



CAL CODE OFFICIAL INSPECTION REPORT

FACILITY NAME JOVIS DINER		DATE 1/6/2017	REINSPECTION DATE 1/20/2017	PERMIT EXPIRATION 7/31/2017
LOCATION 123 N E ST, SAN BERNARDINO, CA 92401			INSPECTOR Patrick Keith	
MAILING ADDRESS 123 N E ST, SAN BERNARDINO CA 92410			IDENTIFIER: None	
			SERVICE: 001 - Inspection - Routine	
			RESULT: 05 - Corrective Action / Follow up Required	
			ACTION: 13 - Permit Suspended / Facility Closed	
TIME IN 1:31 PM	TIME OUT 5:27 PM	FACILITY ID FA0009612	RELATED ID PR0007825	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](#).

CLOSURE

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 63

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					
○		2. Communicable disease; reporting, restrictions & excl		4	
○	N/O	3. No discharge from eyes, nose, and mouth			2
○	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	+	⊗	2
In		6. Adequate handwashing facilities supplied & accessib			⊗
TIME AND TEMPERATURE RELATIONSHIPS					
In	N/O	N/A	+	4	⊗
In	○	N/A		4	2
○	N/O	N/A		4	2
○	N/O	N/A		4	
○	N/O	N/A		4	
PROTECTION FROM CONTAMINATION					
○	N/O	N/A			2
○				4	2
In	N/O	N/A	+	⊗	2

FOOD FROM APPROVED SOURCES			COS	MAJ	OUT
○		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				4	⊗
LIQUID WASTE DISPOSAL					
In		22. Sewage and wastewater properly disposed	+	⊗	2
VERMIN					
In		23. No rodents, insects, birds, or animals			⊗ 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	⊗
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	⊗
34. Warewashing facilities: installed, maintained, used	1
35. Equipment/Utensils approved; installed; clean; good repa	⊗
36. Equipment, utensils and linens: storage and use	⊗
38. Adequate ventilation and lighting; designated area	⊗
39. Thermometers provided and accurate	1
40. Wiping cloths: properly used and stored	1
PHYSICAL FACILITIES	
41. Plumbing: proper backflow devices	⊗
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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5. HANDS CLEAN AND PROPERLY WASHED; GLOVES USED PROPERLY **⚠ CRITICAL ⚠**

POINTS 4	Compliance date not specified	Inspector Comments: Observed the head cook to have unmaintained, untrimmed finger nails. Ensure all employees have trimmed, maintained finger nails.
	Complied on 1/6/2017	
	Violation Reference -	

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

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

POINTS 4	Compliance date not specified	Inspector Comments: Observed excessive black mold buildup in the ice machine. Clean, sanitize, and maintain clean. Observed dishes to be washed, sanitized, then rinsed. Discontinue this practice. Wash, rinse, then sanitize dishes. Observed dishes sanitized at 50 ppm chlorine sanitizer. Ensure chlorine sanitizer of at least 100 ppm is used when ware washing. Corrected on site. Dishes are to be rewashed.
	Complied on 1/6/2017	
	Violation Reference - HSC - 113984(e), 114097, 114099	

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

22. SEWAGE AND WASTEWATER PROPERLY DISPOSED **⚠ CRITICAL ⚠**

POINTS 4	Compliance date not specified	Inspector Comments: Observed a toilet backup in the men's restroom. Non-potable toilet water backup into the dining area, restroom area, and dry goods storage area. Corrected on site. Clog was removed, and floors were cleaned and sanitized. Maintain restroom facilities in a manner which prevents overflows from occurring.
	Complied on 1/6/2017	
	Violation Reference - HSC - 114197	

Violation Description: All liquid waste must drain to an approved fully functioning sewage disposal system. (114197) Toilet facilities must be operable.

23. NO RODENTS, INSECTS, BIRDS, OR ANIMALS **⚠ CRITICAL ⚠**

POINTS 4	Compliance date not specified	Inspector Comments: Observed an adult German cockroach in the hand wash sink paper towel dispenser. Observed a German cockroach nymph on top of the dishwasher. Maintain the facility free of pests and vermin. Eliminate the cockroach population. Pest control services must be called and must service the facility by 1/10/2017. Follow up required.
	Not In Compliance	
	Violation Reference - HSC - 114259.1, 114259.4, 11425	

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)



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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: Observed the cook unable to provide the proper cooking temperatures of chicken, beef, and eggs, as well as the proper reheating and hot holding temperatures. Ensure all employees are able to provide proper cooking, reheating temperatures, and hot holding temperatures.
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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 the hand wash sink nearest to the 3-compartment sink to be out of paper towels. Ensure each hand wash sink is stocked with paper towels and hand soap at all times.
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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 **⚠ CRITICAL ⚠**

