



**County of San Bernardino • Department of Public Health
Division of Environmental Health Services
COMMUNITY ENVIRONMENTAL HEALTH
CAL CODE OFFICIAL INSPECTION REPORT**

(800) 442-2283

www.sbcounty.gov/dph/dehs

FACILITY NAME WENDY'S 9330				DATE 2/23/2015	SIGNATURE	
LOCATION 187 S MOUNTAIN AV, UPLAND, CA 91786				REINSPECTION DATE 3/09/2015	PERMIT EXPIRATION 3/31/2015	
MAILING ADDRESS 29889 SANTA MARGARITA PKWY, RANCHO SANTA MARGARITA CA 92688				REHS Nicole Walker		
FA # FA0010998	PR # PR0003069	SR #	CO #	PE 1621	PROGRAM IDENTIFIER: Food	
TIME IN 11:38 AM	TIME OUT 2:45 PM	CONTACT Not Captured			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. 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.

Failure to correct listed violation(s) prior to the designated compliance date may necessitate an additional reinspection at a charge of \$61.25 per 15 minutes with a minimum time of 30 minutes, and a minimum charge of \$122.50.



SCORE 85

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	⊗
In		6. Adequate handwashing facilities supplied & accessib	+		⊗
TIME AND TEMPERATURE RELATIONSHIPS					
○ In	N/O	N/A		4	2
In	N/O	N/A	+	4	⊗
○ In	N/O	N/A		4	2
○ In	N/O	N/A		4	
○ In	N/O	N/A		4	
PROTECTION FROM CONTAMINATION					
○ In	N/O	N/A			2
○ In		13. Food in good condition, safe and unadulterated		4	2
In	N/O	N/A	+	4	⊗

FOOD FROM APPROVED SOURCES			COS	MAJ	OUT
○ In		15. Food obtained from approved source		4	
In	N/O	○ N/A			2
In	N/O	○ N/A			2
CONFORMANCE WITH APPROVED PROCEDURES					
In		○ N/A			2
CONSUMER ADVISORY					
In	N/O	○ N/A			2
HIGHLY SUSCEPTIBLE POPULATIONS					
In		○ N/A		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	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	⊗
36. Equipment, utensils and linens: storage and use	1
37. Vending machines	1
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 worker cards	⊗
COMPLIANCE & ENFORCEMENT	
49. Permits Available	
50. Restrooms Required	
51. Plan Review	
52. VC&D	
53. Impoundment	
54. Permit Suspension	



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5. HANDS CLEAN AND PROPERLY WASHED; GLOVES USED PROPERLY **⚠ CRITICAL ⚠**

POINTS
4

Compliance date not specified
 Complied on 2/23/2015

Inspector Comments: Observed employee pick up napkins/paper goods that dropped to the floor at the pass window station. Observed same employee without washing hands switched to food prep/food contact duties. Ensure that after changing tasks to wash hands properly and thoroughly.

Observed employee pick up gloves that dropped to the floor at the dish room hand wash station. Observed same employee without washing hands switched to food contact/food prep duties. Ensure that after changing tasks employees wash hands properly and thoroughly.

Observed employee handle money at front counter. Observed same employee without washing hands switched to food prep/food contact duties. Ensure that after changing tasks employees wash hands properly.

Observed employee with band aide on hand. Observed same employee performing food prep/utensils contact duties. Ensure proper glove use. Corrected on site.

Violation Description: Employees are required to wash their hands: before beginning work; before handling food / equipment / utensils; as often as necessary, during food preparation, to remove soil and contamination; when switching from working with raw to ready to eat foods, after touching body parts; after using toilet room; or any time when contamination may occur. Gloves shall be worn if an employee has cuts, wounds, fake nails, nail polish, and/or rashes. Gloves are to be used for no more than one task. Employees are not to wrap or package leftover food using bare hands or unclean utensils. Hand sanitizers may be used after proper hand washing. Employees handling food must have fingernails that are trimmed, cleanable, and smooth. (113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f))

More Information: http://www.sbcounty.gov/uploads/dph/dehs/Depts/EnvironmentalHealth/FormsPublications/Handwashing_done_right_Final_11_29_11.pdf

6. ADEQUATE HANDWASHING FACILITIES SUPPLIED & ACCESSIBLE

POINTS
2

Compliance date not specified
 Complied on 2/23/2015

Inspector Comments: Ensure all hand wash sinks are fully stocked with soap, paper towels, hot and cold running water. Observed no paper towels inside paper towel dispenser at front counter hand wash sink. Ensure proper hand washing.

