



CAL CODE OFFICIAL INSPECTION REPORT

FACILITY NAME MICHAEL'S BURGERS		DATE 11/10/2020	REINSPECTION DATE 11/24/2020	PERMIT EXPIRATION 7/31/2070
LOCATION 940 W HIGHLAND AV, SAN BERNARDINO, CA 92405		INSPECTOR Rubi Guido		
MAILING ADDRESS 940 W HIGHLAND AV, SAN BERNARDINO, CA 92405		IDENTIFIER: None SERVICE: 001 - Inspection - Routine RESULT: 05 - Corrective Action / Follow up Required ACTION: 03 - Reinspection Required		
TIME IN 11:53 AM	TIME OUT 2:05 PM	FACILITY ID FA0009559	RELATED ID PR0008969	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.

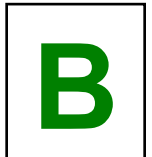
Reduce food loss, and feed those in need by donating your surplus food. [Learn more about donating surplus food](#).

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



SCORE 83

DEMONSTRATION OF KNOWLEDGE		COS	MAJ	OUT
In	N/O	1. Demonstration of knowledge; food safety certification		⊗
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	+	⊗
○ In		6. Adequate handwashing facilities supplied & accessib		2
TIME AND TEMPERATURE RELATIONSHIPS				
○ In	N/O	7. Proper hot and cold holding temperatures	4	2
In	N/O	8. Time as a public health control; procedures & record	4	2
○ In	N/O	9. Proper cooling methods	4	2
○ In	N/O	10. Proper cooking time & temperatures	4	
In	N/O	11. Proper reheating procedures for hot holding	4	
PROTECTION FROM CONTAMINATION				
In	N/O	12. Returned and reserve of food		2
○ In		13. Food in good condition, safe and unadulterated	4	2
○ In	N/O	14. Food contact surfaces: clean and sanitized	4	2

FOOD FROM APPROVED SOURCES		COS	MAJ	OUT
○ In		15. Food obtained from approved source	4	
In	N/O	16. Compliance with shell stock tags, condition, display		2
In	N/O	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	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	2

SUPERVISION	OUT
24. Person in charge present and performs duties	⊗
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	⊗
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	⊗
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	⊗
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	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**CAL CODE OFFICIAL INSPECTION REPORT**

FACILITY NAME MICHAEL'S BURGERS	DATE 11/10/2020
LOCATION 940 W HIGHLAND AV, SAN BERNARDINO, CA 92405	INSPECTOR Rubi Guido

5. HANDS CLEAN AND PROPERLY WASHED; GLOVES USED PROPERLY**MAJOR****POINTS****4**Compliance date not specified
Complied on 11/10/2020
Violation Reference -**Inspector Comments:** Observed employee wiping the cooking area with a towel, return the towel to the chlorine sanitizer, grab a to-go box (touching the inside of the box), and then proceed to the grill to serve a customer's order.

Ensure employees wash hands with hand soap and water (measuring a minimum of 100F) immediately before engaging in food preparation, after changing tasks, and any time contamination may occur.

Note: The employee was instructed to wash his hands. The employee voluntarily consented to condemnation and destruction of three (3) to-go boxes. Corrected onsite.

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>**1. DEMONSTRATION OF KNOWLEDGE; FOOD SAFETY CERTIFICATION****POINTS****2**Compliance date not specified
Complied on 11/10/2020
Violation Reference - HSC -
113947-113947.1**Inspector Comments:** A) Upon questioning, the owner was unable to demonstrate adequate knowledge in the proper cooking temperatures. The owner stated that he did not know the internal cooking temperature for shell eggs.

Ensure all employees are able to demonstrate knowledge of and are properly trained in food safety.

Note: The owner was educated at the time of inspection. Corrected onsite.

B) Upon questioning, the employee was unable to demonstrate adequate knowledge in the proper warewashing procedure. The employee stated that dishes are washed with water that measures approximately 80F.

Ensure all employees are able to demonstrate knowledge of and are properly trained in food safety.

Note: The employee was educated at the time of inspection. Corrected onsite.

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>**24. PERSON IN CHARGE PRESENT AND PERFORMS DUTIES****POINTS****1**Compliance date not specified
Not In Compliance
Violation Reference - HSC -
113945-113945.1, 113984.1**Inspector Comments:** Observed two children in the office (located in the kitchen) and walking back and forth between the office and the kitchen. The owner stated that the children are his grandsons.

People unnecessary to the food facility shall not enter the kitchen, food preparation, storage, or warewashing areas.

Note: The owner instructed the children to leave the kitchen and stay in the dining area. Corrected onsite.

