

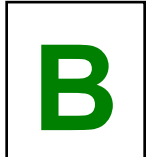


CAL CODE OFFICIAL INSPECTION REPORT

FACILITY NAME LEGENDS BURGERS		DATE 5/27/2022	REINSPECTION Next Routine	PERMIT 9/30/2022
LOCATION 1645 N MOUNTAIN AV, UPLAND, CA 91786			INSPECTOR Reydesel Salazar	
MAILING ADDRESS PO BOX 5577, HACIENDA HEIGHTS CA 91745			IDENTIFIER: None	
			SERVICE: 033 - Re-score Grade Inspection	
			RESULT: 03 - Corrective Action / No Follow up Required	
			ACTION: 01 - No Further Action Required	
TIME IN 3:50 PM	TIME OUT 5:50 PM	FACILITY ID FA0000696	RELATED ID PR0012210	PE 1622

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 86

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

- 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 & ex		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 pro		4	2
○ In		6. Adequate handwashing facilities supplied & accessi			2
TIME AND TEMPERATURE RELATIONSHIPS					
In	N/O	N/A	+	⊗	2
○ In	N/O	N/A		4	2
In	○ N/O	N/A		4	2
○ In	N/O	N/A		4	
In	○ N/O	N/A		4	
PROTECTION FROM CONTAMINATION					
In	○ N/O	N/A			2
In		13. Food in good condition, safe and unadulterated	+	⊗	2
In	N/O	N/A	+	4	⊗

FOOD FROM APPROVED SOURCES			COS	MAJ	OUT
○ In		15. Food obtained from approved source		4	
In	N/O	○ N/A			2
In	N/O	○ N/A			2
CONFORMANCE WITH APPROVED PROCEDURES					
In		○ N/A			2
CONSUMER ADVISORY					
In	N/O	○ N/A			2
HIGHLY SUSCEPTIBLE POPULATIONS					
In		○ N/A		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	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, u	1
FOOD STORAGE/DISPLAY/SERVICE	
30. Food storage; food storage containers identify	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, use	1
35. Equipment/Utensils approved; installed; clean; good repair, c	⊗
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	1
43. Toilet facilities: properly constructed, supplied, c	1
44. Premises; personal/cleaning items; vermin-proof	1

PERMANENT FOOD FACILITIES	OUT
45. Floor, walls, ceilings: built, maintained, and clean	1
46. No unapproved private homes/living or sleeping	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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7. PROPER HOT AND COLD HOLDING TEMPERATURES

MAJOR

POINTS

4

Compliance date not specified
Complied on 5/27/2022
Violation Reference - HSC -
113996, 113998, 114037

Inspector Comments: Observed potentially hazardous foods (PHFs) holding at improper temperatures. Internal temperatures of PHFs were measured as follows:

1. On top cold holding unit in prep line:
- Sliced tomato at 48F. Employee stated the tomato was stored on this unit thirty (30) minutes prior to questioning. Other PHFs in unit measured below 41F.

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

Corrected on site. Employee relocated container of tomato to walk- in refrigerator.

2. Inside a left cold holding drawers under griddle:
- Ham at 46 F.
- Turkey at 46F.

Employee stated these PHFs were stored in this unit thirty (30) minutes prior to questioning.

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

Corrected on site. Employee relocated the ham and turkey to the walk in refrigerator.

3. Inside right cold holding drawers under griddle:
- Breakfast sausage at 56F.
- White cheese at 56F.
- Hot dog franks at 56F.

Employee stated these PHFs were stored in this unit for four (4) hours prior to questioning. Other PHFs in this unit measured below 41F.

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

Corrected on site. Employee discarded the breakfast sausage, white cheese and hot dog links. See VC & D.

4. Inside food warmer next to grill:
- Cooked hash browns at 112F
- Cooked burger patties at 113F

Employee stated the hash browns were stored in unit over four (4) hours prior to questioning and burger patties were stored in unit thirty (30) minutes prior to questioning.