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)

8. TIME AS A PUBLIC HEALTH CONTROL; PROCEDURES & RECORDS

POINTS
2

Compliance date not specified
 Complied on 2/23/2015

Inspector Comments: Ensure accurate cook time and scheduled discarded time is clearly marked. Not observed at time of inspection. Observed time stamp on chili. Observed 8 am cook time documented on chili. Observed discard time marked on chili at 12pm. Per management, chili stamp is incorrect. Per management, cook time should be marked at 10am.

Ensure the accurate cook time and scheduled discarded time is clearly marked. (Corrected on site)

Violation Description: When time only, rather than time and temperature is used as a public health control, records and documentation must be maintained. Food must be marked or otherwise identified as to what time the food was removed from temperature control. (114000) Food items shall not exceed the time marked. (114000)



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14. FOOD CONTACT SURFACES: CLEAN AND SANITIZED **⚠ CRITICAL ⚠**

POINTS
4

Compliance date not specified
 Complied on 2/23/2015

Inspector Comments: Observed 0 ppm Quat sanitizer solution at sanitizer bucket at the burger patties cook line. Observed employee actively wiping down burger patties station with wiping towel from sanitizer bucket. Ensure that sanitizer concentration remains at 200-300ppm when using sanitizer to disinfect food contact surfaces. Ensure all food contact surfaces are cleaned and sanitized.

Ensure employees store sanitizer wiping towels in sanitizer solution when not in use. Observed wiping towel resting out at cook line/burger station.

Ensure proper disinfecting of utensils at 3 compartment sink. Ensure that the 3 step method is used properly (1-wash with soap and warm water, 2-Rinse with clear water and 3-sanitize with Quat at a concentration of 200-300ppm). Ensure proper contact time of utensils in Quat sanitizer solution of one minute. Observed employee actively washing/rinsing/sanitizing utensils at the 3 compartment sink. Observed same employee rinsing off sanitizer solution from utensils with water. Ensure proper disinfecting of utensils

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/Towel_Sanitizing_solution_Eng_Spn_final_11_30_11.pdf

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

POINTS
1

Compliance date not specified
 Complied on 2/23/2015

Inspector Comments: Ensure all cold holding equipment is in good condition. Observed bottom portion of the meat well holding at 44-46F. (Repeat violation). Staff moved meat products to walk in cooler.

Temperatures confirmed by both Wendy's and Inspector's probe thermometers.

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)

48. FOOD WORKER CERTIFICATION

POINTS
2

Compliance date not specified
 Not In Compliance

Inspector Comments: Ensure employees obtain valid San Bernardino County cards within 14 days. Obtain valid San Bernardino County Food handler cards in 14 days to avoid administrative fees up to \$245/hour.

Observed 20 missing food handler cards at time of inspection.

Submit fax sheet and food handler cards before March 8, 2015 to avoid administrative fees up to \$245/hr.

Violation Description: This facility is currently in violation with the food worker certification requirement for San Bernardino County, which states all food workers must obtain a valid food worker certificate within fourteen (14) days of employment (33.0410, 33.044). Failure to provide proof of food worker 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 Worker" form provided by the inspector and fax to 909-387-4272.

More Information: http://www.sbcounty.gov/dph/dehs/Depts/EnvironmentalHealth/FIRST/food_worker_training.aspx

Overall Inspection Comments



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"B" grade posted

EDUCATIONAL SHEETS PROVIDED:

- Help information sheet provided
- Food handler card information and fax sheets provided
- Hand wash sticker provided
- Business card provided
- Cold holding temperature sticker
- Re score form provided
- Printed report for management

DO NOT REMOVE, HIDE, OR RELOCATE letter grade, Noncompliance will result in a fine of \$245