Violation Description: A person in charge shall be present at the food facility during all hours of operation. (113945-113945.1, 113984.1, 114075) Customers are not allowed access through the food preparation area unless the customer's route is separated from raw or undercooked foods by at least three feet of clearly delineated space or the route of access is not separated by a rail or wall at least three feet high. (113984.1) Consumers must be notified that they must use clean tableware when returning to self-service areas, such as salad bars and buffets. ([113945.1(b), 114075) A restaurant that sells a children's meal that includes a beverage must make the default beverage water, unflavored milk or other approved beverage. (114379-114379.60) A full service restaurant shall not provide a single-use plastic straw to a consumer unless requested by the consumer. (PRC 42270)

More Information: <http://www.sbcounty.gov/uploads/dph/dehs/Depts/EnvironmentalHealth/FormsPublications/Top5CDCRiskFactorsContributingFoodborneIllness.pdf>

**Public Health**
Environmental Health Services**CAL CODE OFFICIAL INSPECTION REPORT**

FACILITY NAME MICHAEL'S BURGERS	DATE 11/10/2020
LOCATION 940 W HIGHLAND AV, SAN BERNARDINO, CA 92405	INSPECTOR Rubi Guido

27. FOOD SEPARATED AND PROTECTED**POINTS****1**

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

Inspector Comments: Observed several uncovered containers with food stored in the walk-in cooler and reach-in freezer (located at the cooking station).

All food shall be stored, prepared, displayed, or held so that it is protected from contamination.

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.

29. TOXIC SUBSTANCES PROPERLY IDENTIFIED, STORED, USED**POINTS****1**

Compliance date not specified
Not In Compliance
Violation Reference - HSC -
114254, 114254.1

Inspector Comments: Observed two (2) spray bottles with red and green liquid stored under the preparation sink. The person in charge stated that the contents in the bottles are chemicals/cleaning solutions.

Ensure all toxic containers are labeled as to the common name of the material.

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**POINTS****1**

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

Inspector Comments: A) Observed two (2) boxes with food stored on the floor in the walk-in freezer.

Ensure food items are stored at least 6 inches above the floor.

B) Observed one (1) unlabeled container with flour stored under the table located at the warewashing area.

Provide correct labels for containers of food or ingredients that have been removed from original packages and are not easily recognizable.

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))

33. NONFOOD-CONTACT SURFACES CLEAN**POINTS****1**

Compliance date not specified
Not In Compliance
Violation Reference - HSC -
114115 (c)

Inspector Comments: Observed a black mold-like substance buildup on the deflector plate in the ice machine.

All nonfood-contact surfaces of utensils and equipment shall be clean.

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

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: Observed a fryer (not in use) stored to the right of the upright refrigerator. The person in charge stated that the unit is in disrepair and will not be repaired.

Remove from the facility all pieces of equipment that are not in use or are in disrepair. All utensils and equipment shall be fully operative and 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)

**Public Health**
Environmental Health Services**CAL CODE OFFICIAL INSPECTION REPORT**

FACILITY NAME MICHAEL'S BURGERS	DATE 11/10/2020
LOCATION 940 W HIGHLAND AV, SAN BERNARDINO, CA 92405	INSPECTOR Rubi Guido

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:

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)

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 several wet towels store on the 3-compartment sink and on the tables to the right and left of the 3-compartment sink.

Discontinue this practice. Ensure, after every use, wet wiping cloths are returned to the sanitizer solution and are completely submerged in the sanitizing solution.

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)

48. FOOD HANDLER CERTIFICATION**POINTS****3**

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

Inspector Comments: Observed six (6) employee(s) without a valid and/or current San Bernardino County food worker card.

Provide current valid San Bernardino County food worker cards for these employees within 14 days.

A Missing Food Handler Cards- Inspector Handout was explained and left with the person in charge during the time of this inspection. Complete and return the completed handout and copies of all cards/certifications to San Bernardino County Environmental Health Services by email to sbcfoodworker@gmail.com or via mail or fax to 909-387-4323.

Fail to comply 100% will result in a charged inspection of \$122.50 minimum to verify compliance.

After this date, if these employees might no longer be working at this facility, person in charge shall clearly indicate the dates of termination onto the Missing Food Handler Cards- Inspector Handouts.

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

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.



Public Health
Environmental Health Services

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

CAL CODE OFFICIAL INSPECTION REPORT

FACILITY NAME MICHAEL'S BURGERS	DATE 11/10/2020
LOCATION 940 W HIGHLAND AV, SAN BERNARDINO, CA 92405	INSPECTOR Rubi Guido

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

Maria Dilcox
Person in Charge

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: