



**CAL CODE OFFICIAL INSPECTION REPORT**

FACILITY NAME <b>EL REY SUPERMARKET</b>		DATE 11/5/2020	REINSPECTION DATE 11/19/2020	PERMIT EXPIRATION 12/31/2020
LOCATION 2337 N SIERRA WY, SAN BERNARDINO, CA 92405			INSPECTOR Rubi Guido	
MAILING ADDRESS 2337 N SIERRA WAY, SAN BERNARDINO CA 92405			IDENTIFIER: Prepackaged Market	
			SERVICE: 001 - Inspection - Routine	
			RESULT: 05 - Corrective Action / Follow up Required	
			ACTION: 03 - Reinspection Required	
TIME IN 4:31 PM	TIME OUT 5:30 PM	FACILITY ID FA0015865	RELATED ID PR0039256	PE 1684

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 92**

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
<span style="color: green;">○</span> In	N/O 1. Demonstration of knowledge; food safety certification			2
EMPLOYEE HEALTH & HYGIENIC PRACTICES				
<span style="color: green;">○</span> In	2. Communicable disease; reporting, restrictions & excl			4
<span style="color: green;">○</span> In	N/O 3. No discharge from eyes, nose, and mouth			2
<span style="color: green;">○</span> In	N/O 4. Proper eating, tasting, drinking or tobacco use			2
PREVENTING CONTAMINATION BY HANDS				
<span style="color: green;">○</span> In	N/O 5. Hands clean and properly washed; gloves used prop		4	2
<span style="color: green;">○</span> In	6. Adequate handwashing facilities supplied & accessib			2
TIME AND TEMPERATURE RELATIONSHIPS				
In	N/O N/A 7. Proper hot and cold holding temperatures	<span style="color: blue;">+</span>	<span style="color: red;">⊘</span>	2
In	N/O <span style="color: blue;">○</span> N/A 8. Time as a public health control; procedures & record			4 2
In	<span style="color: blue;">○</span> N/O N/A 9. Proper cooling methods			4 2
In	N/O <span style="color: blue;">○</span> N/A 10. Proper cooking time & temperatures			4
In	N/O <span style="color: blue;">○</span> N/A 11. Proper reheating procedures for hot holding			4
PROTECTION FROM CONTAMINATION				
In	<span style="color: blue;">○</span> N/O N/A 12. Returned and reserve of food			2
<span style="color: green;">○</span> In	13. Food in good condition, safe and unadulterated			4 2
<span style="color: green;">○</span> In	N/O N/A 14. Food contact surfaces: clean and sanitized			4 2

FOOD FROM APPROVED SOURCES		COS	MAJ	OUT
<span style="color: green;">○</span> In	15. Food obtained from approved source		4	
In	N/O <span style="color: blue;">○</span> N/A 16. Compliance with shell stock tags, condition, display			2
In	N/O <span style="color: blue;">○</span> N/A 17. Compliance with Gulf Oyster Regulations			2
CONFORMANCE WITH APPROVED PROCEDURES				
In	<span style="color: blue;">○</span> N/A 18. Compliance with variance, specialized process, and HACCP Plan			2
CONSUMER ADVISORY				
In	N/O <span style="color: blue;">○</span> N/A 19. Consumer advisory provided for raw or undercooked foods			2
HIGHLY SUSCEPTIBLE POPULATIONS				
In	<span style="color: blue;">○</span> N/A 20. Licensed health care facilities/public and private schools; prohibited foods not offered		4	
WATER/HOT WATER				
<span style="color: green;">○</span> In	21. Hot and cold water available		4	2
LIQUID WASTE DISPOSAL				
<span style="color: green;">○</span> In	22. Sewage and wastewater properly disposed		4	2
VERMIN				
<span style="color: green;">○</span> 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	<span style="color: red;">⊘</span>
36. Equipment, utensils and linens: storage and use	<span style="color: red;">⊘</span>
38. Adequate ventilation and lighting; designated area	1
39. Thermometers provided and accurate	<span style="color: red;">⊘</span>
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	<span style="color: red;">⊘</span>
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	3
COMPLIANCE & ENFORCEMENT	
49. Permits Available	
50. Restrooms Required	
51. Plan Review	
52. VC&D	<span style="color: red;">⊘</span>
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 11/5/2020</p> <p>Violation Reference - HSC - 113996, 113998, 114037</p>	<p><b>Inspector Comments:</b> Measured the internal temperature of the following potentially hazardous foods (PHFs) at 48F-55F, stored in the open display cooler (ambient temperature at 50F) located across from the meat department:</p> <ul style="list-style-type: none"> <li>- Big Buy bacon</li> <li>- Hoffy bacon</li> <li>- FUD selecto bacon</li> <li>- FUD tocino bacon</li> <li>- Hormel original bacon</li> <li>- Farmer John premium bacon</li> <li>- Bar S hot links</li> </ul> <p>The manager stated that the above items were stored in the unit for over 24 hours.</p> <p>Ensure all potentially hazardous foods are held at 41F or below for cold holding and 135F or above for hot holding.</p> <p>Note: The manager removed the items from the sales floor. See VC&amp;D for details. Corrected on site.</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)

**35. EQUIPMENT/UTENSILS - APPROVED; INSTALLED; CLEAN; GOOD REPAIR, CAPACITY**

<b>POINTS</b> <b>1</b>	<p>Compliance date not specified Not In Compliance</p> <p>Violation Reference - HSC - 114130, 114130.1, 114130</p>	<p><b>Inspector Comments:</b> Measured the ambient temperature of the display cooler (holding PHFs) at 50F, located across from the meat department.</p> <p>Discontinue the use of this equipment for the storage of potentially hazardous foods. Repair the refrigeration unit. All utensils and equipment shall be fully operative and in good repair. Ensure the ambient temperature of this unit measures 41F or below and is capable of holding and maintaining the internal temperature of potentially hazardous foods at 41F or below.</p> <p>Note: A follow-up inspection will be conducted on 11/9/20 to determine compliance. If compliance is not met upon reinspection, then a billable re-inspection will follow.</p>
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**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)

**36. EQUIPMENT, UTENSILS AND LINENS: STORAGE AND USE**

<b>POINTS</b> <b>1</b>	<p>Compliance date not specified Not In Compliance</p> <p>Violation Reference - HSC - 114074, 114081, 114119</p>	<p><b>Inspector Comments:</b> Observed two (2) unfastened pressurized cylinders stored behind the counter located to the right of the front office.</p> <p>Pressurized cylinders must be securely fastened to a rigid structure.</p>
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**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)

**39. THERMOMETERS PROVIDED AND ACCURATE**

<b>POINTS</b> <b>1</b>	<p>Compliance date not specified Not In Compliance</p> <p>Violation Reference - HSC - 114157, 114159</p>	<p><b>Inspector Comments:</b> Observed missing thermometers in the dairy cooler.</p> <p>A thermometer shall be provided for each cold holding unit of potentially hazardous food.</p>
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**Violation Description:** An accurate easily readable metal probe thermometer suitable for measuring temperature of food shall be available to the food handler. A thermometer +/- 2 F shall be provided for each hot and cold holding unit of potentially hazardous foods and high temperature warewashing machines. (114157, 114159)

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



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**43. TOILET FACILITIES: PROPERLY CONSTRUCTED, SUPPLIED, CLEANED**

<b>POINTS</b> <b>1</b>	Compliance date not specified	<b>Inspector Comments:</b> Observe toilet paper stored outside of the dispenser in the women's restroom.  Toilet paper shall be provided in a permanently installed dispenser at each toilet.
	Not In Compliance Violation Reference - HSC - 114250, 114276	

**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)

**52. VC & D**

<b>POINTS</b> <b>0</b>	Compliance date not specified	<b>Inspector Comments:</b> The manager voluntarily consented to the condemnation of the following items: - Big Buy bacon (10 3lb packages) - Hoffy bacon (24 12oz packages) - FUD selecto bacon (32 8.8oz packages) - FUD tocino bacon (25 12oz packages) - Hormel original bacon (6 12oz packages) - Farmer John premium bacon (19 12oz packages) - Bar S hot links (13 3lb packages)
	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
- 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**

"A" grade card posted on this date.

PEP talk given.

The following documents were provided:

- Top 5 CDC Risk Factors
- Active Managerial Control handout
- Risk Based Inspection Frequency handout



Public Health  
Environmental Health Services

[www.SBCounty.gov](http://www.SBCounty.gov)  
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#### 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 SIGNATURE

NAME: Francisco Munoz  
TITLE: Manager