CAL CODE OFFICIAL INSPECTION REPORT

POLAS MARISCOS

LOCATION
8801 CENTRAL AV A, MONTCLAIR, CA 91763

MAILING ADDRESS
628 E CEDAR ST, ONTARIO CA 91761

FACILITY ID
FA0012924

RELATED ID
PR0017203

PE
1621

DATE
9/15/2020

REINSPECTION DATE
9/29/2020

PERMIT EXPIRATION
6/30/2070

INSPECTOR
Jin Lee

IDENTIFIER: None

SERVICE: 001 - Inspection - Routine

RESULT: 03 - Corrective Action / No Follow up Required

ACTION: 01 - No Further Action Required

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.

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.

FOOD FROM APPROVED SOURCES

15. Food obtained from approved source

16. Compliance with shelf stock tags, condition, display

17. Compliance with Gulf Oyster Regulations

CONFORMANCE WITH APPROVED PROCEDURES

18. Compliance with variance, specialized process, and HACCP Plan

CONSUMER ADVISORY

19. Consumer advisory provided for raw or undercooked foods

HIGHLY SUSCEPTIBLE POPULATIONS

20. Licensed healthcare facilities/public and private schools; prohibited foods not offered

WATER/HOT WATER

21. Hot and cold water available

LIQUID WASTE DISPOSAL

22. Sewage and wastewater properly disposed

VERMIN

23. No rodents, insects, birds, or animals

SUPERVISION

24. Person in charge present and performs duties

PERSONAL CLEANLINESS

25. Personal cleanliness and hair restraints

GENERAL FOOD SAFETY REQUIREMENTS

26. Approved thawing methods used, frozen food

27. Food separated and protected

28. Washing fruits and vegetables

29. Toxic substances properly identified, stored, use

FOOD STORAGE/DISPLAY/SERVICE

30. Food storage; food storage containers identified

31. Consumer self-service

32. Food properly labeled & honestly presented

EQUIPMENT/UTENSILS/LINENS

33. Nonfood contact surfaces clean

34. Warewashing facilities: installed, maintained, used

35. Equipment/Utensils approved; installed; clean; good repair

36. Equipment, utensils and linens: storage and use

38. Adequate ventilation and lighting; designated area

39. Thermometers provided and accurate

40. Wiping cloths: properly used and stored

41. Plumbing: proper backflow devices

42. Garbage and refuse properly disposed; facilities maintained

43. Toilet facilities: properly constructed, supplied, clean

44. Premises; personal/cleaning items; vermin-proof

PERMANENT FOOD FACILITIES

45. Floor, walls, ceilings: bull, maintained, and clean

46. No unapproved private homes/living or sleeping quarters

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. VCAP

53. Impoundment

54. Permit Suspension

SCORE 80
385 N Arrowhead Ave, San Bernardino, CA 92415 | Phone: 800.442.2283  Fax: 909.387.4323
www.SBCounty.gov
www.SBCounty.gov/dph/dehs

Public Health
Environmental Health Services

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13. FOOD IN GOOD CONDITION, SAFE AND UNADULTERATED

| POINTS | Compliance date not specified | Violation Reference - HSC - 113967, 113976, |

Inspector Comments: Observed molds on raspberries that stored in the upright double door reach-in refrigerator near the rear exit door.

Remove any adulterated product. Ensure food intended for customer is in good condition, unadulterated and free of contamination.

Corrected on site. The raspberries were discarded.

Violation Description: All food shall be manufactured, produces, prepared, compounded, packed, transported, kept for sale, and served so as to be pure and free from adulteration and spoilage. Any food is adulterated if it bears or contains any poisonous or deleterious substance that may render it impure or injurious to health. (113967, 113976, 113980, 113988, 114035, 114254(c), 114254.3)


14. FOOD CONTACT SURFACES: CLEAN AND SANITIZED

| POINTS | Compliance date not specified | Violation Reference - HSC - 113984(e), 114097, 114099 |

Inspector Comments: Observed black mold-like growth on the back deflector board inside of the ice making machine. Growth was actively touching the ice.

Observed water dripping from the mold-like growth to the ice.

Empty clean, clean, sanitize this machine. Ensure that all food contact surfaces are kept clean and sanitized at all times.

Corrected on site. The owner's daughter immediately turned off the ice machine. The owner's daughter stated she will clean and sanitize the ice making machine. The owner's daughter was the only person working at the time of this inspection and getting customers constantly, so she could not clean and sanitize the machine at the time.

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)


1. DEMONSTRATION OF KNOWLEDGE; FOOD SAFETY CERTIFICATION

| POINTS | Compliance date not specified | Violation Reference - HSC - 113947-113947.1 |

Inspector Comments: Observed no Food Manager Certification at the time of inspection.

Provide a valid Food Manager Certificate from one of the below accredited organization that has been certified by the American National Standards Institute (ANSI):

- 360training.com, Inc.
- Learn2Serve® Food Protection Manager Certification Program
- National Registry of Food Safety Professionals
- Food Protection Manager Certification Program
- National Restaurant Association-ServSafe® Food Protection Manager Certification Program
- Prometric Inc.- Food Protection Manager Certification Program

Provide a valid Food Manager Certificate within 60 days to avoid a billable re-inspection with a minimum charge of $122.50. Original certificate must be provided.

