



Public Health
Environmental Health Services

385 N Arrowhead Ave, San Bernardino, CA 92415 | Phone: 800.442.2283 Fax: 909.387.4323

www.SBCounty.gov
www.SBCounty.gov/dph/dehs

CAL CODE OFFICIAL INSPECTION REPORT

| | | | | |
|---|---------------------|--------------------------|--|--------------------------------|
| FACILITY NAME CHARLEY'S PHILLY STEAKS | | DATE 2/10/2021 | REINSPECTION DATE Next Routine | PERMIT EXPIRATION 1/31/2021 |
| LOCATION 500 INLAND CENTER DR 104D, SAN BERNARDINO, CA 92408 | | | INSPECTOR Virginia McDonald | |
| MAILING ADDRESS 500 INLAND CENTER DR SPC 104D, SAN BERNARDINO CA 92408 | | | IDENTIFIER: None | |
| | | | SERVICE: 001 - Inspection - Routine | |
| | | | RESULT: 03 - Corrective Action / No Follow up Required | |
| | | | ACTION: 01 - No Further Action Required | |
| TIME IN 4:10 PM | TIME OUT 5:19 PM | FACILITY ID FA0011981 | RELATED ID PR0000588 | PE 1620 |

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.

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

B

SCORE 84

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

| FOOD FROM APPROVED SOURCES | | COS | MAJ | OUT |
|--|-----|-----|-----|-----|
| In | | | 4 | |
| 15. Food obtained from approved source | | | | |
| In | N/O | N/A | | 2 |
| 16. Compliance with shell stock tags, condition, display | | | | |
| In | N/O | N/A | | 2 |
| 17. Compliance with Gulf Oyster Regulations | | | | |
| CONFORMANCE WITH APPROVED PROCEDURES | | | | |
| In | | N/A | | 2 |
| 18. Compliance with variance, specialized process, and HACCP Plan | | | | |
| CONSUMER ADVISORY | | | | |
| In | N/O | N/A | | 2 |
| 19. Consumer advisory provided for raw or undercooked foods | | | | |
| HIGHLY SUSCEPTIBLE POPULATIONS | | | | |
| In | | N/A | 4 | |
| 20. Licensed health care facilities/public and private schools; prohibited foods not offered | | | | |
| WATER/HOT WATER | | | | |
| In | | | 4 | 2 |
| 21. Hot and cold water available | | | | |
| LIQUID WASTE DISPOSAL | | | | |
| In | | | 4 | 2 |
| 22. Sewage and wastewater properly disposed | | | | |
| VERMIN | | | | |
| In | | | 4 | 2 |
| 23. No rodents, insects, birds, or animals | | | | |

| 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 | ⊗ |
| 36. Equipment, utensils and linens: storage and use | ⊗ |
| 38. Adequate ventilation and lighting; designated area | 1 |
| 39. Thermometers provided and accurate | ⊗ |
| 40. Wiping cloths: properly used and stored | ⊗ |
| 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 | 1 |
| 46. No unapproved private homes/living or sleeping qu | 1 |
| SIGNS REQUIREMENTS | |
| 47. Signs posted; last inspection report available | ⊗ |
| 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 2/10/2021
Violation Reference - HSC -
113996, 113998, 114037

Inspector Comments: Observed fully cooked bacon bits measuring between 60 F to 80 F, one at room temperature and one on the toaster oven. Manager stated they had been placed out two hours previous. Bacon bits are received in a bag, fully cooked and frozen. They are then portioned into smaller covered containers and kept either on the toaster oven, at room temperature or in the refrigerator unit behind the front counter. The label on the box of bacon bits states "Keep Refrigerated".

Maintain all potentially hazardous foods in cold holding at 41F or below or in hot holding at 135F or above.

Corrected on site: About 3 cups of bacon bits were discarded.

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

1. DEMONSTRATION OF KNOWLEDGE; FOOD SAFETY CERTIFICATION

POINTS

2

Compliance date not specified
Not In Compliance
Violation Reference - HSC -
113947-113947.1

Inspector Comments: 1. A Food Manager Certificate was not observed at the facility.

Provide a valid Food Manager Certificate from one of the below accredited organization that has been certified by the American National Standards Institute (ANSI):

- 360training.com, Inc. - Learn2Serve® Food Protection Manager Certification Program
- AboveTraining/StateFoodSafety.com - Certified Food Protection Manager (CFPM) Exam
- National Registry of Food Safety Professionals - Food Protection Manager Certification Program
- National Restaurant Association - ServSafe® Food Protection Manager Certification Program
- Prometric Inc. - Food Protection Manager Certification Program
- The Always Food Safe Company, LLC - Food Protection Manager Certification

Provide a valid Food Manager Certificate within 60 days to avoid a billable re-inspection with a minimum charge of \$122.50. Original certificate must be provided.

Violation Description: All food employees shall have adequate knowledge of and be trained in food safety as it relates to their assigned duties. (113947)
Food facilities that prepare, handle or serve non-prepackaged potentially hazardous food, shall have an employee who has passed an approved food safety certification examination. (113947-113947.1)

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

6. ADEQUATE HANDWASHING FACILITIES SUPPLIED & ACCESSIBLE

POINTS

2

Compliance date not specified
Not In Compliance
Violation Reference -

Inspector Comments: 1. Observed a rag stored in the hand wash sink.

