



**CAL CODE OFFICIAL INSPECTION REPORT**

FACILITY NAME YUCCA VALLEY SUBWAY		DATE 2/13/2019	REINSPECTION DATE 2/18/2019	PERMIT EXPIRATION 2/28/2019
LOCATION 58080 29 PALMS HWY, YUCCA VALLEY, CA 92284			INSPECTOR Tamara King	
MAILING ADDRESS 58080 29 PALMS HWY, YUCCA VALLEY CA 92284			IDENTIFIER: None	
			SERVICE: 001 - Inspection - Routine	
			RESULT: 05 - Corrective Action / Follow up Required	
			ACTION: 03 - Reinspection Required	
TIME IN 12:14 PM	TIME OUT 1:55 PM	FACILITY ID FA0018760	RELATED ID PR0025246	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.



**SCORE 82**

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			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		4	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	2

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	⊗
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	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	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	⊗
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** **MAJOR**

<b>POINTS</b> <b>4</b>	<p>Compliance date not specified Complied on 2/13/2019 Violation Reference - HSC - 113996, 113998, 114037</p>	<p><b>Inspector Comments:</b> Observed two (2) containers of sliced tomatoes in the sandwich preparation prep top refrigeration unit closest to the register to measure an internal temperature of 48 degrees F. The tomatoes had been in the unit for less than 4 hours. The ambient air temperature of the unit below the food containers measured 49 degrees F. The thermostat on the refrigeration unit read 52F. The thermostat on the adjacent refrigeration unit being used for the proteins read 47 F. The foods in the protein refrigeration unit all measured below 41 degrees F. Per employees, a repair person was in the facility the prior day and indicated that the units were low on freon and not operating correctly.</p> <p>Corrected on site: Mitigated the violation by placing sliced tomatoes in an ice bath to rapidly reduce the temperature to below 41 degrees F. The remaining potentially hazardous foods in the two (2) units were placed on ice to prevent an increase in internal temperature to temperatures above 41 degrees F.</p> <p>The refrigeration units shall be repaired or replaced to ensure that they are capable of maintaining potentially hazardous foods at temperatures below 41 degrees F. Until the units have been repaired the facility shall maintain all potentially hazardous foods in the two (2) prep top refrigeration units on ice or in alternative refrigeration units. All potentially hazardous foods shall be maintained at below 41 degrees F or above 135 degrees F to prevent microorganism growth.</p> <p>A follow up will be conducted on 2/19/2019 to verify that the units are fully functioning and capable of maintaining potentially hazardous foods at temperatures below 41 degrees F.</p>
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**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)

**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> Observed no valid food safety certificate on site.</p> <p>One person in the facility must obtain a valid food safety certificate from an ANSI approved organization, within sixty (60) calendar days of today's date. Original certificate must be kept on site at all times (photocopies are not acceptable). An inspector will conduct a re-inspection to determine compliance. Failure to comply by the deadline may result in additional billable re-inspections.</p> <p>For more information on how to obtain a food safety certificate from an ANSI-approved organization, visit the ANSI website at <a href="http://www.ansica.org/wwwversion2/outside/ALLdirectoryListing.asp?menuID=8&amp;prgID=8&amp;status=4">www.ansica.org/wwwversion2/outside/ALLdirectoryListing.asp?menuID=8&amp;prgID=8&amp;status=4</a>.</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>

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

<b>POINTS</b> <b>2</b>	<p>Compliance date not specified Not In Compliance Violation Reference -</p>	<p><b>Inspector Comments:</b> The soap dispenser behind the service line was observed empty. Employees are currently using the hand wash sink located in the kitchen adjacent to the food preparation sink.</p> <p>Refill the soap dispenser. Ensure all hand wash sinks are maintained fully stocked with hand soap and paper towels in dispensers.</p>
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**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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**21. HOT AND COLD WATER AVAILABLE**

**POINTS**  
**2**  
Compliance date not specified  
Not In Compliance  
Violation Reference - HSC -  
113953(c), 114099.2(b)

**Inspector Comments:** Observed the hot water in the facility to measure a maximum of 110 degrees F. The following water temperatures were measured on this date:  
- Hot water at the 3-compartment ware wash sink: 107 degrees F  
- Hot water at the janitorial sink: 108 degrees F.  
- Hot water at the food preparation sink: 110 degrees F.  
- Hot water at the hand wash sink: 100 degrees F.

The facility was observed to have a new water heater, per employees the water heater was installed at the end of 2018.

The GE water heater was observed with a maximum output of 4500 Watts, with a 40 gal capacity. The required minimum kW output for the facility based on the number of sinks (1 pot sink with 3018x18 compartments, 1 janitorial sink, 1 food prep sink with 1 compartment, and 3 hand wash sinks.) is 9.43kW. The water heater is insufficiently sized for the facility.

The facility shall provide a water heater of sufficient capacity. Contact DEHS Plan Check department for plan submittal no later than

Hot water shall be supplied to the facility. Hot water shall measure 120 degrees F as measured from the faucet.

**Violation Description:** An adequate, protected, pressurized, potable supply of hot water and cold water shall be provided at all times. (113953(c), 114099.2(b) 114101(a), 114189, 114192, 114192.1, 114195)

**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 the gaskets of the refrigeration unit at the far left behind the cash register to be in disrepair.

Repair or replace the damaged gaskets.

**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)

**41. PLUMBING; PROPER BACKFLOW DEVICES**

**POINTS**  
**1**  
Compliance date not specified  
Not In Compliance  
Violation Reference - HSC -  
114171, 114189.1

**Inspector Comments:** Observed insufficient air gaps between the rim of the floors sinks and the waste water discharge pipes from the warewash sink and the food preparation sink.