POINTS 4	Compliance date not specified Complied on 1/6/2017 Violation Reference - HSC - 113996, 113998, 114037	Inspector Comments: Observed mayonnaise at approximately 47 degrees F, and eggs at approximately 49 degrees F in cold holding unit. Observed several items in the right 2-door reach-in refrigerator at approximately 47-48 degrees F. Items were stocked approximately 2 hours prior to inspection according to the cook. Items were immediately placed in the walk-in refrigerator. The walk in refrigerator was turned down to compensate for the increase in warm items.
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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/510012_how_to_keep_food_out_of_danger_zone.pdf

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 no hot water at the hand wash sink to the left of the microwave. Provide hot water of at least 100 degrees F at this sink.
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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)

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 a tub of ice cream with no lid stored directly underneath raw meats in the reach-in freezer. Discontinue this practice. Stored raw meats below ready-to-eat foods to prevent contamination in the event the freezer malfunctions. Observed multiple containers of food and sauces uncovered in the walk-in cooler. Cover and protect food items.
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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.



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33. NONFOOD-CONTACT SURFACES CLEAN

POINTS 1	Compliance date not specified Not In Compliance Violation Reference - HSC - 114115 (c)	Inspector Comments: Observed excessive debris buildup on the front and sides of the ice machine, and both 2-door reach-in refrigerators. Clean and maintain clean.
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Violation Description: All nonfood contact surfaces of utensils and equipment shall be clean. (114115 (c))

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: Observed the splash guard at the hand wash sink nearest the 3-compartment sink to be falling off the sink. Repair/replace splash guard. Observed wooden blocks supporting the left 2-door reach-in refrigerator. Repair/replace missing legs with NSF approved easily cleanable legs. Observed a missing exhaust hood filter. Replace missing exhaust hood filter. Observed excessive dust and debris buildup on walk-in cooler fan guards. Clean and maintain clean.
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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

POINTS 1	Compliance date not specified Not In Compliance Violation Reference - HSC - 114074, 114081, 114119	Inspector Comments: Observed a black plastic cup stored in sugar, and a plastic bowl stored in raw macaroni. Discontinue this practice. Use only NSF approved handled scoops for food and drink product.
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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

POINTS 1	Compliance date not specified Not In Compliance Violation Reference - HSC - 114149, 114149.1	Inspector Comments: Observed one light to be missing in the exhaust hood. Observed 3 light covers missing in the exhaust hood. Ensure all lights are present, functional, and have light covers at all times of operation.
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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)



Public Health
Environmental Health Services

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41. PLUMBING; PROPER BACKFLOW DEVICES

POINTS
1

Compliance date not specified
 Not In Compliance
 Violation Reference - HSC -
 114171, 114189.1

Inspector Comments: Observed no air gap at the following locations:
 1) The condensation drainage pipe for the ice machine.
 2) The condensation drainage pipe for the walk-in refrigerator
 3) The drainage pipe for the 3-compartment sink.

Provide an air gap of at least 1 inch from the bottom of the drainage pipe to the top of the floor sink.

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

POINTS
1

Compliance date not specified
 Not In Compliance
 Violation Reference - HSC -
 114067 (j), 114123

Inspector Comments: Observed the back door propped open with no air curtain or screen door.
Maintain back door closed until an air curtain or screen door is installed to prevent vermin entry.

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

POINTS
1

Compliance date not specified
 Not In Compliance
 Violation Reference - HSC -
 114143 (d), 114266

Inspector Comments: Observed a portion of the ceiling falling above the left 2-door reach-in refrigerator.
Repair/replace portion of falling ceiling.

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: Observed one (1) employee missing a valid San Bernardino County food handler card.
Obtain a valid San Bernardino County food handler card within 14 calendar days. Failure to comply will result in a food handler card inspection at a rate of \$245.00 an hour.

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 fax to 909-387-4272.

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



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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 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
- More than three (3) critical violations (codes 1-23) noted during an inspection.

Overall Inspection Comments

Facility is closed due to receiving a score below a 70. A re-score inspection must be conducted within 30 calendar days due to this facility receiving a score below an 80.

Closure notice is posted.

Re-score request form left with owner.

Missing food handler form left with owner.

Allergen reminder: Employees must be informed regarding food allergens and preventative measured beginning next inspection cycle.

Signature(s) of Acknowledgement

NAME: Jovi Rodriguez
TITLE: Owner