Handwashing sinks shall not be obstructed, inaccessible, used improperly, or kept unclean.

2. Observed no towel dispenser at the hand wash sink in the back kitchen.

Ensure soap and paper towels are provided in dispensers.

3. Observed soap dispenser in disrepair in the men's lavatory.

Repair the soap dispenser.

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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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 two dials on the hot-holding Server unit to be in disrepair.
2. Observed one dial on the grill to be missing.

Repair/replace the dials on the equipment. Maintain in good repair.

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**POINTS****1**

Compliance date not specified
Not In Compliance
Violation Reference - HSC -
114074, 114081, 114119

Inspector Comments: 1. Observed four sets of tongs stored on the cover of one of the cold-holding tables behind the front counter. The tong surface was contacting the cover of the cold table.

Ensure in-use utensils are stored in a manner to prevent contamination of the food contact surface.

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)

39. THERMOMETERS PROVIDED AND ACCURATE**POINTS****1**

Compliance date not specified
Not In Compliance
Violation Reference - HSC -
114157, 114159

Inspector Comments: Observed no display thermometer in the two short refrigerators behind the front counter.

Provide a working thermometer for each hot and cold holding unit of potentially hazardous foods.

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>

40. WIPING CLOTHS: PROPERLY USED AND STORED**POINTS****1**

Compliance date not specified
Not In Compliance
Violation Reference - HSC -
114135, 114185.1

Inspector Comments: Observed a wet wiping cloth stored on the rim of the sanitizer bucket near the cash register.

Ensure wet wiping cloths are stored fully submerged in the sanitizer solution when not in use.

Violation Description: Wiping cloths used to wipe service counters, scales or other surfaces that may come into contact with food shall be used only once unless kept in clean water with sanitizer. (114135, 114185.1, 114185.3 (d-e)) Sponges shall not be used in contact with cleaned and sanitized or in-use food contact surfaces. (114135)

47. SIGNS POSTED; LAST INSPECTION REPORT AVAILABLE**POINTS****1**

Compliance date not specified
Not In Compliance
Violation Reference - HSC -
113725.1, 113953.5

Inspector Comments: Observed last inspection report missing at time of inspection.

Provide a copy of last inspection report at facility to be available upon request.

Violation Description: Handwashing signs shall be posted in each toilet room, directing attention to the need to thoroughly wash hands after using the restroom (113953.5) (b) No smoking signs shall be posted in food preparation, food storage, warewashing, and utensil storage areas (113978). (c) Consumers shall be notified that clean tableware is to be used when they return to self-service areas such as salad bars and buffets. (d) Any food facility constructed before January 1, 2004 without public toilet facilities, shall prominently post a sign within the food facility in a public area stating that toilet facilities are not provided (113725.1, 114381 (e)). A sign shall be posted stating that a copy of the most recent routine inspection report is available upon request. (113725.1) Permit shall be posted in conspicuous location. (114381(e)) Letter Grade Placecard shall be properly posted. SBCC 33.1406

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48. FOOD HANDLER CERTIFICATION

POINTS

3

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

Inspector Comments: Observed six (6) missing San Bernardino County food handler cards.

Provide valid San Bernardino County Food Handler Card(s) within 14 days to avoid a billable re-inspection with a minimum charge of \$122.50. A "Missing Food Handler Cards" form was provided at the time of inspection. Fax/Mail/Email this completed form to this department

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 food items were voluntarily condemned and discarded:

- about 3 cups of bacon bits

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."

CV. COVID-19 OBSERVATIONS

POINTS

0

Compliance date not specified
Not In Compliance
Violation Reference - SBC Policy -
No Reference Number Specified

Inspector Comments: Per the Statewide Industry Guidance to Reduce Risk, before reopening, all facilities must:

1. Perform a detailed risk assessment and implement a site-specific protection plan
2. Train employees on how to limit the spread of COVID-19, including how to screen themselves for symptoms and stay home if they have them
3. Implement individual control measures and screenings
4. Implement disinfecting protocols
5. Implement physical distancing guidelines

The manager was questioned regarding compliance with the above COVID-19 Guidelines and was noted to be out of compliance with the following:

Out of Compliance:

1. Risk Assessment and Site-Specific Protection Plan
- The facility does not have a written work-site specific COVID-19 plan.

Violation Description: Observations regarding COVID-19 associated changes to practices are recorded here.

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.



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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

"B" grade posted.

Do not obscure, relocate, or remove grade card. Failure to comply may result in a billable grade card reposting follow-up at a rate of \$245.00 per hour, with a minimum of 30 minutes.

The following forms were left with the management:

- Missing food handler form
- Food handler training online flyer
- Rescore form
- Guidance for Operating During COVID-19 Recovery, Food Facilities Readiness Survey

No signature obtained due to COVID precautions. Report discussed with the manager.

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: Anita Anaya
TITLE: