

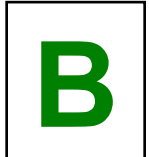


**CAL CODE OFFICIAL INSPECTION REPORT**

FACILITY NAME LOTUS GARDEN RESTAURANT		DATE 9/5/2019	REINSPECTION DATE 9/19/2019	PERMIT EXPIRATION 6/30/2020
LOCATION 111 E HOSPITALITY LN, SAN BERNARDINO, CA 92408			INSPECTOR John Babalola	
MAILING ADDRESS 111 E HOSPITALITY LN, SAN BERNARDINO CA 92408			IDENTIFIER: None	
TIME IN 1:40 PM	TIME OUT 3:51 PM	FACILITY ID FA0005879	RELATED ID PR0007140	PE 1622
			SERVICE: 001 - Inspection - Routine	
			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 80**

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		4	<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
<span style="color: green;">○</span> In	N/O N/A 9. Proper cooling methods		4	2
<span style="color: green;">○</span> In	N/O N/A 10. Proper cooking time & temperatures		4	
<span style="color: green;">○</span> In	N/O N/A 11. Proper reheating procedures for hot holding		4	
PROTECTION FROM CONTAMINATION				
<span style="color: green;">○</span> In	N/O N/A 12. Returned and reserve of food			2
In	13. Food in good condition, safe and unadulterated		4	<span style="color: red;">⊗</span> 2
In	N/O N/A 14. Food contact surfaces: clean and sanitized	<span style="color: blue;">+</span>	<span style="color: red;">⊗</span>	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				
In	23. No rodents, insects, birds, or animals		4	<span style="color: red;">⊗</span> 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	<span style="color: red;">⊗</span>
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	<span style="color: red;">⊗</span>
34. Warewashing facilities: installed, maintained, used	1
35. Equipment/Utensils approved; installed; clean; good repa	1
36. Equipment, utensils and linens: storage and use	<span style="color: red;">⊗</span>
38. Adequate ventilation and lighting; designated area	<span style="color: red;">⊗</span>
39. Thermometers provided and accurate	1
40. Wiping cloths: properly used and stored	<span style="color: red;">⊗</span>
PHYSICAL FACILITIES	
41. Plumbing: proper backflow devices	<span style="color: red;">⊗</span>
42. Garbage and refuse properly disposed; facilities m	1
43. Toilet facilities: properly constructed, supplied, clea	1
44. Premises; personal/cleaning items; vermin-proofin	1

PERMANENT FOOD FACILITIES	OUT
45. Floor, walls, ceilings: built, maintained, and clean	<span style="color: red;">⊗</span>
46. No unapproved private homes/living or sleeping qu	1
SIGNS REQUIREMENTS	
47. Signs posted; last inspection report available	1
48. Food handler cards	<span style="color: red;">⊗</span>
COMPLIANCE & ENFORCEMENT	
49. Permits Available	
50. Restrooms Required	
51. Plan Review	
52. VC&D	<span style="color: red;">⊗</span>
53. Impoundment	
54. Permit Suspension	



Public Health  
Environmental Health Services

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#### 14. FOOD CONTACT SURFACES: CLEAN AND SANITIZED



##### POINTS

4

Compliance date not specified  
Complied on 9/5/2019  
Violation Reference - HSC -  
113984(e), 114097, 114099

**Inspector Comments:** Observed the chlorine sanitizer level at the warewashing machine at 0.0 (zero) ppm at the time of inspection. Provide at least 50 ppm.

Note: Use the 2nd compartment of the 2-compartment sink in the warewashing machine area temporarily to sanitize the dishes/utensils.

The manager has contacted the repair person to come and repair the machine.

Observed grime buildup on the can opener blade. Maintain clean and sanitize at all times.

Observed slime buildup inside the beer master gun holder in te bar area. Maintain clean and sanitize at all times.

**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>

#### 7. PROPER HOT AND COLD HOLDING TEMPERATURES

##### POINTS

2

Compliance date not specified  
Not In Compliance  
Violation Reference - HSC -  
113996, 113998, 114037

**Inspector Comments:** Observed some food temperatures between 45 and 47 degrees F on cooks' line. Maintain cold food at 41 degrees F or below at all times.

**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)

#### 13. FOOD IN GOOD CONDITION, SAFE AND UNADULTERATED

##### POINTS

2

Compliance date not specified  
Not In Compliance  
Violation Reference - HSC -  
113967, 113976,

**Inspector Comments:** Observed bottles of liquor stored inside the ice that is served with drink in the bar area. Discontinue the practice of storing things inside the ice that is served with drink. 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:** <http://www.sbcounty.gov/uploads/dph/dehs/Depts/EnvironmentalHealth/FormsPublications/TransFatFlyer22012.pdf>

#### 23. NO RODENTS, INSECTS, BIRDS, OR ANIMALS

##### POINTS

2

Compliance date not specified  
Not In Compliance  
Violation Reference - HSC -  
114259.1, 114259.4, 11425

**Inspector Comments:** Observed few dead German roaches in the prep area. Take effective steps to eliminate roaches in the facility.

**Violation Description:** Food facility shall be kept free of vermin: rodents (rats, mice), cockroaches, flies. (114259.1, 114259.4, 114259.5) Live animals are not allowed in a food facility unless, food employees with service animals may handle or care for their service animal if they wash their hands as required or persons who are licensed pursuant to Chapter 11.5 of Division 3 of the Business and Professions Code. (114259.4, 114259.5)

#### 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 raw shell eggs stored above produce inside the walk-in cooler. Store raw shell eggs on the bottom shelf.

**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.



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**33. NONFOOD-CONTACT SURFACES CLEAN**

<b>POINTS</b> <b>1</b>	Compliance date not specified Not In Compliance	<b>Inspector Comments:</b> Observed grease buildup inside the cabinets under the fryer and WOK. Provide a thorough cleaning.
	Violation Reference - HSC - 114115 (c)	

**Violation Description:** All nonfood contact surfaces of utensils and equipment shall be clean. (114115 (c))

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

<b>POINTS</b> <b>1</b>	Compliance date not specified Not In Compliance	<b>Inspector Comments:</b> Observed water buildup on the bottom shelf inside the cold prep table on cooks' line. Maintain clean at all times.
	Violation Reference - HSC - 114074, 114081, 114119	

**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)

**38. ADEQUATE VENTILATION AND LIGHTING; DESIGNATED AREA**

<b>POINTS</b> <b>1</b>	Compliance date not specified Not In Compliance	<b>Inspector Comments:</b> Observed grease buildup on the filters above cooking equipment. Provide a thorough cleaning.  Observed lint buildup on the exhaust vent covers in both restrooms. Provide a thorough cleaning.
	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)

**40. WIPING CLOTHS: PROPERLY USED AND STORED**

<b>POINTS</b> <b>1</b>	Compliance date not specified Not In Compliance	<b>Inspector Comments:</b> Observed the concentration of the chlorine sanitizer inside the sanitizer water bucket at 0 0 ppm (zero). Provide at least 100 ppm.
	Violation Reference - HSC - 114135, 114185.1	

**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)

**41. PLUMBING; PROPER BACKFLOW DEVICES**

<b>POINTS</b> <b>1</b>	Compliance date not specified Not In Compliance	<b>Inspector Comments:</b> Observed slime and debris buildup inside the all floor sinks. Provide a thorough cleaning.
	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)



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

<b>POINTS</b> <b>1</b>	Compliance date not specified Not In Compliance Violation Reference - HSC - 114143 (d), 114266	<b>Inspector Comments:</b> Observed debris and grease buildup on the floor behind the cooking equipment. Provide a thorough cleaning.  Observed ice buildup inside the walk-in freezer. Defrost and provide a thorough cleaning.  Observed debris buildup on the floor, especially at corners, in the storage areas, in the bar area, and inside the walk-in cooler. Provide a thorough cleaning.
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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**

<b>POINTS</b> <b>3</b>	Compliance date not specified Not In Compliance Violation Reference - SBCC - 33.0409	<b>Inspector Comments:</b> Observed 2 employees without the San Bernardino County required food handler card. Obtain the food handler cards within 14 days as to avoid a billable inspection.  Note: Left a copy of missing food handler card form that must be returned to our office within 14 days.
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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](mailto:sbcfoodworker@gmail.com)

**More Information:** [http://www.sbcounty.gov/dph/dehs/Depts/EnvironmentalHealth/FIRST/food\\_worker\\_training.aspx](http://www.sbcounty.gov/dph/dehs/Depts/EnvironmentalHealth/FIRST/food_worker_training.aspx)

**52. VC & D**

<b>POINTS</b> <b>0</b>	Compliance date not specified Not In Compliance Violation Reference - HSC - 113980	<b>Inspector Comments:</b> Observed bottles of liquor stored inside about 6 lbs of ice that is served with drink in the bar area. Discontinue the practice of storing things inside the ice that is served with drink.  Note: This is discarded by the manager.
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**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**

Posted a B grade placard and left a copy of re-score inspection request form.



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[www.SBCounty.gov](http://www.SBCounty.gov)  
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**Signature(s) of Acknowledgement**

A handwritten signature in blue ink, appearing to be "R. Winckler".

NAME: Robert Winckler  
TITLE: General Manager