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

Corrected on site. Burger patties were reheated to over 165F. Employee discarded the hash browns. See VC & D.

5. Sliced yellow cheese at 56F without temperature intervention. Employee stated cheese was taken out from cold holding drawer twenty (30) minutes prior to questioning.

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

Corrected on site. Employee relocated cheese to walk in refrigerator.

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/Rl6w5DtEs7w>



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13. FOOD IN GOOD CONDITION, SAFE AND UNADULTERATED **MAJOR**

POINTS 4	Compliance date not specified Complied on 5/27/2022 Violation Reference - HSC - 113967, 113976,	Inspector Comments: Observed one (1) cherry tomato with mold-like growth stored on top cold holding unit in prep line. Ensure food intended for customers is in good condition and unadulterated.
		Corrected on site. Employee discarded tomato. See VC & D.

Violation Description: All food shall be manufactured, produces, prepared, compounded, packed, transported, kept for sale, and served so as to be pure and free from adulteration and spoilage. Any food is adulterated if it bears or contains any poisonous or deleterious substance that may render it impure or injurious to health. (113967, 113976, 113980, 113988, 113990, 114035, 114254(c), 114254.3)

More Information: <https://youtu.be/JrRQVxgDXy4>

14. FOOD CONTACT SURFACES: CLEAN AND SANITIZED

POINTS 2	Compliance date not specified Complied on 5/27/2022 Violation Reference - HSC - 113984(e), 114097, 114099	Inspector Comments: Observed multiple wet, metal containers stacked and stored on a shelf above the 3-compartment sink in a manner that did not allow for adequate air drying. Ensure that equipment and utensils are allowed to adequately air dry before storage/use.
		Corrected on site. Employees placed containers in sink to rewash.

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/Gz6zPgZtv2s>

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 an uncovered container of bulk flour in dry storage room across from ice machine. Cover these foods and ensure that food 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.

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 the gaskets of drawers in bottom cold holding unit in prep line to be in disrepair and peeling away from the door. Repair or replace the gaskets and maintain in good repair. 2. Observed one (1) pressurized tank stored near the bag-in-box rack not secured to a rigid structure. Ensure that pressurized tanks are secured to a rigid structure 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)



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38. ADEQUATE VENTILATION AND LIGHTING; DESIGNATED AREA

POINTS 1	Compliance date not specified	Inspector Comments: Observed a gap between the grease filters in the ventilation hood. The gap was observed to be approximately one (1) inch. Ensure filters are properly fitted in the ventilation hood to allow for proper grease ventilation.
	Not In Compliance Violation Reference - HSC - 114149, 114149.1	

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	Inspector Comments: Observed no air gap between the drainage pipe for the 3-compartment sink and the floor sink. Provide an air gap between the drainage pipe and the floor sink that is a minimum of 1-inch or twice the diameter of the drainage pipe, whichever is greater.
	Not In Compliance Violation Reference - HSC - 114171, 114189.1	

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)

52. VC & D

POINTS 0	Compliance date not specified	Inspector Comments: The following items were voluntarily consented to condemnation by the operator: - One (1) cherry tomato - Approximately one (1) pound of breakfast sausage - Approximately half (0.5) pound of white cheese - Approximately three (3) pounds hash browns - Approximately seven (7) hot dog franks
	Not In Compliance Violation Reference - HSC - 113980	

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



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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

Overall Inspection Comments

A "B" grade card was posted.

DO NOT REMOVE, RELOCATE, OR OBSCURE LETTER GRADE CARD. Failure to comply will result in an additional billable reinspection with a 30-minute minimum charge of \$122.50.

PEP talk video will be emailed to operator.

The following handouts were provided:

- Three Compartment Sink Dishwashing Method
- Cooling Hot Food Safely
- Handwashing Done Right
- Food Facility Risk Based Inspection Frequency
- Top 5 CDC Risk Factors
- Request for a Re-Score Inspection

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

No Sig

NAME: Anthony Vagenas
TITLE: Manager