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)

6. ADEQUATE HANDWASHING FACILITIES SUPPLIED & ACCESSIBLE

**Points:** 2

**Compliance date not specified**

**Not In Compliance**

**Violation Reference:** -

**Inspector Comments:** Observed no paper towels at the rear kitchen handwashing sink and the restroom handwashing sink.

Provide and maintain the paper towels in the paper towel dispenser 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)

27. FOOD SEPARATED AND PROTECTED

**Points:** 1

**Compliance date not specified**

**Not In Compliance**

**Violation Reference:** -

**Inspector Comments:** Observed uncovered pepper and spices containers on the preparation table and the storage rack behind the preparation table.

Store all food so as to be protected from any potential cross contamination.

**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.

36. EQUIPMENT, UTENSILS AND LINENS: STORAGE AND USE

**Points:** 1

**Compliance date not specified**

**Not In Compliance**

**Violation Reference:** -

**Inspector Comments:** Observed food debris and stains on utensils stored in the rear kitchen drawers next to the 3-compartment sink. Observed food debris and stains on the rear kitchen drawers.

Discontinue this practice. Store all utensils in an approved manner such as on a clean portion of the food preparation table and/or storages.

**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:** -

**Inspector Comments:** Observe a gap between ventilation hood filters above the rear kitchen stove.

Close the ventilation hood filter so that all smoke and vapors are adequately removed during cooking.

**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)

43. TOILET FACILITIES: PROPERLY CONSTRUCTED, SUPPLIED, CLEANED

**Points:** 1

**Compliance date not specified**

**Not In Compliance**

**Violation Reference:** -

**Inspector Comments:** Observed the restroom door was not self-closed. Observed the damaged self-closing device on this restroom door.

Repair/replace the self-closing device. All restroom doors opening up into the kitchen must be self-closing.

**Violation Description:** Toilet facilities shall be maintained clean, sanitary and in good repair for use by employees and patrons. Toilet rooms shall be separated by a well-fitting, self-closing door. Toilet tissue shall be provided in a permanently installed dispenser at each toilet. Location of toilet facilities used by patrons shall not be located to pass through food preparation, food storage, or utensil washing areas. (114250, 114250.1, 114276)
## 44. PREMISES; PERSONAL/CLEANING ITEMS; VERMIN-PROOFING

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<thead>
<tr>
<th>POINTS</th>
<th>Compliance date not specified</th>
<th>Inspector Comments:</th>
<th>Violation Reference - HSC -</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Not In Compliance</td>
<td>Observed a gap under the rear kitchen exit door.</td>
<td>114067 (j), 114123</td>
</tr>
</tbody>
</table>

**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, 114259.2, 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)

## 48. FOOD HANDLER CERTIFICATION

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<thead>
<tr>
<th>POINTS</th>
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<th>Inspector Comments:</th>
<th>Violation Reference - SBCC -</th>
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<tbody>
<tr>
<td>3</td>
<td>Not In Compliance</td>
<td>Observed five (5) food handler(s) without current, valid San Bernardino County food handler card(s).</td>
<td>33.0409</td>
</tr>
</tbody>
</table>

**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) sbcfoodworker@gmail.com


## 52. VC & D

<table>
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<tr>
<th>POINTS</th>
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<th>Violation Reference - HSC -</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>Not In Compliance</td>
<td>Approximately six (6) oz. raspberries were voluntarily condemned and destroyed.</td>
<td>113980</td>
</tr>
</tbody>
</table>

**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 Offical Inspection Report (OIR), I (We) hereby release the County of San Bernardino and its agent from any and all liability.”
CV. COVID-19 OBSERVATIONS

Inspector Comments: In Compliance:
- Disinfection Protocols: The employee stated all surfaces and high touch contact points were cleaned and sanitized every hour.

- Physical Distancing Guidelines: Observed social distancing (at least 6 feet) between employees and customers at the time of this inspection. Observed 6 feet marks on the floor.

Out of Compliance:
- Risk Assessment and Site-Specific Protection Plan - The facility have signage posted at the entrance of the facility. Observed no detailed risk assessment and implement a site-specific protection plan.

- Training/Employee Health - Inspector was not screened upon enter the facility. Observed employees were not trained on how to limit the spread of COVID-19, including how to screen themselves for symptoms and stay home if they have them, and no implemented individual control measures and screenings at the time of this inspection.

- Control Measures - Observed self-service utensils, condiments, and water cups in use at the customer self-service area and front counter. Observe no clear plan for entering and exiting the building, however, all employees were wearing masks at the time of this inspection.

Provide temperature and/or symptom screenings for all workers at the beginning of their shift and any vendors, contractors, or other workers entering the establishment. Train employees how to properly wear face coverings. Both items were corrected on site. For more information, check out the State guidance at: https://wp.sbcounty.gov/dph/wp-content/uploads/sites/7/2020/05/CA-State-Guidance-for-Dine-In-Restaurants.pdf.

Self-service areas are prohibited and not be used by customers. Educated and provide the COVID-19 Restaurant/Food Facility Operating Protocol. The employee removed the warmer in the employee only area and posted the sign "No Self-Service. Ask for assistance." at the coffee and soda machines.

Violation Description: Observations regarding COVID-19 associated changes to practices are recorded here.

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
A letter grade "B" was posted on the front window next to the entrance.

A Pep Talk was presented to the employee.
A Top 5 CDC Risk Factors handout was provided.
A Missing Food Handler Cards - Inspectors handout was provided.
A Food Facility Risk Based Inspection Frequency handout was provided.
A Re-Score form was provided.
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:
TITLE: