



CAL CODE OFFICIAL INSPECTION REPORT

FACILITY NAME JOVIS DINER		DATE 7/1/2021	REINSPECTION DATE 7/15/2021	PERMIT EXPIRATION 12/31/2021
LOCATION 123 N E ST, SAN BERNARDINO, CA 92401			INSPECTOR Kathryn Ventura	
MAILING ADDRESS 123 N E ST, SAN BERNARDINO CA 92410			IDENTIFIER: None	
			SERVICE: 001 - Inspection - Routine	
			RESULT: 05 - Corrective Action / Follow up Required	
			ACTION: 03 - Reinspection Required	
TIME IN 9:40 AM	TIME OUT 11:59 AM	FACILITY ID FA0009612	RELATED ID PR0007825	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 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	+	⊗	2
In	6. Adequate handwashing facilities supplied & accessib	+		⊗
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 reserve 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			4 ⊗

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 ⊗

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	1
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	⊗
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	⊗

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	3
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 7/1/2021
Violation Reference -

Inspector Comments: Observed employee wash hands with cold water while hot water faucet knob was non-functional at the front hand sink.

Discontinue this practice.

Employees are required to wash hands at a temperature of no less than 100F degrees at all times.
Repair/replace left faucet knob.

NOTE: This violation was corrected on site. Employee repaired hot water faucet knob and water measured at 113F. Employee was instructed to properly wash hands with warm water.

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: <https://youtu.be/NznA3hqlcss>

7. PROPER HOT AND COLD HOLDING TEMPERATURES ⚠ MAJOR ⚠

POINTS
4

Compliance date not specified
Complied on 7/1/2021
Violation Reference - HSC -
113996, 113998, 114037

Inspector Comments: Observed the following cold holding violations:

- Cooked potatoes across the cook's line measured at 52-60F upon arrival. Cook stated potatoes were placed in cold holding unit approximately 10 minutes prior inspection.
- Salsa measured at 66F in 1-door Pepsi Beverage Unit at the server's line. Person in charge stated salsa container was filled up approximately 15 minutes prior to inspection.

Maintain all potentially hazardous foods in cold holding at 41F or below.

NOTE: This violation was corrected on site. Measured cook potatoes at 41F prior to end of inspection. Salsa was voluntarily discarded. See VC&D.

Violation Description: Potentially hazardous foods shall be held at or below 41F or at or above 135F. (113996, 113998, 114037, 114343(a))

More Information: <https://youtu.be/Rl6w5DIes7w>

6. ADEQUATE HANDWASHING FACILITIES SUPPLIED & ACCESSIBLE

POINTS
2

Compliance date not specified
Complied on 7/1/2021
Violation Reference -

Inspector Comments: 1. Observed the following hand washing facilities violations at the back hand sink:

- Hand sink used to fill up pot
- No single use hand towels available due to non-functional paper towel dispenser

2. Observed front hand sink hot water faucet knob in disrepair. Front hand sink was observed to be dispensing only cold water upon arrival.

Ensure hand washing facilities are clean, unobstructed, and accessible at all times for employee use. Towels or drying device shall be provided in dispensers at all times. Dispensers shall be maintained in good repair. Repair/replace dispenser.

NOTE: Employees educated on accessible hand washing facilities at all times.

Person in charge corrected the following:

- Removed pot from back hand sink
- Provided single use towels at the back hand sink
- Repair left hot water knob at the front hand sink

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	Compliance date not specified Not In Compliance Violation Reference - HSC - 113984(e), 114097, 114099
2	

Inspector Comments: 1. Observed white mold-like buildup on ice deflector of ice machine to the left of 2-door refrigeration unit.
No active contamination was observed.

Ensure that all food contact surfaces are cleaned and sanitized at all times.

NOTE: A re-inspection will be conducted in one (1) week prior on Thursday, July 8, 2021 to determine compliance.

2. Observed several metal pans to be stacked on top of each other with water nesting in between.

Ensure equipment and utensils are completely air dried after cleaning and sanitizing at all times. Equipment and utensils shall be air dried or used after adequate draining before contact with food and shall not be cloth dried, except that utensils that have been air dried may be polished with cloths that are maintained clean and dry.

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: <https://youtu.be/Gz6zPqZtv2s>

23. NO RODENTS, INSECTS, BIRDS, OR ANIMALS

POINTS	Compliance date not specified Not In Compliance Violation Reference - HSC - 114259.1, 114259.4, 11425
2	

Inspector Comments: 1. Observed approximately one (1) live adult german cockroach in the corner wall below the dry storage rack in back area.

2. Observed dead cockroaches in the following areas:
- Approximately one (2) dead adult cockroaches below dry storage rack
- Approximately eleven (11) dead adult cockroaches in electrical panel between ice machine and 2-door refrigeration unit
- An accumulation of dead cockroaches in the electrical panel to the left of the ware washing machine

No active infestation was observed on this date. Pest control receipts verified dated 06/25/2021.

Ensure that food facility shall be kept free of dead or alive vermin, including but not limited to cockroaches, at all times. Ensure to clean and sanitize affected areas throughout facility. Caulk/seal all cracks/holes/openings throughout facility.

A re-inspection will be conducted in one (1) week on July 8, 2021 to determine compliance.

Violation Description: Food facility shall be kept free of vermin: rodents (rats, mice), cockroaches, flies. (114259.1, 114259.4, 114259.5) Live animals are not allowed in a food facility unless, food employees with service animals may handle or care for their service animal if they wash their hands as required or persons who are licensed pursuant to Chapter 11.5 of Division 3 of the Business and Professions Code. (114259.4, 114259.5)

More Information: https://youtu.be/1yuxW_p9Bxs

27. FOOD SEPARATED AND PROTECTED

POINTS	Compliance date not specified Not In Compliance Violation Reference - HSC - 113984 (a, b, c, d, f)
1	

Inspector Comments: Observed the following in the walk-in cooler:
- Box of raw bacon stored on top of avocados
- Zip lock bag of marinated raw chicken stored on rack above jalapenos

Ensure to store foods in a manner so that the potentially hazardous food (PHF) items with the lower cooking temperatures are stored above the PHF item with the higher cooking temperatures. The hierarchy of cooking temperatures are as follows:

- 145F degrees: Raw egg shells cooked to customer order, fish, and single portions of: beef, pork, lamb, veal
- 155F degrees: Ground beef, hamburger, meatloaf, and sausage, injected meats, egg dishes
- 165F degrees: Poultry & poultry containing dishes, leftovers for hot holding, stuffed fish meat & poultry, microwave cooking

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.



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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: 1. Observed heavy grease buildup on sides and surfaces of cooking equipments at cook's line. 2. Observed heavy dust buildup on fan guards in walk in cooler. 3. Observed metal racks in walk in cooler with rust-like material and food buildup.
	Ensure all equipment throughout facility is maintained cleaned/sanitized and in good repair at all times.	

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)

38. ADEQUATE VENTILATION AND LIGHTING; DESIGNATED AREA

POINTS 1	Compliance date not specified Not In Compliance Violation Reference - HSC - 114149, 114149.1	Inspector Comments: Observed the following in ventilation hood above cook's line: - Heavy grease build-up on filters - One (1) light in disrepair
	Ensure all filters are installed and cleaned properly during the operation of the exhaust hood at all times so as to allow proper grease ventilation. Ensure adequate lighting is provided to all areas to facilitate cleaning and inspection.	

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)

41. PLUMBING; PROPER BACKFLOW DEVICES

POINTS 1	Compliance date not specified Complied on 7/1/2021 Violation Reference - HSC - 114171, 114189.1	Inspector Comments: Observed air gap missing between ice machine draining pipe and floor sink below three (3) compartment sink.
	Ensure all pipes draining into a floor sink have at least a one (1) inch air gap or is at least twice the diameter of the inlet. An air gap between the water supply inlet and the flood level rim of the plumbing fixture, equipment, or nonfood equipment shall be at least twice the diameter of the water supply inlet and may not be less than one inch.	
NOTE: Corrected on site.		

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)



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

POINTS 1	Compliance date not specified	<p>Inspector Comments: 1. Observed cracks on wall in the following areas:</p> <ul style="list-style-type: none"> - Corner of wall in back storage area - Base coving on wall adjacent to back door - Base coving across three (3) compartment sink <p>2. Observed hole greater than 1/2 inch at back door entrance by knob.</p> <p>Caulk/seal holes/openings throughout facility to prevent vermin entrance/harbourage.</p> <p>3. Observed first aid kit stored amongst disposable containers intended for customers in the back storage area.</p> <p>4. Observed employee drink stored amongst salsa containers intended for customers in 1-door beverage cooler at server's line.</p> <p>Observed employee's personal food stored among food items intended for customers. Provide designated space for employee's personal items separate from customer food and food contact surfaces.</p>
	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)

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

POINTS 1	Compliance date not specified	<p>Inspector Comments: 1. Observed the following areas to be missing base coving tiles:</p> <ul style="list-style-type: none"> - By the back door entrance - Across three (3) compartment sink <p>2. Observed the cook's area with cracked tiles.</p> <p>Repair/replace tiles with like material.</p> <p>Contact EHS plan check if facility plans to replace tiles with different material.</p> <p>3. Observed heavy grease and food build-up on floors in the dish pit area, below the equipments in cook's line, in corners of floor in walk-in cooler and below the dry storage racks in the back area.</p> <p>Ensure that all floors, walls, and ceilings are maintained clean at all times.</p>
	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))



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Table with 2 columns: Facility Name (JOVIS DINER), Location (123 N E ST, SAN BERNARDINO, CA 92401), Date (7/1/2021), Inspector (Kathryn Ventura)

52. VC & D

Table with 2 columns: Points (0), Compliance date not specified, Not In Compliance, Violation Reference - HSC - 113980, Inspector Comments: Operator has voluntarily consented to the condemnation and destruction of the following items: - Approximately one (1) small container of salsa

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.

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 "B" Grade posted at front of facility.
Do not remove, relocate, or obscure from public view. Failure to comply may result in a reposting assessment of \$245.00 per hour. Contact Environmental Health Services for request for re-score inspection.

Provided PEP talk, rescore form and educational materials.

A re-inspection will be conducted for cleaning/sanitizing of ice machine and affected areas of dead vermin on Thursday, July 8, 2021.

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

NAME:
TITLE: