



CAL CODE OFFICIAL INSPECTION REPORT

FACILITY NAME MARQUIS		DATE 5/1/2019	REINSPECTION DATE 7/01/2019	PERMIT EXPIRATION 6/30/2019
LOCATION 1036 W HIGHLAND AV, SAN BERNARDINO, CA 92405			INSPECTOR Rubi Guido	
MAILING ADDRESS 1036 W HIGHLAND AV, SAN BERNARDINO, CA 92405			IDENTIFIER: None	
TIME IN 2:30 PM	TIME OUT 5:25 PM	FACILITY ID FA0010058	RELATED ID PR0005515	PE 1621
			SERVICE: 014 - Food - Billable Elevated Risk Inspection RESULT: 05 - Corrective Action / Follow up Required ACTION: 03 - Reinspection Required	

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	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, 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	⊗
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	⊗
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	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 5/1/2019
Violation Reference - HSC -
113996, 113998, 114037

Inspector Comments: A) Measured a half tomato at 76F stored in a container on top of preparation table without any intervention of temperature control. Employee stated tomato was placed there one (1) hour prior to questioning.

Ensure all potentially hazardous foods are held at 41F or below for cold holding and 135F or above for hot holding.

Note: Employee was instructed to place in stand up cooler. Corrected on site.

B) Measured meat with chili at 45F stored in stand up cooler. Employee stated that it was placed in the cooler at 10am, 4.5 hours prior to questioning. Employee stated that he/she prepared it at his/her home and brought to facility to prepare burritos.

Ensure all potentially hazardous foods are held at 41F or below for cold holding and 135F or above for hot holding. Food shall not be prepared, packaged, stored, or handled in a private home for sale at a food facility without an approved permit to do so.

Note: Employee voluntarily discarded meat with chili. Corrected on site. See VC&D for details.

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



Public Health
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1. DEMONSTRATION OF KNOWLEDGE; FOOD SAFETY CERTIFICATION

POINTS

2

Compliance date not specified
Not In Compliance
Violation Reference - HSC -
113947-113947.1

Inspector Comments: A) Upon questioning, employee at the kitchen was unable to demonstrate adequate knowledge in the following areas:

1. Proper cooking temperatures for chicken and beef. Employee stated that he/she did not know the internal cooking temperatures.

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

Note: Employee was educated at the time of inspection. Corrected on site.

2. Proper warewashing procedures. Employee stated that he/she goes through wash, rinse, and then dries with a towel without sanitizing prior to drying.

Ensure all employees are able to demonstrate knowledge of and are properly trained in food safety. Ensure all employees are following the proper warewashing procedures as follows: wash, rinse, sanitize (100 parts per million for chlorine and 200 parts per million for quaternary ammonium), and air dry.

Note: Employee was educated at time of inspection. Corrected on site.

B) Upon questioning, employee at the bar was unable to demonstrate adequate knowledge in sanitizer concentration and how to test the concentration for chlorine. Employee used quaternary ammonium strips to test the concentration for chlorine and stated concentration should be at 50 parts per million.

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

Note: Employee was educated at time of inspection. Corrected on site.

C) Observed Certified Food Manager's Certificate missing.

Obtain at least one food manager certificate from one of the below accredited organizations that has been certified by the American National Standards Institute (ANSI):

- 360training.com, Inc.- Learn2Serve® Food Protection Manager Certification Program
- National Registry of Food Safety Professionals- Food Protection Manager Certification Program
- National Restaurant Association-ServSafe® Food Protection Manager Certification Program
- Prometric Inc.- Food Protection Manager Certification Program
- AboveTraining/StateFoodSafety.com

Provide manager's certificate at facility within 60 days. Non-compliance will result in a future charged inspection at an hourly rate of \$245.

Note: Original certificate must be available at facility in order to be valid.

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>



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6. ADEQUATE HANDWASHING FACILITIES SUPPLIED & ACCESSIBLE

POINTS 2	Compliance date not specified Not In Compliance Violation Reference -	Inspector Comments: Observed missing paper towels and empty hand soap dispenser at the 3-compartment sink in the kitchen. Ensure all handwashing sinks are stocked with hand soap, paper towels, and warm water at a temperature of at least 100F at all times. Note: This is a repeat violation.
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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)

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: A) Observed an uncovered half package of "Chili Con Carne" and an uncovered package of ham stored in the stand up freezer. All food shall be stored, prepared, displayed, or held so that it is protected from contamination. B) Observed half of a tomato stored directly on a carton of eggs in the stand up cooler. All food shall be stored, prepared, displayed, or held so that it is protected from contamination. Note: Employee voluntarily discarded the tomato. Corrected on site. See VC&D for details.
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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.

