

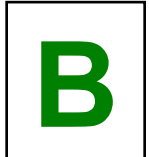


CAL CODE OFFICIAL INSPECTION REPORT

FACILITY NAME LUCKY SHELL		DATE 3/12/2020	REINSPECTION DATE 3/16/2020	PERMIT EXPIRATION 9/30/2020
LOCATION 907 W MILL ST, SAN BERNARDINO, CA 92410			INSPECTOR Rebecca Koo	
MAILING ADDRESS 907 W MILL ST, SAN BERNARDINO CA 92410			IDENTIFIER: None	
			SERVICE: 001 - Inspection - Routine	
			RESULT: 05 - Corrective Action / Follow up Required	
			ACTION: 03 - Reinspection Required	
TIME IN 1:05 PM	TIME OUT 2:43 PM	FACILITY ID FA0006541	RELATED ID PR0037709	PE 1620

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			4	
2. Communicable disease; reporting, restrictions & excl				
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 prop				
In				2
6. Adequate handwashing facilities supplied & accessib				
TIME AND TEMPERATURE RELATIONSHIPS				
In	N/O	N/A		⊘
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		2
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 reservice 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, display				
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			4	2
22. Sewage and wastewater properly disposed				
VERMIN				
In			4	⊘
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, 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
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	⊘
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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7. PROPER HOT AND COLD HOLDING TEMPERATURES ⚠ MAJOR ⚠

POINTS 4	Compliance date not specified Not In Compliance Violation Reference - HSC - 113996, 113998, 114037	<p>Inspector Comments: Observed chicken in the Krispy Krunchy Chicken hot holding display case measured between 92.4F to 111.3F. Employee stated the chicken was prepared approximately 1 hour prior to inspection. Employee stated the chicken is made fresh and discarded after 2 hours. At this time, no records or labels were provided to indicate the facility uses Time as a Public Health Control. No identifying labels were observed with date and time chicken was prepared.</p> <p>Ensure all potentially hazardous food is held at or above 135F for hot holding.</p> <p>At this time, the employee was instructed to either reheat the chicken to 165F or place labels indicating cook time and discard time.</p> <p>Corrected on site. Employee labeled chicken to be discarded in 1 hour.</p>
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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

1. DEMONSTRATION OF KNOWLEDGE; FOOD SAFETY CERTIFICATION

POINTS 2	Compliance date not specified Not In Compliance Violation Reference - HSC - 113947-113947.1	<p>Inspector Comments: Employees demonstrated insufficient knowledge of minimum cooking temperature of chicken. Upon questioning, employee stated chicken is cooked to an internal temperature of 142F.</p> <p>Ensure all employees have adequate knowledge of food safety as it relates to their assigned duties.</p> <p>Ensure all poultry is cooked to an internal temperature of 165F for 15 seconds.</p>
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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>

14. FOOD CONTACT SURFACES: CLEAN AND SANITIZED

POINTS 2	Compliance date not specified Not In Compliance Violation Reference - HSC - 113984(e), 114097, 114099	<p>Inspector Comments: Observed 2 ice cream scoops stored in a sanitizer bucket of 100 PPM chlorine in the front ice cream service area. Employee stated the utensils are used throughout the day out of the sanitizer bucket.</p> <p>Discontinue storing ice cream scoops inside a sanitizer bucket in between use. Ensure all food contact surfaces are clean and sanitized at least once every 4 hours. Ensure that all equipment is properly air dried prior to reuse.</p>
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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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23. NO RODENTS, INSECTS, BIRDS, OR ANIMALS

POINTS
2

Compliance date not specified
Not In Compliance
Violation Reference - HSC -
114259.1, 114259.4, 11425

Inspector Comments: 1) Observed a glue trap underneath a chips display unit in the front retail area with 4 dead German cockroaches.

2) Observed 6 dead German cockroaches underneath the mop sink, water heater, and fountain soda syrup lines and boxes in the rear employee area.

A thorough inspection was conducted throughout the facility and no active infestation was observed on this date.

Ensure to take appropriate pest control measures to eliminate all evidence of past vermin activity. Ensure to clean and sanitize the affected areas in an approved manner.

A reinspection will be conducted on Monday, 03/16/2020 to verify elimination of past vermin activity and to ensure no active infestation is present in this facility.

Note: Gnats were observed in the front retail area by the fountain soda beverage machine and in the rear employee area by the fryer. Ensure to take appropriate pest control measures to eliminate gnats from the facility.

