



CAL CODE OFFICIAL INSPECTION REPORT

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|---|---------------------|--------------------------|---|--------------------------------|
| FACILITY NAME BAJA FRESH | | DATE 4/28/2021 | REINSPECTION DATE 5/12/2021 | PERMIT EXPIRATION 3/31/2022 |
| LOCATION 929 N MILLIKEN AV 103, ONTARIO, CA 91764 | | | INSPECTOR Rose Ann Dooley | |
| MAILING ADDRESS 9311 E VIA DE VENTURA, SCOTTSDALE AZ 85258 | | | IDENTIFIER: None | |
| | | | SERVICE: 001 - Inspection - Routine | |
| | | | RESULT: 05 - Corrective Action / Follow up Required | |
| | | | ACTION: 03 - Reinspection Required | |
| TIME IN 3:01 PM | TIME OUT 4:38 PM | FACILITY ID FA0011595 | RELATED ID PR0001563 | 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 84

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 | | | 2 |
| 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 | + | ⊘ | 2 |
| ○ In | 6. Adequate handwashing facilities supplied & accessib | | | 2 |
| 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 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 | 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 | ⊘ |
| 35. Equipment/Utensils approved; installed; clean; good repa | 1 |
| 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 | 1 |
| PHYSICAL FACILITIES | |
| 41. Plumbing: proper backflow devices | 1 |
| 42. Garbage and refuse properly disposed; facilities m | 1 |
| 43. Toilet facilities: properly constructed, supplied, clea | ⊘ |
| 44. Premises; personal/cleaning items; vermin-proofin | 1 |

| 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 | ⊘ |
| COMPLIANCE & ENFORCEMENT | |
| 49. Permits Available | |
| 50. Restrooms Required | |
| 51. Plan Review | |
| 52. VC&D | ⊘ |
| 53. Impoundment | |
| 54. Permit Suspension | |



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

| | | |
|---------------------------|---|--|
| POINTS 4 | Compliance date not specified | Inspector Comments: Observed employee, with gloves on, sanitize surface area of cook's line along with knife used to cut burrito with quaternary ammonia sanitizer towel then attempt to handle food. Corrected: Instructed employee to remove gloves, wash hands and replace gloves. Ensure that single-use gloves are used for only one task, such as working with ready-to-eat food or with raw food of animal origin, and are used for no other purpose. |
| | Complied on 4/28/2021 Violation Reference - | |

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 4/28/2021
Violation Reference - HSC -
113996, 113998, 114037

Inspector Comments: Observed the following units(s) unable to maintain temperature:

- Cold holding unit(s) under the grill
- Cold prep unit located adjacent to grill

Since the unit was not able to maintain temperature the following foods were measured and observed at the following temperature:

- Unit under the grill
- One (1) container of taquitos (13 count) 53F
 - One (1) container of fish 53F
 - One (1) container of pre- wrapped meat 51F-52F
 - One (1) container of shrimp 50F
 - One (1) container of sliced fish 51-52F
 - One(1) container of fish batter 53F
 - One (1) container of batter 53F
- Corrected on site: See VC&D.

- Unit adjacent to grill
- One (1) container of cheese (sharp) 50F
 - One (1) container of cheese (mixed) 51F
 - One (1) container of salsa 53F
 - One (1) container of veggies 51F
 - One (1) container of tomatoes 52F

Operator stated that these item(s) were just replace and put into the unit no more than 1hr and 30mins. Operator was advised to remove food item(s) walk-in or place food items under time control (operator was given form).

Corrected on site: Operator move food item(s) under time control.

- When using time as control only, the following conditions must be met:
- (1)The food shall be marked or otherwise identified to indicate the time that is four hours past the point in time when the food is removed from temperature control.
 - (2) The food shall be cooked and served, served if ready-to-eat, or discarded within four hours from the point in time when the food is removed from temperature control.
 - (3) The food in unmarked containers or packages or marked to exceed a four-hour limit shall be discarded.
 - (4) Written procedures shall be maintained in the food facility and made available to the enforcement agency upon request.

NOTE: A written procedure template and record logs were given to the operator.

A- reinspection will be conducted in 24hours to determine compliance for unit(s).

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

30. FOOD STORAGE; FOOD STORAGE CONTAINERS IDENTIFIED

POINTS
1
Compliance date not specified
Not In Compliance
Violation Reference - HSC -
114047, 114049, 114051

Inspector Comments: Observed one (1) unlabeled container of seasoning (salt) located on prep table.

Label this container and ensure that food or ingredients removed from original packages are identified with the common name of the food, if not easily identifiable.

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))



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34. WAREWASHING FACILITIES: INSTALLED, MAINTAINED, USED; TEST STRIPS

| | | |
|---------------------------|--|---|
| POINTS 1 | Compliance date not specified Not In Compliance | Inspector Comments: Observed no sanitizer test strips available for use on site. |
| | Violation Reference - HSC - 114067(f,g), 114099 | Ensure to maintain a supply of appropriate sanitizer test strips to accurately measure the concentration of sanitizing solutions. |

Violation Description: Food facilities that prepare food shall be equipped with warewashing facilities. Testing equipment and materials shall be provided to measure the applicable sanitization method. (114067(f,g), 114099, 114099.3, 114099.5, 114101(a), 114101.1, 114101.2, 114103, 114107, 114125) A thermometer must be readily available to monitor the temperature of the water at the warewashing sink. A warewashing sink used to wash wiping cloths, wash produce, or thaw food must be cleaned and sanitized before and after each use.

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

36. EQUIPMENT, UTENSILS AND LINENS: STORAGE AND USE

| | | |
|---------------------------|---|--|
| POINTS 1 | Compliance date not specified Not In Compliance | Inspector Comments: Observed residual food debris attached to the interior portion of a clean pan stacked on the clean dish storage rack by the compartment sink. |
| | Violation Reference - HSC - 114074, 114081, 114119 | Discontinue this practice and ensure that all utensils are stored clean. |

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)

43. TOILET FACILITIES: PROPERLY CONSTRUCTED, SUPPLIED, CLEANED

| | | |
|---------------------------|--|---|
| POINTS 1 | Compliance date not specified Not In Compliance | Inspector Comments: Observed toilet tissue stored on the toilet tank, rather than in the installed dispenser inside the mens restroom. |
| | Violation Reference - HSC - 114250, 114276 | Discontinue this practice. Provide toilet tissue in an installed dispenser at all times. |

Violation Description: Toilet facilities shall be maintained clean, sanitary and in good repair for use by employees and patrons. Toilet rooms shall be separated by a well-fitting, self-closing door. Toilet tissue shall be provided in a permanently installed dispenser at each toilet. Location of toilet facilities used by patrons shall not be located to pass through food preparation, food storage, or utensil washing areas. (114250, 114250.1, 114276)

45. FLOORS, WALLS AND CEILINGS: BUILT, MAINTAINED, AND CLEAN

| | | |
|---------------------------|--|--|
| POINTS 1 | Compliance date not specified Not In Compliance | Inspector Comments: Observed food debris accumulation on the floors throughout the facility especially in the back storage area room. |
| | Violation Reference - HSC - 114143 (d), 114266 | Clean the floors and maintain all floors clean. |

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))



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48. FOOD HANDLER CERTIFICATION

| | | |
|---|---|---|
| POINTS <div style="border: 1px solid black; padding: 5px; display: inline-block; font-size: 24pt; font-weight: bold;">3</div> | Compliance date not specified Not In Compliance Violation Reference - SBCC - 33.0409 | Inspector Comments: Observed one (1) food service workers at this facility without a current/ valid San Bernardino County food handler/ worker card. Provide a valid San Bernardino County Food Handler card for each of these workers within 14 days. A missing food handler card information and verification sheet was provided to fill out and fax and return to San Bernardino County Environmental Health Services department. Fax to (909)387-4323 or send to sbcfoodworker@gmail.com <u>Failure to do so will result in a charged re-inspection to verify compliance.</u> |
|---|---|---|

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 <div style="border: 1px solid black; padding: 5px; display: inline-block; font-size: 24pt; font-weight: bold;">0</div> | Compliance date not specified Not In Compliance Violation Reference - HSC - 113980 | Inspector Comments: The following items were voluntarily consented to the condemnation by the operator: - One (1) container of cheese (sharp) 50F - One (1) container of cheese (mixed) 51F - One (1) container of salsa 53F - One (1) container of veggies 51F - One (1) container of tomatoes 52F |
|---|---|---|

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
- A permit suspension (closure) on your last graded inspection.

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



Public Health
Environmental Health Services

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

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Letter grade "B" was posted on this date.

DO NOT REMOVE, RELOCATE, OR ALTER LETTER GRADE PLACARD.

A re-inspection will be conducted on 04/29/21 to determine compliance for cold holding unit under grill area and cold prep unit adjacent from the grill.

A missing food handler card information and verification sheet was provided at this time. This form must be received by our office by 05/12/20 to avoid a billable reinspection at a minimum charge of \$122.50.

A PEP Talk was given on this date.

The following handouts were provided:

- Time as a Public Health Control Procedure Template
- Time Stamp Monitoring Log
- State Food Safety Compliance Form
- Request for a Re-Score Inspection
- Top 5 CDC Risk Factors

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: Alexis Poggio
TITLE: Manager