30. FOOD STORAGE; FOOD STORAGE CONTAINERS IDENTIFIED

POINTS 1	Compliance date not specified Complied on 5/1/2019 Violation Reference - HSC - 114047, 114049, 114051	Inspector Comments: Observed a sack of potatoes stored on the floor under 3-compartment sink. Food shall be stored at least 6" above the floor on approved shelving in an approved location to prevent possible contamination. Note: Employee removed sack of potatoes. Corrected on site.
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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: A) Observed black and pink substance accumulation behind deflector plate in ice machine. All nonfood-contact surfaces of utensils and equipment shall be clean.
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Violation Description: All nonfood contact surfaces of utensils and equipment shall be clean. (114115 (c))



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

POINTS	Compliance date not specified Not In Compliance Violation Reference - HSC - 114130, 114130.1, 114130
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1

Inspector Comments: A) Observed the following equipment to be in disrepair or not in use:
 - Toaster oven on preparation table next to 3-compartment sink.
 - Cold holding unit with reach-in cooler next to cook line.
 - large ice machine in dry storage room next to office.
 - "Kenmore" residential unit next to pool table.
 - Beer cooler at the bar.

Repair/replace. Ensure all equipment is in good working condition.

Note: This is a repeat violation.

B) Observed scoop without handle in container of salt stored on shelf under cook line.

Discontinue this practice. Ensure all scoops have a designated hand contact surface, handle, and that the handle is stored out of direct contact with the food to prevent potential contamination of the food.

Note: Employee removed scoop. Corrected on site.

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

POINTS	Compliance date not specified Not In Compliance Violation Reference - HSC - 114074, 114081, 114119
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1

Inspector Comments: A) Observed ice scoop stored in compartment with alcohol bottles with food contact surface of scoop touching the bottles.

Utensils and equipment shall be handled and stored so as to be protected from contamination.

Note: Employee removed ice scoop. Corrected on site.

B) Observed dirty cups stored with clean cups at the bar.

Utensils and equipment shall be handled and stored so as to be protected from contamination.

C) Observed two (2) pressurized cylinders in storage room next to ice machine.

Pressurized cylinders must be securely fastened to a rigid structure.

D) Observed ice scoop stored directly on top of ice machine.

Utensils and equipment shall be handled and stored so as to be protected from contamination.

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	Compliance date not specified Not In Compliance Violation Reference - HSC - 114135, 114185.1
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1

Inspector Comments: Observed wet towels stored in 3-compartment sink, on preparation table, and on counter at the bar. Employee stated he/she uses towels to wipe hands and clean food contact surfaces.

Ensure, after every use, wet wiping cloths are returned to sanitizer solution and are completely submerged in 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)



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43. TOILET FACILITIES: PROPERLY CONSTRUCTED, SUPPLIED, CLEANED

POINTS 1	Compliance date not specified Not In Compliance	Inspector Comments: Observed toilet paper rolls stored on top of toilets in all three (3) restrooms. Toilet paper shall be provided in a permanently installed dispenser at each toilet.
	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)

44. PREMISES; PERSONAL/CLEANING ITEMS; VERMIN-PROOFING

POINTS 1	Compliance date not specified Complied on 5/1/2019	Inspector Comments: Observed an employee drink stored on preparation table while active food preparation occurring. Provide a designated area for employee's personal items that is separate from customer food and food contact surfaces.
	Violation Reference - HSC - 114067 (j), 114123	

Note: Employee removed drink. Corrected on site.

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

POINTS 1	Compliance date not specified Not In Compliance	Inspector Comments: Observed holes in wall and ceiling in the hallway to left of the kitchen. Eliminate all holes/crevices. Ensure floors, walls, and ceilings are in good repair.
	Violation Reference - HSC - 114143 (d), 114266	

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

POINTS 1	Compliance date not specified Not In Compliance	Inspector Comments: Last inspection report was not available at the time of inspection. The last inspection report shall be available at the facility upon request.
	Violation Reference - HSC - 113725.1, 113953.5	

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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52. VC & D

POINTS

0

Compliance date not specified
Not In Compliance
Violation Reference - HSC -
113980

Inspector Comments: Employee voluntarily consented to the condemnation and destruction of approximately two (2) pounds of meat with chili and one (1) half of a tomato.

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.

Overall Inspection Comments

"B" grade card posted on this date.

PEP Talk declined.

The following were provided:

- Top 5 CDC Risk Factors
- Active Managerial Control handout
- Re-score form
- Liaison Education and Risk Network handout

NOTE:

Non-compliance will result in a charged follow-up inspection at an hourly rate of \$245.

DO NOT REMOVE, RELOCATE OR MOVE LETTER GRADE.

Signature(s) of Acknowledgement

NAME: Melissa Renee Laster
TITLE: Employee