Repair or replace the pipe to ensure an air gap that measures a minimum of twice the diameter of the pipe exists between the rim of the floor sink and the inlet of the waste water discharge pipe.

**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**

<b>POINTS</b> <b>1</b>	Compliance date not specified Not In Compliance Violation Reference - HSC - 114067 (j), 114123	Inspector Comments: Observed personal employee beverages, keys, and the office phone stored on food preparation counters in the kitchen.  Discontinue this practice. Personal effects, employee foods, and beverages shall be stored in a designated room or area where contamination of food, equipment, utensils, linens, and single-use articles cannot occur.
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**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**

<b>POINTS</b> <b>1</b>	Compliance date not specified Not In Compliance Violation Reference - HSC - 114143 (d), 114266	Inspector Comments: The floors below the shelves in the dry storage area were observed with an accumulation of dust, dirt, food residue, rubbish and other debris.  Clean the floors and maintain in a clean and sanitary manner free from dust, dirt, food residue, rubbish and other debris.
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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))

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

<b>POINTS</b> <b>1</b>	Compliance date not specified Not In Compliance Violation Reference - HSC - 113725.1, 113953.5	Inspector Comments: A copy of the last inspection report was unavailable at the time of the inspection.  Obtain a copy of the most recent inspection report and maintain a copy on site and available upon request or inspection.
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**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**

<b>POINTS</b>  <div style="border: 1px solid black; padding: 5px; display: inline-block; font-size: 24pt; font-weight: bold;">3</div>	<b>Compliance date not specified</b> <b>Not In Compliance</b> <b>Violation Reference - SBCC - 33.0409</b>	<b>Inspector Comments:</b> Observed one (1) food handlers without current, valid San Bernardino County food handler cards.  Ensure that food handlers maintain current, valid San Bernardino County food handler cards.  Provided operator with information on how to obtain San Bernardino County food handler cards, and provided the Missing Food Handler Card – Inspector Handout form to the operator for the facility to complete with the missing information.  Facility must provide current, valid food handler card information within 14 calendar days of today's date. If current, valid food handler card information is not faxed to the Division of Environmental Health Services at 909-387-4272 on or before 02/27/2019, there will be a re-inspection charge of \$4.08 per 1 minute with a minimum time of 30 minutes, and a minimum charge of \$122.50.
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**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)

**49. PERMITS AVAILABLE**

<b>POINTS</b>  <div style="border: 1px solid black; padding: 5px; display: inline-block; font-size: 24pt; font-weight: bold;">0</div>	<b>Comply by 2/14/2019</b> <b>Not In Compliance</b> <b>Violation Reference - HSC - 114067( b, c), 114381 (a)</b>	<b>Inspector Comments:</b> The facility is currently operating without a valid health permit. The facility is delinquent in the amount of \$831.76. The owner/facility shall pay all past due fees within 72 hours. Failure to pay full balance due will result in closure of the facility.  Contact DEHS to provide payment. Payments can be made online using an electronic check or credit card at <a href="http://www.sbcounty.gov/dehs/verify">www.sbcounty.gov/dehs/verify</a> . Allow for 24 hours for payment to reflect on the facility account record.
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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)

**51. PLAN REVIEW**

<b>POINTS</b>  <div style="border: 1px solid black; padding: 5px; display: inline-block; font-size: 24pt; font-weight: bold;">0</div>	<b>Compliance date not specified</b> <b>Not In Compliance</b> <b>Violation Reference - HSC - 114380</b>	<b>Inspector Comments:</b> The facility has changed the water heater without submission of plans to DEHS. The new water heater is insufficiently sized for the facility. Any person proposing to build or remodel a food facility shall submit plans for approval before starting any new construction or remodeling of any facility for use as a retail food facility, including changing of water heaters to a size different from the size originally approved by the department.  Contact DEHS within 72 hours to discuss with the plan check department plan submittal requirements.
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**Violation Description:** A person proposing to build or remodel a food facility shall submit plans for approval before starting any new construction or remodeling of any facility for use as a retail food facility. (114380)

**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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#### Overall Inspection Comments

Grade card replaced on this date, a "B" grade card was posted this date.

A PEP talk was provided on this date.

The following handouts were provided at the time of this inspection: Top 5 CDC Risk Factors handout, Active Managerial Control Handout, Missing Food Handler Card Inspector form, Request for Rescore form, Food temperature stickers, copy of Invoice IN0298390.

#### Notes:

Ware washing sink observed set up with hot water measuring a minimum of 100F. The sanitizer compartment was observed set up with a sanitizer concentration of 200 ppm quaternary ammonia solution. Adequate ware washing knowledge demonstrated by employees on this date.  
All hot holding temperatures observed above 135F.

Follow ups will be conducted for the following:

- The facility is delinquent in the amount of \$831.76. The owner/facility shall pay all past due fees within 72 hours. Failure to pay full balance due will result in closure of the facility. Contact DEHS to provide payment. Payments can be made online using an electronic check or credit card at [www.sbcounty.gov/dehs/verify](http://www.sbcounty.gov/dehs/verify). Allow for 24 hours for payment to reflect on the facility account record.
- Insufficiently sized water heater, plan check follow up within 72 hours.
- Refrigeration repair follow up 2/19/2019
- Food handler card form shall be submitted within 2 weeks.

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 #33.1403; or b) may be requested by the food facility.

#### Signature(s) of Acknowledgement

NAME:  
TITLE: