



CAL CODE OFFICIAL INSPECTION REPORT

FACILITY NAME EL GUERO MEXICAN GRILL		DATE 3/12/2020	REINSPECTION DATE 3/26/2020	PERMIT EXPIRATION 3/31/2020
LOCATION 57113 TWENTYNINE PALMS HWY, YUCCA VALLEY, CA 92284			INSPECTOR Rubi Guido	
MAILING ADDRESS 57113 TWENTYNINE PALMS HWY, YUCCA VALLEY CA 92284		<input type="checkbox"/> FACILITY <input type="checkbox"/> OWNER <input checked="" type="checkbox"/> ACCOUNT IDENTIFIER: None SERVICE: 033 - Re-score Grade Inspection RESULT: 05 - Corrective Action / Follow up Required ACTION: 03 - Reinspection Required		
TIME IN 12:15 PM	TIME OUT 2:15 PM	FACILITY ID FA0007828	RELATED ID PR0001874	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 83

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		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	+	⊘	2
In		6. Adequate handwashing facilities supplied & accessib			2
TIME AND TEMPERATURE RELATIONSHIPS					
In	N/O	N/A	+	⊘	2
In	N/O	N/A		4	2
In	N/O	N/A	+	4	⊘
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	⊘
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	⊘

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	3
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 **MAJOR**

POINTS
4

Compliance date not specified
Complied on 3/12/2020
Violation Reference -

Inspector Comments: Observed the employee wash his hands with soap and cold water, dry his hands with paper towels, and then continue to the preparation/cook line.

Ensure employees wash hands with hand soap and water (measuring above 100F) immediately before engaging in food preparation, after changing tasks, and any time contamination may occur.

Note: The employee was immediately instructed to properly wash his hands. 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/EHSDocuments/HandwashingDoneRight.pdf>

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

POINTS
4

Compliance date not specified
Complied on 3/12/2020
Violation Reference - HSC -
113996, 113998, 114037

Inspector Comments: A) Measured the following potentially hazardous foods (PHFs) stored in the cooler (ambient temperature at 46F) below the grill:

- Sausage at 46F
- Chorizo at 46F
- Al pastor at 44F
- Flat meat at 44F
- Raw bacon at 45F
- Raw chicken at 46F
- Cheddar cheese at 51F

The employee stated that the above PHFs were placed in the unit from 10am-12pm, approximately three 1-3 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 placed the above PHFs in the upright refrigerator. Corrected on site.

B) Measured the following PHFs stored in the upright refrigerator (ambient temperature at 45F) located in the kitchen:

- Raw beef at 45F
- Carnitas at 46F
- Lengua at 50F

The employee stated that the above PHF was delivered and placed in the unit at 10am, approximately 3.25 hours prior to questioning. The employee placed the meat in the upright freezer. Corrected on site.

The employee stated that the above PHFs were placed in the unit on 3/11/20. The employee voluntarily discarded these PHFs. See VC&D for details. Corrected on site.

- Cheddar cheese at 47F
- Cooked rice at 44F
The employee stated that the above PHFs were placed in the unit at 8am, approximately five hours prior to questioning. The employee voluntarily discarded the these PHFs. See VC&D for details. Corrected on site.

Ensure all potentially hazardous foods are held at 41F or below for cold holding and 135F or above for hot holding.

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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1. DEMONSTRATION OF KNOWLEDGE; FOOD SAFETY CERTIFICATION

POINTS

2

Compliance date not specified
Complied on 3/12/2020
Violation Reference - HSC -
113947-113947.1

Inspector Comments: Upon questioning, the employee was unable to demonstrate adequate knowledge in the proper cooling procedures. The employee stated that potentially hazardous foods cool from 145F to 70F within four hours and from 70F to 41F or below within the next two hours.

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 on site.

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>

9. PROPER COOLING METHODS

POINTS

2

Compliance date not specified
Complied on 3/12/2020
Violation Reference - HSC -
114000

Inspector Comments: Measured the internal temperature of cooked beans at 54F and 56F (two containers fully covered and with condensate inside on the lids), stored in the upright refrigerator. The employee stated that the beans were cooked and placed in the upright refrigerator at 9am, approximately 4.25 hours prior to questioning.

