



CAL CODE OFFICIAL INSPECTION REPORT

FACILITY NAME MARQUIS		DATE 4/28/2021	REINSPECTION DATE 5/12/2021	PERMIT EXPIRATION 11/30/2021
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 1:35 PM	TIME OUT 3:28 PM	FACILITY ID FA0010058	RELATED ID PR0005515	PE 1621
			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 85

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

FOOD FROM APPROVED SOURCES		COS	MAJ	OUT
In			4	
15. Food obtained from approved source				
In	N/O	N/A		2
16. Compliance with shell stock tags, condition, display				
In	N/O	N/A		2
17. Compliance with Gulf Oyster Regulations				
CONFORMANCE WITH APPROVED PROCEDURES				
In		N/A		2
18. Compliance with variance, specialized process, and HACCP Plan				
CONSUMER ADVISORY				
In	N/O	N/A		2
19. Consumer advisory provided for raw or undercooked foods				
HIGHLY SUSCEPTIBLE POPULATIONS				
In		N/A	4	
20. Licensed health care facilities/public and private schools; prohibited foods not offered				
WATER/HOT WATER				
In			4	⊗
21. Hot and cold water available				
LIQUID WASTE DISPOSAL				
In			4	2
22. Sewage and wastewater properly disposed				
VERMIN				
In			4	2
23. No rodents, insects, birds, or animals				

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



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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, the employee was unable to demonstrate adequate knowledge of the warewashing procedure. The employee stated that the quaternary ammonium sanitizer concentration is 100 ppm for manual warewashing.

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

Note: The employee was educated at the time of inspection. Corrected onsite.

B) Observed missing Certified Food Manager's Certificate.

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>

6. ADEQUATE HANDWASHING FACILITIES SUPPLIED & ACCESSIBLE

POINTS
2

Compliance date not specified
Not In Compliance
Violation Reference -

Inspector Comments: Observed missing paper towel dispenser and missing paper towels at the 3-compartment sink (used for handwashing).

Ensure all handwashing sinks are equipped with hand soap and paper towels in dispensers.

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)

7. PROPER HOT AND COLD HOLDING TEMPERATURES

POINTS
2

Compliance date not specified
Complied on 4/28/2021
Violation Reference - HSC -
113996, 113998, 114037

Inspector Comments: Measured the internal temperature of monterey jack and cheddar shredded cheese at 45F, stored in the Pepsi merchandiser cooler that is located in the hallway storage room. The employee stated that the cheese was placed in the cooler at 10am, approximately four (4) hours 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: The employee voluntarily discarded the cheese. See VC&D for details. Corrected onsite.

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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21. HOT AND COLD WATER AVAILABLE

POINTS
2
Compliance date not specified
Not In Compliance
Violation Reference - HSC -
113953(c), 114099.2(b)

Inspector Comments: Observed the following:
- Very low cold water pressure at the 3-compartment sink in the kitchen.
- No cold water at the second 3-compartment sink at the bar. The owner stated that the water supply was turned off due to a leak from the water line.
- No hot water at the hand sinks in both the men's and women's restrooms located to the left of the kitchen. The employee/customer restroom near the back entrance was closed to employees and customers, but it was reopened at the time of inspection due to lack of hot water in the other two restrooms.
- No cold water at the janitorial sink. The owner restored the cold water at the time of inspection.

An adequate, pressurized supply of hot water shall be provided at a minimum temperature of 120°F when measured from the faucet and an adequate, pressurized supply of cold water shall be provided.

Note: A follow-up inspection will be conducted on 5/3/21 to verify compliance. If compliance is not met upon reinspection, then a billable re-inspection will follow.

Violation Description: An adequate, protected, pressurized, potable supply of hot water and cold water shall be provided at all times. (113953(c), 114099.2(b) 114101(a), 114189, 114192, 114192.1, 114195)

26. APPROVED THAWING METHODS USED, FROZEN FOOD

POINTS
1
Compliance date not specified
Complied on 4/28/2021
Violation Reference - HSC -
114018, 114020, 114020.1

Inspector Comments: Observed two (2) bags with frozen pork and frozen shrimp stored in the 3-compartment sink. The employee stated that these items were placed in the sink to thaw.

Food shall be thawed under refrigeration; completely submerged under cold running water (less than 70°F) of sufficient velocity for less than 2 hours; in microwave oven; or during the cooking process.

Note: The employee relocated these items to the upright refrigerator. Corrected onsite.

Violation Description: Food shall be thawed under refrigeration; completely submerged under cold running water (less than 70°F) of sufficient velocity to flush loose particles for less than 2 hours; in microwave oven; or during the cooking process. (114018, 114020, 114020.1)

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

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

POINTS
1
Compliance date not specified
Not In Compliance
Violation Reference - HSC -
114067(f,g), 114099

Inspector Comments: Observed missing quaternary ammonium test strips. The employee stated that there were no test strips available.

Testing equipment and materials shall be provided to measure the applicable sanitization method.

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>



Public Health
Environmental Health Services

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

POINTS

1

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

Inspector Comments: A) Observed unfinished/unsealed wooden shelves above the 3-compartment sink.

Equipment shall be approved, food-grade equipment for proper food storage/preparation that is NSF approved/ANSI certified or equivalent, and that is smooth, durable, and made of nonabsorbent material that is easily cleanable.

B) Observed one (1) unapproved Magic Chef microwave and one (1) unapproved Black and Decker toaster oven stored in the kitchen and not in use at this time.

Discontinue the use of this equipment. Obtain approved, food-grade equipment for proper food storage/preparation that is NSF approved/ANSI certified or equivalent, and that is smooth, durable, and made of nonabsorbent material that is easily cleanable. The facility must notify EHS Plan Check of equipment and must be approved by EHS Plan Check prior to installation/use of equipment.

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

1

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

Inspector Comments: A) Observed three (3) unfastened pressurized cylinders stored to the right of the second 3-compartment sink at the bar.

Pressurized cylinders must be securely fastened to a rigid structure.

B) Observed the second 3-compartment sink at the bar being used to store beer in ice.

Discontinue this practice. Equipment/sinks shall be used only for the intended use.

C) Observed one (1) Pepsi merchandiser cooler and one (1) Rockstar merchandiser cooler (located in the hallway storage room) being used to store open, potentially hazardous food.

Discontinue this practice. Equipment/sinks shall be used only for the intended use.

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)



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48. FOOD HANDLER CERTIFICATION

POINTS
3

Compliance date not specified
Not In Compliance
Violation Reference - SBCC - 33.0409

Inspector Comments: Observed one (1) employee without a valid and/or current San Bernardino County food worker card.

Provide current valid San Bernardino County food worker cards for these employees within 14 days.

A Missing Food Handler Cards- Inspector Handout was explained and left with the person in charge during the time of this inspection. Complete and return the completed handout and copies of all cards/certifications to San Bernardino County Environmental Health Services by email to sbcfoodworker@gmail.com or via mail or fax to 909-387-4323.

Fail to comply 100% will result in a charged inspection of \$122.50 minimum to verify compliance.

After this date, if these employees might no longer be working at this facility, person in charge shall clearly indicate the dates of termination onto the Missing Food Handler Cards- Inspector Handouts.

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

51. PLAN REVIEW

POINTS
0

Compliance date not specified
Not In Compliance
Violation Reference - HSC - 114380

Inspector Comments: Observed the following:

- One 3-compartment sink in the kitchen
- No other sinks in the kitchen
- No preparation sink
- Two 3-compartment sinks at the bar. The 3-compartment sinks are used for handwashing.
- No hand sinks at the bar
- Two (3) employee/customer restrooms
- One (1) janitorial sink

The owner stated the following:

- Is in the process of remodeling the bar and the restrooms.
- Tile floors will be installed at the bar and in the employee/customer restrooms.
- ADA compliant restroom will be constructed in the storage room (for tools), the janitorial sink will be relocated from the storage room, and the restroom (without a hand sink and restroom not in use) that is located in the storage room will be separated by a wall that will be built.
- No other changes will be made.

Note:

- Cease and desist all construction/remodeling.
- A person proposing to build or remodel a food facility shall submit plans for approval before starting any new construction or remodeling of any facility for use as a retail food facility. Contact San Bernardino County, Division of Environmental Health Services - Plan Check Department for remodeling inquiries at - 1-(800)-442-2283.
- Plans shall be submitted to and must be approved by Environmental Health Services before facility may begin construction/remodeling.
- Please refer to the Retail Food Facility Construction Guide.

Violation Description: A person proposing to build or remodel a food facility shall submit plans for approval before starting any new construction or remodeling of any facility for use as a retail food facility. (114380)



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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 employee voluntarily consented to the condemnation and destruction of approximately two (2) pounds of monterey jack and cheddar shredded cheese.
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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.

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

"B" grade card posted on this date.

PEP Talk given.

The following documents were provided:

- Missing Food Handler Cards– Inspector form
- Food Handler Training card
- Re-score form
- Top 5 CDC Risk Factors
- Proper Cooling Methods handout
- Active Managerial Control handout
- Risk Based Inspection Frequency handout
- Stickers: 3-Compartment Sink, Cold Hold, Handwashing, Cooking Temperatures

NOTE:

DO NOT REMOVE, OBSTRUCT IN ANY WAY, OR RELOCATE THE LETTER GRADE CARD.

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

When ready for re-inspection, submit a re-score inspection application.

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](#).



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Signature(s) of Acknowledgement

NO SIG

NAME: Ken Holt
TITLE: Manager