



**CAL CODE OFFICIAL INSPECTION REPORT**

FACILITY NAME <b>CHIVA COCO</b>		DATE 7/12/2018	REINSPECTION DATE 7/26/2018	PERMIT EXPIRATION 4/30/2019
LOCATION 148 W FOOTHILL BL, RIALTO, CA 92376			INSPECTOR Karina Corral	
MAILING ADDRESS 2927 JOSHUA TREE, ONTARIO CA 91761			IDENTIFIER: PEP	
			SERVICE: 001 - Inspection - Routine	
			RESULT: 05 - Corrective Action / Follow up Required	
			ACTION: 13 - Permit Suspended / Facility Closed	
TIME IN 1:10 PM	TIME OUT 4:52 PM	FACILITY ID FA0009214	RELATED ID PR0002983	PE 1621

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 88**

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	<span style="color: blue;">+</span>	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				
In	<span style="color: blue;">○</span> N/O N/A 12. Returned and reserve of food			2
<span style="color: green;">○</span> In	13. Food in good condition, safe and unadulterated		4	2
<span style="color: green;">○</span> In	N/O N/A 14. Food contact surfaces: clean and sanitized		4	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				
<span style="color: green;">○</span> 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	<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	<span style="color: red;">⊗</span>
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	<span style="color: red;">⊗</span>
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	1
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	<span style="color: red;">⊗</span>

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	3
COMPLIANCE & ENFORCEMENT	
49. Permits Available	
50. Restrooms Required	
51. Plan Review	
52. VC&D	<span style="color: red;">⊗</span>
53. Impoundment	
54. Permit Suspension	



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**7. PROPER HOT AND COLD HOLDING TEMPERATURES** **MAJOR**

<b>POINTS</b> <b>4</b>	Compliance date not specified Complied on 7/12/2018 Violation Reference - HSC - 113996, 113998, 114037	<b>Inspector Comments:</b> Observed the following cold holding temperatures:  Cold holding table: 1) Chopped cilantro: 40F 2) Red salsa: 41F 3) Green salsa: 41F 4) Cheddar cheese: 54F 5) Sliced tomatoes: 45.5F  Walk in cooler: 6) Container of corn kernels: 52.9F 7) Milk: 52F 8) Sour cream: 52F 9) Chipotle salsa: 52F  Operator stated the items in cold holding unit had been placed 20 minutes prior. Operator stated items in walk in had been stored 1 day prior. Operator was instructed to move high temperature items at cold holding unit to secondary display refrigerator. Operator was instructed to discard high temperature items in walk in. Operator voluntarily condemned and discarded items. Corrected on site.  <u>Ensure that all potentially hazardous foods in cold holding are maintained at 41F or below.</u>
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**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)

**27. FOOD SEPARATED AND PROTECTED**

<b>POINTS</b> <b>1</b>	Compliance date not specified Not In Compliance Violation Reference - HSC - 113984 (a, b, c, d, f)	<b>Inspector Comments:</b> Observed an open container of shredded cheese sitting on counter. Operator was instructed to keep all food covered. Maintain food protected to prevent contamination.
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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**

<b>POINTS</b> <b>1</b>	Compliance date not specified Not In Compliance Violation Reference - HSC - 114047, 114049, 114051	<b>Inspector Comments:</b> Observed pineapples on cases on the floor. Operator was instructed to move items 6 inches of the floor. Ensure that food is stored at least 6 inches above the floor on approved shelving in an approved location to prevent possible contamination.
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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))



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

<b>POINTS</b>  <div style="border: 1px solid black; padding: 5px; display: inline-block; font-size: 24pt; font-weight: bold;">1</div>	Compliance date not specified Not In Compliance Violation Reference - HSC - 114130, 114130.1, 114130	<b>Inspector Comments:</b> Observed the following equipment not functioning:  1. Cold holding unit was not working properly and ice was being used to maintain items on cold holding unit cold. Per operator he will buying a new cold holding unit. 2. Walk in cooler was holding temperatures at 52F. Operator was instructed to repair or replace refrigerator units and maintain refrigerator temperatures at 41F or below. Maintain all equipment in good repair.  Observed a freezer unit in customer area not currently in use. Per operator unit will be moved to kitchen area shortly. Operator was instructed to install only NSF approved freezer. Maintain all equipment with in kitchen area and not customer area.  Only other refrigerator unit currently at facility is a meat display refrigerator unit that is currently holding meat and some juice and milk and will not be enough to store all cold holding potentially hazardous foods at this facility.  Operator was instructed that permit has been suspended because there aren't enough functional refrigerator units to store cold holding potential hazardous foods at 41F or below.  A reinspection will need to be conducted to verify refrigerator units have been repaired before facility will be allowed to operate.
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**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**

<b>POINTS</b>  <div style="border: 1px solid black; padding: 5px; display: inline-block; font-size: 24pt; font-weight: bold;">1</div>	Compliance date not specified Not In Compliance Violation Reference - HSC - 114074, 114081, 114119	<b>Inspector Comments:</b> Observed one unsecured CO2 tank stored in front of soda syrups. Securely fasten CO2 tank to a rigid structure when not in use.
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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)

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

<b>POINTS</b>  <div style="border: 1px solid black; padding: 5px; display: inline-block; font-size: 24pt; font-weight: bold;">1</div>	Compliance date not specified Not In Compliance Violation Reference - HSC - 114149, 114149.1	<b>Inspector Comments:</b> Observed no light bulb in walk-in refrigerator. Observed shatterproof light covers missing on light fixtures in storage room.  Replace missing light bulb in walk-in refrigerator and provide shatterproof light covers in food storage room.  Ensure light and light shields are provided at all areas where food is stored, cooked or prepared.
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**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)



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**41. PLUMBING; PROPER BACKFLOW DEVICES**

<b>POINTS</b> <b>1</b>	Compliance date not specified	<b>Inspector Comments:</b> Observed hand wash station to be leaking to a bucket. Operator was instructed to repair leak. Maintain all plumbing in good repair.
	Not In Compliance 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)

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

<b>POINTS</b> <b>1</b>	Compliance date not specified	<b>Inspector Comments:</b> Observed front door open throughout inspection.  Maintain front door closed to prevent entry of insects and vermin.
	Not In Compliance Violation Reference - HSC - 114067 (j), 114123	

**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**

<b>POINTS</b> <b>1</b>	Compliance date not specified	<b>Inspector Comments:</b> Observed holes in walls and ceiling in the food storage room. Observed accumulated food debris under racks in food storage room. Operator was instructed to seal and repair all holes. Operator was instructed to clean and sanitize food storage floor.  Maintain all walls , ceilings and floors in good repair and clean.
	Not In Compliance 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))

**52. VC & D**

<b>POINTS</b> <b>0</b>	Compliance date not specified	<b>Inspector Comments:</b> Operator voluntarily condemned and discarded the following items:  1) Container of corn kernels: 52.9F 2)5 gallons of Milk: 52F 3) 1 large container of Sour cream: 52F 4) 1 medium container of Chipotle salsa: 52F 5) 1 medium container of red salsa: 52F
	Not In Compliance Violation Reference - HSC - 113980	

**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."



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**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**

Facility received a "B" grade due to closure grade card was not posted.

PEP Talk given at this time.

CDC Risk Factors and Elevated Risk Inspection Frequency program discussed with management at this time.

Rescore form left with management at this time.

Permit was suspended at this time. A " Notice of Closure" sign was posted at facility on this date. Do not remove or alter closure notice, failure to comply may result in reposting of closure notice at a rate of \$122.50 per half an hour.

Beginning in 2017:

California Retail Food Code section 113947.

The person in charge of the facility has adequate knowledge of major food allergens, foods identified as major food allergens, and the symptoms that a major food allergen could cause in a sensitive individual who has an allergic reaction. Ensure the person in charge educates all food facility employees on the above matters.

The major food allergens are listed below:

- Milk
- Eggs
- Fish (e.g. bass, flounder, cod)
- Crustacean shellfish (e.g. crab, lobster, shrimp)
- Tree nuts (e.g. almonds, walnuts, pecans)
- Peanuts
- Wheat
- Soybeans

<https://archive.cdph.ca.gov/pubsforms/Guidelines/Documents/fdb%20Allerg.pdf>

**Signature(s) of Acknowledgement**

NAME: SNA  
TITLE: SNA