



CAL CODE OFFICIAL INSPECTION REPORT

FACILITY NAME LEGEND'S WINGS & BREWS		DATE 2/4/2019	REINSPECTION DATE 2/18/2019	PERMIT EXPIRATION 9/30/2019
LOCATION 1520C N MOUNTAIN AV 111, ONTARIO, CA 91762			INSPECTOR Sujin Lee	
MAILING ADDRESS 3111 N 31ST AV, PHOENIX AZ 85017			IDENTIFIER: None	
			SERVICE: 001 - Inspection - Routine	
			RESULT: 05 - Corrective Action / Follow up Required	
			ACTION: 03 - Reinspection Required	
TIME IN 1:42 PM	TIME OUT 4:40 PM	FACILITY ID FA0014780	RELATED ID PR0019521	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 83

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			4	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			2
In	N/O	○ N/A	9. Proper cooling methods			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	+	⊗	2
In	N/O	N/A	14. Food contact surfaces: clean and sanitized	+	4	⊗

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	1
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	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	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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7. PROPER HOT AND COLD HOLDING TEMPERATURES

MAJOR

POINTS

4

Compliance date not specified
Complied on 2/4/2019
Violation Reference - HSC -
113996, 113998, 114037

Inspector Comments:

Observed the following potentially hazardous food (PHF) holding in improper temperatures:

Inside the Alto-Shaam warmer:

1. Fried chicken was measured at 112 degree F.
The operator stated the chicken was stored in this unit for approximately 10 minutes. The operator stated all chicken gets used within 20 minutes. The written procedures or label was not observed at the facility.

Corrected on site. The manager provided the label.

2. Cooked potato was measured at 100 degree F.
The operator stated the potato was stored in this unit for approximately 1 hour.

Corrected on site. The manager provided the label.

Inside the cold holding drawers:

1. Raw beef was measured at 46.3 degree F
The operator stated the beef was stored in this unit since yesterday.

2. Jalapeno poppers at 46.5 degree F
The operator stated the jalapeno poppers were stored in this unit since yesterday.

Inside the hot holding cabinet:

1. Cooked chicken wings at 110 degree F
The operator stated the chicken was stored in this unit for approximately 1 hour. The operator stated all chicken stored in this unit is being used within 2 hours. The written procedures or label was not observed at the facility.

Corrected on site. The manager provided the label.

In front of fryer.

1. The flour used to dip raw chicken was observed stored in room temperature.
The operator stated the flour is being replaced approximately every 2 hours. The written procedures or label was not observed at the facility.

Corrected on site. The manager provided the label.

Maintain temperatures of all PHF at or below 41 degree F or at or above 135 degree F. Or, ensure food is marked or otherwise identified that it had been out of temperature control for less than four hours. Written procedures shall be maintained in the facility and made available to the enforcement agency upon request. Ensure all foods under time control are discarded after 4 hours.

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



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

POINTS 4	<p>Compliance date not specified Complied on 2/4/2019 Violation Reference - HSC - 113967, 113976,</p>	<p>Inspector Comments: Observed one can of Del Monte tomato paste to be severely dented on the seam on the shelves in the dry storage area. Discard deeply dented can as soon as possible. Corrected on site. The manager was instructed to discard the dented can.</p>
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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: <http://www.sbcounty.gov/uploads/dph/dehs/Depts/EnvironmentalHealth/FormsPublications/TransFatFlyer22012.pdf>

14. FOOD CONTACT SURFACES: CLEAN AND SANITIZED

POINTS 2	<p>Compliance date not specified Complied on 2/4/2019 Violation Reference - HSC - 113984(e), 114097, 114099</p>	<p>Inspector Comments: 1. Observed brown mold-like substance on the outer and inner part of the deflector of ice machine located in the kitchen. The ice was not observed to be in use. Clean and sanitize the ice machine free from mold-like substance. Corrected on site. The operator cleaned and sanitized the ice machine. 2. Observed leaks from ceiling vents and corner of light on the ceiling directly above the following areas. It was observed raining at the time of the inspection. a. Handwashing sink located at cook's line b. Cold holding refrigeration unit located left side of the handwashing sink c. On the floor in front of the cold holding refrigeration unit located left side of the handwashing sink. Do not store any food equipment and food in and on the cold holding compartment and the cutting board. Clean and sanitize the affected areas. Maintain the ceiling in the good repair. Corrected on site. The manager removed all food equipment from this area. A follow-up inspection will be conducted on or after 2/6/2019 to determine compliance. Failure to comply may result in a billable re-inspection at \$245/hour with 30 minutes minimum.</p>
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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: <http://www.sbcounty.gov/uploads/dph/dehs/Depts/EnvironmentalHealth/FormsPublications/TowelSanitizingSolution.pdf>



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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 the following food items stored directly on the floor in the following areas: Inside walk-in refrigerator: 1. 4 red containers of wing sauce 2. 1 container of sour cream Inside a double-door cabinet adjacent to beer walk-in refrigerator: 1. 4 boxes of ketchup In dry storage area: 1. One box of soda syrup Store all food items at least 6 inches from the floor to protect from splash, dust, vermin, or other forms of contamination or adulteration.
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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))

36. EQUIPMENT, UTENSILS AND LINENS: STORAGE AND USE

POINTS 1	Compliance date not specified Not In Compliance Violation Reference - HSC - 114074, 114081, 114119	Inspector Comments: 1. Observed a handle of scoop in direct contact with flour in a white bin in dry storage area. 2. Observed a handle of soda gun in direct contact with ice in bar area. Store all scoops so that the handles do not come in contact with food.
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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)

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

POINTS 1	Compliance date not specified Not In Compliance Violation Reference - HSC - 114067 (j), 114123	Inspector Comments: 1. Observed an employee's coffee cup with lid and open cup of coke stored on the sauce preparation table in rear kitchen. 2. Observed a half-filled bottle of water stored next to and above sauce intended for customers on the shelves in walk-in refrigerator. Store employee's food/beverage/belongings away from the customers' food and food contact surfaces. Provide a designated area to store employee's food/beverage/belongings.
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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)



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

POINTS 1	Compliance date not specified Not In Compliance Violation Reference - HSC - 114143 (d), 114266	Inspector Comments: 1. Observed accumulation of dirt on the floor underneath the ice machine located in rear kitchen. 2. Observed heavy accumulation of dirt on the floor underneath and behind the CO2 cylinders in rear kitchen. Maintain all floors in a clean and sanitary condition. 3. Observed a hole on the wall behind the washer and dryer adjacent to the janitorial sink. Seal all holes to prevent vermin harboring.
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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))

48. FOOD HANDLER CERTIFICATION

POINTS 3	Compliance date not specified Not In Compliance Violation Reference - SBCC - 33.0409	Inspector Comments: Fourteen food employees were observed to be lacking valid food handler certifications and the employment began more than 14 days prior. Provide valid San Bernardino County Food Handler Cards within fourteen (14) days. A missing food handler card information and verification sheet was provided to fill out and fax to (909) 387-4323 or email to sbcfoodworker@gmail.com . Failure to comply will result in billable follow up inspection at an hourly rate of \$245/hour with 30 minutes minimum.
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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

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



Public Health
Environmental Health Services

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A "B" grade card was posted on the window.

The following handouts/form was provided:

1. Missing food handler cards-inspector handout
2. Request for a re-score inspection
3. San Bernardino County food handler training online
4. Top 5 CDC risk factors
5. Food facility risk based inspection frequency

A "PEP talks video" was presented.

A complaint inspection was conducted in conduction with the routine inspection.

Signature(s) of Acknowledgement

NAME: Abraham Olivares
TITLE: Manager