket contains meat).<br><br>Ensure that all food and equipment is stored at least 6 inches above floor. |
|---|---|---|

**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))

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

|   |   |   |
|---|---|---|
| <b>POINTS</b><br><br><div style="border: 1px solid black; padding: 5px; display: inline-block; font-size: 24pt; font-weight: bold; color: red;">1</div> | <b>Compliance date not specified</b><br>Not In Compliance<br><b>Violation Reference - HSC -</b><br>114130, 114130.1, 114130 | <b>Inspector Comments:</b> Observed several dry food crumbs on cooking equipment under the hood in the front kitchen.<br><br>Clean and maintain all parts of equipment clean. |
|---|---|---|

**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><br><br><div style="border: 1px solid black; padding: 5px; display: inline-block; font-size: 24pt; font-weight: bold; color: red;">1</div> | <b>Compliance date not specified</b><br>Not In Compliance<br><b>Violation Reference - HSC -</b><br>114074, 114081, 114119 | <b>Inspector Comments:</b> 1) Observed approximately four (4) tongs to be stored hanging from the oven handles facing the walk way at the cook line area.<br><br>2) Observed two (2) knives to be stored in between equipment filled with residue at the preparation line.<br><br>The areas in between the cooking equipment are not food contact surfaces.<br><br>Ensure to store all utensils in a clean and sanitary area/container to avoid 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)



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

|                           |   |  |
|---------------------------|---|--|
| <b>POINTS</b><br><b>1</b> | Compliance date not specified<br>Not In Compliance<br>Violation Reference - HSC -<br>114067 (j), 114123 | Inspector Comments: Observed open cup with liquid to be stored above the tortilla press.<br><br>All employees shall store personal items away from food and food preparation area to prevent contamination.<br><br>Corrected on site: Manager discarded cup. |
|---------------------------|---|--|

**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)

**48. FOOD HANDLER CERTIFICATION**

|                           |   |   |
|---------------------------|---|---|
| <b>POINTS</b><br><b>3</b> | Compliance date not specified<br>Not In Compliance<br>Violation Reference - SBCC -<br>33.0409 | Inspector Comments: Observed one (1) food service workers at this facility without a current/ valid San Bernardino County food handler/ worker card.<br><br>Provide a valid San Bernardino County Food Handler card for each of these workers within 14 days. A missing food handler card information and verification sheet was provided to fill out and fax form and cards and return to San Bernardino County Environmental Health Services department.<br><br>Fax form and cards to (909)387-4323 or send to sbcfoodworker@gmail.com<br><br>Failure to do so will result in a charged re-inspection 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](http://www.sbcounty.gov/dph/dehs/Depts/EnvironmentalHealth/FIRST/food_worker_training.aspx)

**52. VC & D**

|                           |   |  |
|---------------------------|---|--|
| <b>POINTS</b><br><b>0</b> | Compliance date not specified<br>Not In Compliance<br>Violation Reference - HSC -<br>113980 | Inspector Comments: Employees voluntarily agreed to the condemnation and destruction of the following food items. Employees discarded and replaced the following food items:<br><br>- One (1) small tray of cut tomatoes at 46-48 F.<br>- One ( 1) small tray of cheddar cheese at 53 F.<br>- Two (2) small trays of sour cream at 53 F.<br>- One (1) small tray of Guacamole at 45 F. |
|---------------------------|---|--|

**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.

### 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

On this date a "B" grade card was posted. For a B grade (score of 80 to 89) A re-score inspection may be requested by a food facility who receives a "B" grade after the completion of an official routine inspection. This request is optional on the part of the facility which may wish to try to improve their score or letter grade. The Health Official will complete the re-score inspection within ten (10) County business days of the food facility submitting a request for a re-score inspection. The inspection rate is \$245.00 per hour. A minimum of \$122.50 will be charged for the first 30 minutes of inspection time. A Letter Grade Card shall remain valid until the Health Official completes the next routine inspection or re-score inspection of the food facility. A re-score inspection is a new, unscheduled, complete routine inspection that a) may be required by County Ordinance; or b) may be requested by the food facility.

- Emailed the following forms to the operator:

- Re-score form
- Missing food handler card form
- EHS educational food safety link

### 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

No sig

NAME: Joseph Lombera  
TITLE: Manager