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)

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 2 boxes of uncooked chicken tenderloins stored above prepackaged bottled beverages in the walk in refrigerator.

Ensure all food is stored, prepared, displayed, or held so that it is protected from contamination. Ensure to store raw meat below ready to eat foods.

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.

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: 1) Observed a "IDW Beverage Cooler" cold holding display unit used to refrigerate potentially hazardous food such as raw chicken, cooked rice, and refrigerated wing sauces in the rear employee area. Upon further inspection, the unit is specifically labeled and intended for the storage and display of non potentially hazardous food and bottled or canned packaged items.

Discontinue using the "IDW Beverage Cooler" to store potentially hazardous food as this is not an approved piece of equipment according to manufacturer's instructions.

2) Observed 2 nonoperational heat lamps in the hot holding display case for Krispy Krunchy Chicken.

Ensure to repair or replace the heat lamps. Ensure all equipment is in good repair and working condition as intended.

3) Observed the use of 2 household freezers to store frozen chicken, fries, and other food in the rear employee area.

Discontinue using these freezers upon disrepair. Ensure to replace freezers with commercially approved equipment in the facility.

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)



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

POINTS 1	Compliance date not specified Not In Compliance	Inspector Comments: Observed the air curtain at the front entrance and the air curtain above the rear exit door in the preparation area to be nonfunctional at time of inspection.
	Violation Reference - HSC - 114067 (j), 114123	Ensure air curtains are in good repair and fully functioning at all times to prevent the entrance of vermin.

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)

47. SIGNS POSTED; LAST INSPECTION REPORT AVAILABLE

POINTS 1	Compliance date not specified Not In Compliance	Inspector Comments: 1) Observed no copy of the most recent routine health inspection report available upon request.
	Violation Reference - HSC - 113725.1, 113953.5	Ensure to maintain a copy of the most recent official inspection report available on site at all times. 2) Observed the health permit posted in the front retail area to have expired on 09/31/2019. Ensure to properly post the valid health permit in a conspicuous location.

Violation Description: Handwashing signs shall be posted in each toilet room, directing attention to the need to thoroughly wash hands after using the restroom (113953.5) (b) No smoking signs shall be posted in food preparation, food storage, warewashing, and utensil storage areas (113978). (c) Consumers shall be notified that clean tableware is to be used when they return to self-service areas such as salad bars and buffets. (d) Any food facility constructed before January 1, 2004 without public toilet facilities, shall prominently post a sign within the food facility in a public area stating that toilet facilities are not provided (113725.1, 114381 (e)). A sign shall be posted stating that a copy of the most recent routine inspection report is available upon request. (113725.1) Permit shall be posted in conspicuous location. (114381(e)) Letter Grade Placecard shall be properly posted. SBCC 33.1406

48. FOOD HANDLER CERTIFICATION

POINTS 3	Compliance date not specified Not In Compliance	Inspector Comments: Observed 1 food service workers at this facility without a current or valid San Bernardino County Food Handler Card. Provide a valid San Bernardino County Food Handler Card for this worker within fourteen (14) days of today's date.
	Violation Reference - SBCC - 33.0409	A missing food handler card information and verification sheet was provided at this time. This form must be received by our office by 03/26/2020 to avoid a billable reinspection at a minimum charge of \$122.50. To take the online training and test to obtain your approved San Bernardino County Food Handler Card, go to www.sbcfoodworker.com or http://sbc.statefoodsafety.com . Only San Bernardino County food handler cards are accepted.

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)

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 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

Letter grade B posted on this date. DO NOT REMOVE, RELOCATE, OR ALTER LETTER GRADE PLACARD.

A reinspection will be conducted on Monday, 03/16/2020 to ensure proper elimination of dead cockroaches and to verify that no active infestation is present in the facility.

A missing food handler verification form was provided on this date. Ensure to complete and submit this form along with a copy of the missing food handler card to San Bernardino County Environmental Health Services by 03/26/2020 to avoid a billable reinspection with a minimum charge of \$122.50 per half hour.

The following handouts were provided on this date:

- Top 5 CDC Risk Factors handout
- Food Safety Practices Overview handout
- Time as a Public Health Control Procedure Template
- Time Stamp Monitoring Log
- What Should I Do If My Employee Is Sick? handout
- L.E.A.R.N. class flyer
- H.E.L.P. brochure
- Wash Your Hands! decal

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

NAME: Rai Singh
TITLE: Manager