

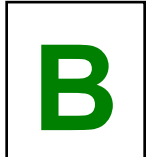


**CAL CODE OFFICIAL INSPECTION REPORT**

FACILITY NAME WINGSTOP #141		DATE 9/14/2022	REINSPECTION 9/28/2022	PERMIT 2/28/2023
LOCATION 9765 SIERRA AV A, FONTANA, CA 92335			INSPECTOR Zaynab Darwiche	
MAILING ADDRESS PO BOX 572408, MURRAY UT 84157			IDENTIFIER: None	
			SERVICE: 001 - Inspection - Routine	
			RESULT: 05 - Corrective Action / Follow up Required	
			ACTION: 03 - Reinspection Required	
TIME IN 12:55 PM	TIME OUT 2:32 PM	FACILITY ID FA0029627	RELATED ID PR0038633	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 81**

Reduce food loss, and feed those in need by donating your surplus food. [Learn more about donating surplus food.](#)

- 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 & ex				
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 pro				
In				⊗
6. Adequate handwashing facilities supplied & accessi				
TIME AND TEMPERATURE RELATIONSHIPS				
In	N/O	N/A	4	2
7. Proper hot and cold holding temperatures				
In	N/O	N/A	4	2
8. Time as a public health control; procedures & record				
In	N/O	N/A	+	⊗
9. Proper cooling methods				
In	N/O	N/A	4	
10. Proper cooking time & temperatures				
In	N/O	N/A	4	
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	⊗
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, displa				
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	2
21. Hot and cold water available				
LIQUID WASTE DISPOSAL				
In			+	⊗
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	1
27. Food separated and protected	⊗
28. Washing fruits and vegetables	1
29. Toxic substances properly identified, stored, u	1
FOOD STORAGE/DISPLAY/SERVICE	
30. Food storage; food storage containers identify	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, use	1
35. Equipment/Utensils approved; installed; clean; good repair, c	1
36. Equipment, utensils and linens: storage and use	1
38. Adequate ventilation and lighting; designated area	1
39. Thermometers provided and accurate	1
40. Wiping cloths: properly used and stored	⊗
PHYSICAL FACILITIES	
41. Plumbing: proper backflow devices	⊗
42. Garbage and refuse properly disposed; facilities	1
43. Toilet facilities: properly constructed, supplied, c	1
44. Premises; personal/cleaning items; vermin-proof	⊗

PERMANENT FOOD FACILITIES	OUT
45. Floor, walls, ceilings: built, maintained, and clean	1
46. No unapproved private homes/living or sleeping	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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### 22. SEWAGE AND WASTEWATER PROPERLY DISPOSED



POINTS

4

Compliance date not specified  
Complied on 9/14/2022  
Violation Reference - HSC -  
114197

**Inspector Comments:** Observed the floor sink underneath the food preparation sink to be overflowing when running the water.

Note: Manager stated that the floor sink was clogged, and plumber was contacted immediately. No sewage overflow was seen throughout the rest of the facility when running the water and flushing the toilet.

Ensure all liquid waste is able to drain to a fully functioning sewage disposal.

Corrected on site. Manager was instructed to discontinue using the food preparation sink until floor sink is unclogged.

\*\* A reinspection will be conducted within one (1) day to verify compliance. Failure to comply may result in closure or billable reinspections.

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

### 1. DEMONSTRATION OF KNOWLEDGE; FOOD SAFETY CERTIFICATION

POINTS

2

Compliance date not specified  
Complied on 9/14/2022  
Violation Reference - HSC -  
113947-113947.1

**Inspector Comments:** Employee had inadequate knowledge in proper warewashing procedures. Upon questioning, employee stated that dishes are left inside the quaternary ammonium sanitizer for ten seconds before air drying.

Employee was re-educated on proper warewashing procedures by the following procedures:

- Wash dishes with minimum 100 degrees F water and soap.
- Rinse dishes with cold clear running water.
- Sanitize dishes with either quaternary ammonia, 200 ppm for one minute or chlorine at 100 ppm for 30 seconds.
- Air dry

Ensure all employees can demonstrate food safety knowledge practices and principles applicable to their assigned duties.

**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 soap at the handwashing sink inside the men's restroom.

Ensure that all handwashing sinks remain clean, unobstructed, accessible, and fully stocked with soap and paper towels in dispensers at all times.

**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)



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**9. PROPER COOLING METHODS**

<b>POINTS</b>  <b>2</b>	Compliance date not specified
	Complied on 9/14/2022
	Violation Reference - HSC - 114000

**Inspector Comments:** Observed a sheet pan rack with several trays of cooked french fries near the three compartment sink measuring at approximately 65-68F. French fries were sitting out on the sheet pan rack, without any proper cooling methods. Upon questioning, manager stated that the fries were removed from temperature two (2) hours prior to inspection.

Ensure potentially hazardous foods are cooled rapidly from 135°F to 70°F within two hours and then cooled from 70°F to 41°F or below for a total of six hours using approved cooling methods.

Approved cooling methods include;

1. Placing the food in shallow, heat-conductive pans.
2. Separating the food into smaller or thinner portions.
3. Using rapid cooling equipment such as chill blasters.
4. Adding ice as an ingredient.
5. Using ice paddles.
6. Placing containers in an ice bath, stirring food frequently.
7. In accordance to an approved HACCP Plan

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.

Corrected on site. Employee relocated to walk-in refrigerator.

**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:** <https://youtu.be/hiOExyNgDIQ>

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

<b>POINTS</b>  <b>2</b>	Compliance date not specified
	Not In Compliance
	Violation Reference - HSC - 113984(e), 114097, 114099

**Inspector Comments:** 1) Observed several clean trays wet stacked on the drain board of the three compartment sink.

Discontinue this practice. Ensure to allow all equipment and utensils to adequately drain and air-dry before reuse and storage.

2) Observed accumulation of black mold-like substance inside the ice chute of the ice machine near the food preparation sink. Ice was not observed to be in contact with mold-like substance.

Clean the ice machine. Maintain all food contact surfaces in a clean and sanitary manner.

**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:** <https://youtu.be/Gz6zPgZtv2s>



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#### 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 sheet pan rack tarp directly placed on top of cooked french fries inside the walk-in refrigerator.  Remove the sheet pan rack tarp from french fries. Ensure all food is stored, prepared, displayed, or held so that it is protected from 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.

#### 40. WIPING CLOTHS: PROPERLY USED AND STORED

<b>POINTS</b> <b>1</b>	Compliance date not specified Not In Compliance Violation Reference - HSC - 114135, 114185.1	<b>Inspector Comments:</b> Observed wet wiping towel stored on the food preparation table near the fryers.  Ensure all wet wiping towels are stored inside the sanitizing solution, when not in use.
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**Violation Description:** Wiping cloths used to wipe service counters, scales or other surfaces that may come into contact with food shall be used only once unless kept in clean water with sanitizer. (114135, 114185.1, 114185.3 (d-e)) Sponges shall not be used in contact with cleaned and sanitized or in-use food contact surfaces. (114135)

**More Information:** <https://youtu.be/QGKUN9MDxig>

#### 41. PLUMBING; PROPER BACKFLOW DEVICES

<b>POINTS</b> <b>1</b>	Compliance date not specified Not In Compliance Violation Reference - HSC - 114171, 114189.1	<b>Inspector Comments:</b> Observed missing air gap between the floor sink and drain pipe of soda machine located near the cash register.  Ensure all pipes draining into a floor sink have at least a 1-inch air gap or twice the diameter of the pipe, whichever is greater.
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**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 Not In Compliance Violation Reference - HSC - 114067 (j), 114123	<b>Inspector Comments:</b> Observed employee drink underneath the food preparation table located to the right of the food preparation sink, amongst food intended for customer consumption.  Provide a designated space for employee's personal items that is separate from customer food and food contact surfaces.
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**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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### 48. FOOD HANDLER CERTIFICATION

#### POINTS

3

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

**Inspector Comments:** Observed seven (7) food service worker at this facility with an invalid/expired San Bernardino County food handler cards.

Food worker cards SHALL be issued by San Bernardino County to be valid. All food handlers must obtain a valid food handler certificate issued by San Bernardino County within fourteen (14) days of employment.

Failure to provide proof of food handler certification within fourteen (14) days will result in an unannounced billable reinspection to verify compliance. These reinspections will be charged at \$245 per hour with a 30-minute minimum.

The facility operator must complete the "Missing Food Handler" form provided by the inspector and fax to 909-387-4272 or email it to [sbcfoodworker@gmail.com](mailto:sbcfoodworker@gmail.com)

**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](mailto:sbcfoodworker@gmail.com)

**More Information:** <https://wp.sbcounty.gov/dph/wp-content/uploads/sites/7/2022/04/SB-Flyer-2019-completed-English-Spanish.pdf>

### 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

### 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

### Overall Inspection Comments



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Letter grade "A" removed.  
Letter grade "B" posted on this date.

Do not remove, relocate or obscure letter grade card. Failure to comply will result in an additional billable reinspection with a 30-minute minimum charge of \$122.50.

A PEP talk was given. The following forms/handout were provided: - Top 5 CDC risk factors - Request for a re-score inspection - Missing Food Handler Card form - Cooling handout

Note: For a B grade (Score of 80 to 89): A re-score inspection may be requested by a food facility that receives a "B" grade after the completion of an official routine, re-score, or elevated risk inspection. This request is optional on the part of the facility which may wish to attempt to improve their score or letter grade. A Health Official will complete the re-score inspection within ten (10) County business days of the food facility submitting a request for a re-score inspection.

\*\*\*A reinspection will be conducted within one (1) day to verify compliance regarding sewage. Failure to comply will result in an additional billable re-reinspection with a 30-minute minimum charge of \$122.50.

\*No signature obtained due to COVID-19 safety measures. "No Signature." The contents of the routine inspection have been discussed with the facility manager. \*

**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](#).

**Signature(s) of Acknowledgement**

No Sig

NAME: Jaime Fernandez  
TITLE: Manager