



**CAL CODE OFFICIAL INSPECTION REPORT**

FACILITY NAME <b>LARRY'S BURGERS</b>		DATE 12/17/2018	REINSPECTION DATE 12/31/2018	PERMIT EXPIRATION 10/31/2018
LOCATION 4370 HOLT BL, MONTCLAIR, CA 91763			INSPECTOR Sujin Lee	
MAILING ADDRESS 4370 HOLT BL, MONTCLAIR CA 91763			IDENTIFIER: Food	
			SERVICE: 001 - Inspection - Routine	
			RESULT: 05 - Corrective Action / Follow up Required	
			ACTION: 13 - Permit Suspended / Facility Closed	
TIME IN 10:18 AM	TIME OUT 2:14 PM	FACILITY ID FA0004331	RELATED ID PR0008056	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				
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	+	⊗	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				
In	N/O	N/A		2
8. Time as a public health control; procedures & record				
In	N/O	N/A		2
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				⊗
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	⊗
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	1
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	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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**54. PERMIT SUSPENSION**

<b>POINTS</b> <b>0</b>	Compliance date not specified Not In Compliance Violation Reference - HSC - 114409, 114405	<p><b>Inspector Comments:</b>                  The health permit to this facility was suspended this date due to live cockroaches infestation that were observed in the facility.                  A supervisory review is scheduled on Monday, 12/18/2018 at 9 AM in the Rancho Cucamonga office located at 8575 Haven Ave. Rancho Cucamonga, CA 91730. Provide any pest control receipts/ reports to the supervisory review. Continue conducting proper exclusion methods to eliminate the cockroach infestation. Seal any holes, gaps, cracks/ crevices that can harbor vermin.</p> <p>Call this office when you are ready to re-open, and re-inspection will be conducted to determine compliance. This facility must remain closed for business until a re-inspection is conducted and the health permit to operate this facility is reinstated by Environmental Health Service. <b>DO NOT REMOVE, RELOCATE OR MOVE CLOSURE SIGN.</b> Non-compliance will result in a charged follow-up inspection at an hourly rate of \$245 with a minimum charge of \$122.50.</p>
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**Violation Description:** If an imminent health hazard is found, an enforcement officer may temporarily suspend the permit and order the food facility immediately closed. (114409, 114405)

**5. HANDS CLEAN AND PROPERLY WASHED; GLOVES USED PROPERLY** **MAJOR**

<b>POINTS</b> <b>4</b>	Compliance date not specified Complied on 12/17/2018 Violation Reference -	<p><b>Inspector Comments:</b>                  1. Two employees who had nail polish were observed taking breads out from toaster with bare hands at front kitchen. Then, the employees were observed to grab the breads with bare hands to put butter on top.                  2. An employee was observed switching gloves without washing her hands first at front kitchen.</p> <p>Ensure gloves are worn if employee has artificial nails or nail polish. Ensure hands are washed prior to donning gloves.</p> <p>The violation was corrected on site. The employees washed their hands before putting on gloves. The employees were educated as to proper hand washing procedures.</p>
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**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>



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**7. PROPER HOT AND COLD HOLDING TEMPERATURES** **MAJOR**

**POINTS**  
**4**  
Compliance date not specified  
Complied on 12/17/2018  
Violation Reference - HSC -  
113996, 113998, 114037

**Inspector Comments:**  
The following potentially hazardous foods (PHFs) were observed to be stored at improper holding temperatures at front kitchen:

Inside cold holding unit:  
1. Shredded cheese at 58.9 degree F.  
2. Hard boiled eggs at 60.4 degree F.

Inside cold holding drawers:  
1. Raw burger patty at 55 degree F  
2. Ham at 49 degree F  
3. Slices of cheese at 51 degree F  
4. Raw beef at 54.4 degree F  
5. Marinated raw chicken at 54.2 degree F  
6. Sliced ham at 51.9 degree F  
7. Salsa at 49.8 degree F

The operator stated the above PHFs had been stored in this unit for approximately three hours. The violation was corrected on site. The operator voluntarily discarded above PHFs after four hours (See VC & D).

Inside cold holding drawers:  
1. Cocked chicken at 49 degree F.  
2. Partially cooked beet at 50 degree F

The operator stated the above two PHFs had been cooked and stored at this unit for approximately for two hours. The violation was corrected on site. The operator was instructed to discard these PHFs after four hours.

Note: The ambient temperature of the cold holding drawers were measured at 52.6 degree F. The ambient temperature of operator's thermometer was measured at 52 degree F. Repair this unit to hold temperatures of PHFs below 41 degree F.

Under food warmer:  
1. Cooked sausage at 114-118 degree F.

The operator stated the sausage was made approximately one hour prior to inspection. The violation was corrected on site. The operator was instructed to discard the sausage after four hours.

Maintain the temperature of all PHFs below 41 F or above 135 F at all times. A reinspection will be conducted after three days of this date to determine compliance. Failure to comply will result in billable follow up inspection at an hourly rate of \$245/hour with 30 minutes minimum.

**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)



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**23. NO RODENTS, INSECTS, BIRDS, OR ANIMALS** **MAJOR**

<b>POINTS</b> <b>4</b>	<p>Compliance date not specified Not In Compliance Violation Reference - HSC - 114259.1, 114259.4, 11425</p>	<p><b>Inspector Comments:</b> Observed several dead and live adult German cockroaches in the following areas:</p> <ol style="list-style-type: none"> <li>1. Three live cockroaches and several dead cockroaches inside floor sink underneath soda fountain at front kitchen.</li> <li>2. One live cockroach underneath work table next to Coca cola refrigerator at rear kitchen.</li> <li>3. Eight dead cockroaches underneath and next to water heater.</li> <li>4. One dead cockroach behind ice machine at rear kitchen.</li> <li>5. One dead cockroach inside metal container on the floor underneath counter for coffee at front kitchen.</li> </ol> <p>Note: The operator provided three most recent professional pest control invoices. The date of service indicated 7/31/2018, 10/31/2018, and 11/30/2018.</p> <p>Eliminate all vermin and evidence of vermin from this facility including but not limited to cockroaches. Ensure to take appropriate pest control measures to eliminate all evidence of past or current vermin from this facility. Clean and sanitize affected area in an approved manner. The health permit to this facility was suspended on this date due to the cockroach infestation in this facility. A supervisor review is scheduled on Tuesday, 12/18/2018 at 9 AM in the Rancho Cucamonga office located at 8575 Haven Ave. Rancho Cucamonga, CA 91730.</p>
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**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)

**1. DEMONSTRATION OF KNOWLEDGE; FOOD SAFETY CERTIFICATION**

<b>POINTS</b> <b>2</b>	<p>Compliance date not specified Not In Compliance Violation Reference - HSC - 113947-113947.1</p>	<p><b>Inspector Comments:</b> The "Certified Food Manager" certificate was not observed during the inspection. The operator stated the certificate was expired.</p> <p>Provide a valid Food Manager Certificate from one of the below accredited organization that has been certified by the American National Standards Institute (ANSI):</p> <ul style="list-style-type: none"> <li>• 360training.com, Inc.</li> <li>• Learn2Serve® Food Protection Manager Certification Program</li> <li>• National Registry of Food Safety Professionals</li> <li>• Food Protection Manager Certification Program</li> <li>• National Restaurant Association-ServSafe® Food Protection Manager Certification Program</li> <li>• Prometric Inc. Food Protection Manager Certification Program</li> </ul> <p>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.</p>
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**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>



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**6. ADEQUATE HANDWASHING FACILITIES SUPPLIED & ACCESSIBLE**

**POINTS**  
**2**

Compliance date not specified  
Complied on 12/17/2018  
Violation Reference -

**Inspector Comments:**

1. Hand soap was not observed in the dispenser at the handwashing sink at the rear kitchen. The violation was corrected on site. The operator provided the soap inside the dispenser.
2. Paper towels were not observed inside the dispenser at the handwashing sink at rear kitchen. The paper towels were observed to be stored on shelves outside of the dispenser adjacent to handwashing sink. The violation was corrected on site. The operator provided the paper towels inside the dispenser.
3. Hand soap was not observed inside the dispenser at men and women's restroom. The hand soap was observed to be inside open single-use cups.

Ensure hand soap and paper towels are available inside the dispensers 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)

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

**POINTS**  
**1**

Compliance date not specified  
Not In Compliance  
Violation Reference - HSC -  
114047, 114049, 114051

**Inspector Comments:**

1. Observed a black container of salt without label on work table adjacent to 3-compartment sink. Provide labels for containers of food or ingredients that have been removed from original packages and/or are not easily recognizable.
2. Observed a bulk container of cooked potato stored directly on the floor adjacent to handwashing sink at rear kitchen. Store food at least 6 inches off the floor at all times.

**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))

**41. PLUMBING; PROPER BACKFLOW DEVICES**

**POINTS**  
**1**

Compliance date not specified  
Not In Compliance  
Violation Reference - HSC -  
114171, 114189.1

**Inspector Comments:**

- An air gap was not observed between a drain pipe and floor sink underneath soda fountain at front kitchen.
- Provide a minimum of one inch air gap between the drain pipe and floor sink.

**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)

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

**POINTS**  
**1**

Compliance date not specified  
Not In Compliance  
Violation Reference - HSC -  
114067 (j), 114123

**Inspector Comments:**

1. Observed approximately ½ inch gap between the floor and bottom of delivery door. Seal all gaps that to prevent entrance of vermin.
2. Observed an open coffee cup and employee's bottle of water stored on the counter next to single-use cups. Store employee's beverages away from food contact surfaces.

**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**

<b>POINTS</b> <b>1</b>	Compliance date not specified Not In Compliance Violation Reference - HSC - 114143 (d), 114266	<b>Inspector Comments:</b> Observed an accumulation of food debris and dirt in the following areas:  1. Underneath counter between 3-compartment sink and walk-in refrigerator. 2. Underneath gas stove at rear kitchen 3. Underneath water heater in the dry storage area.  <u>Maintain all floors in a clean and sanitary condition.</u>
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**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))

**49. PERMITS AVAILABLE**

<b>POINTS</b> <b>0</b>	Comply by 12/18/2018 Not In Compliance Violation Reference - HSC - 114067( b, c), 114381 (a)	<b>Inspector Comments:</b> Our records indicate that your San Bernardino County health permit to operate a temporary food facility has expired on 10/31/2018. Please submit your payment to San Bernardino County health department and renew your health permit or this health permit to operate a temporary food facility will be suspended within 72 hours. Once suspended you may not operate a food facility under this health permit.
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**Violation Description:** A food facility shall not be open for business without a valid permit. A permit shall be valid only for the specified permittee, location, and type of food sales or distribution activity. No food facility shall conduct activities that are inconsistent with the permit(s) issued by the enforcement agency. (114067(b) & (c), 114381 (a), 114381.2, 114387)

**52. VC & D**

<b>POINTS</b> <b>0</b>	Compliance date not specified Not In Compliance Violation Reference - HSC - 113980	<b>Inspector Comments:</b> The following PHFs were voluntarily discarded by operator.  Approximately:  1. 2 lbs. of shredded cheese 2. 10 Hardboiled eggs 3. 10 burger patty 4. ½ lb. of Ham 3. 20 Slices of cheese 4. 2 lb. of Raw beef 5. 1 lb. of Marinated chicken 6. 2 lbs. of sliced ham 7. 1 lb. of Salsa
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**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 "Notice of Closure" sign was posted this date.

PEP talks video was presented.

The following stickers were provided:

1. Cold holding temperature
2. Hot holding temperature
3. Dishwashing requires 3 steps
4. Wash your hands

The following handouts were provided:

1. Food facility risk based inspection frequency
2. Top 5 CDC risk factors

**Signature(s) of Acknowledgement**

NAME: Chris Karpontins  
TITLE: Owner