When placing food in the refrigerator to cool, containers should be loosely covered or uncovered if protected from overhead contamination, to facilitate heat transfer from the surface of the food.

Violation Description: All potentially hazardous food shall be RAPIDLY cooled from 135F to 70F, within 2 hours, and then from 70F to 41 F, within 4 hours. Cooling shall be by one or more of the following methods: in shallow containers; separating food into smaller portions; adding ice as an ingredient; using an ice bath; stirring frequently; using rapid cooling equipment; or, using containers that facilitate heat transfer. PHF is to be cooled within 4 hours to 41F if prepared from ingredients at ambient temperature. Deliveries of PHF is to be cooled to below 41F within 4 hours if received between 41F to 45F.

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

14. FOOD CONTACT SURFACES: CLEAN AND SANITIZED

POINTS

2

Compliance date not specified
Complied on 3/12/2020
Violation Reference - HSC -
113984(e), 114097, 114099

Inspector Comments: Observed food debris on plates stored on the rack across from the handwash sink. The employee stated that all of the equipment/utensils on the rack were clean.

All food-contact surfaces of utensils and equipment shall be cleaned and sanitized.

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>



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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) Measured the ambient temperature of the cooler (two drawers holding PHFs) at 46F, located below the grill.

Discontinue the use of this equipment for the storage of potentially hazardous foods. Repair/replace the refrigeration unit. All utensils and equipment shall be fully operative and in good repair. Ensure the ambient temperature of this unit measures 41F or below and is capable of holding and maintaining potentially hazardous foods at 41F or below.

Note: A follow-up inspection will be conducted on 3/16/20 to determine compliance. If compliance is not met upon reinspection, then a billable re-inspection will follow.

B) Measured the ambient temperature of the upright refrigerator (holding PHFs) at 45F, located in the kitchen. Measured the internal temperature of some PHFs at 43F and below.

Repair/replace the refrigeration unit. All utensils and equipment shall be fully operative and in good repair. Ensure the ambient temperature of this unit measures 41F or below and is capable of holding and maintaining potentially hazardous foods at 41F or below.

Note: A follow-up inspection will be conducted on 3/16/20 to determine compliance. If compliance is not met upon reinspection, then a billable re-inspection will follow.

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 five (5) unfastened pressurized cylinders stored in the dry storage room.

Pressurized cylinders must be securely fastened to a rigid structure.

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)

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

POINTS
1
Compliance date not specified
Complied on 3/12/2020
Violation Reference - HSC -
114067 (j), 114123

Inspector Comments: Observed a drink in a foam cup with a lid and straw stored on a rack above fruits and vegetables (without lids/covers), in the kitchen. The employee stated that the drink belonged to a customer and was going to be discarded.

Discontinue this practice. Customer foods shall not be returned to the kitchen and stored with other food/equipment.

Note: The employee discarded the drink. Corrected on site.

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)



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Table with 2 columns: Facility Name (EL GUERO MEXICAN GRILL), Location (57113 TWENTYNINE PALMS HWY, YUCCA VALLEY, CA 92284), Date (3/12/2020), Inspector (Rubi Guido)

52. VC & D

Table with 2 columns: Points (0), Compliance date not specified, Not In Compliance, Violation Reference - HSC - 113980, Inspector Comments: The employee voluntarily consented to the condemnation and destruction of the following items: - Carnitas (10lb), - Lengua (10 lb), - Cheddar cheese (2lb), - Cooked rice (1lb)

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:

- Re-score form
- Top 5 CDC Risk Factors
- Proper Cooling Methods handout
- Active Managerial Control handout
- Risk Based Inspection Frequency handout
- Liaison Education and Risk Network handout
- Handwashing Done Right handout

NOTE:

DO NOT REMOVE, OBSTRUCT IN ANY WAY, OR RELOCATE THE GRADE CARD.
Non-compliance will result in a charged follow-up inspection at an hourly rate of \$245.
When ready for re-inspection, contact 800-442-2283.

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

NAME: Jesus Perez
TITLE: Employee