



CAL CODE OFFICIAL INSPECTION REPORT

FACILITY NAME MEGA TOMS BURGERS		DATE 10/2/2020	REINSPECTION DATE 10/16/2020	PERMIT EXPIRATION 9/30/2070
LOCATION 20781 BEAR VALLEY RD, APPLE VALLEY, CA 92308			INSPECTOR Maressah Ynfante-Corral	
MAILING ADDRESS 20781 BEAR VALLEY RD, APPLE VALLEY CA 92308			IDENTIFIER: restaurant	
TIME IN 2:30 PM	TIME OUT 5:10 PM	FACILITY ID FA0004152	RELATED ID PR0012588	PE 1621
			SERVICE: 001 - Inspection - Routine RESULT: 05 - Corrective Action / Follow up Required ACTION: 03 - Reinspection 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.



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

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	⊗
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	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	1

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

POINTS 4	<p>Compliance date not specified Not In Compliance Violation Reference - HSC - 113996, 113998, 114037</p>	<p>Inspector Comments: Observed the following food items inside of the cooks table:</p> <ul style="list-style-type: none"> - Raw hamburger patties measuring 50 F. - Raw chicken measuring 50 F. - Ham pieces measuring 52 F. - Sliced turkey and ham measuring 46 F. - Cooked chicken measuring 46 F. - Carne asada measuring 46 F. - Steak measuring 51 F. - Shredded cheese measuring 47 F - Salsa with cut tomatoes measuring 52 F <p>Maintain all cold potentially hazardous food items at 41 F and below.</p> <p>NOTE: The carne asada, salsa, steak, and shredded cheese were out of temperature longer than four hours. The food was discarded. See VC&D.</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

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

POINTS 4	<p>Compliance date not specified Not In Compliance Violation Reference - HSC - 113984(e), 114097, 114099</p>	<p>Inspector Comments: Observed the mechanical warewash machine to have no measurable chlorine sanitizer. One dish was observed to be washed with the intent of being used for food.</p> <p>Discontinue the use of mechanical warewash machine. Obtain the proper sanitizer for the mechanical warewash machine and repair/replace the mechanical warewash machine if needed.</p> <p>Note: The facility has a three compartment sink and will use that as a temporary means of dish washing.</p> <p>A reinspection will be conducted.</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>

27. FOOD SEPARATED AND PROTECTED

POINTS 1	<p>Compliance date not specified Not In Compliance Violation Reference - HSC - 113984 (a, b, c, d, f)</p>	<p>Inspector Comments: Observed frozen corn dogs and frozen hot dogs stored directly on the shelving inside of the "beverage-air" refrigerator.</p> <p>Store all foods protected from contamination at all times.</p>
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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.

33. NONFOOD-CONTACT SURFACES CLEAN

POINTS 1	<p>Compliance date not specified Not In Compliance Violation Reference - HSC - 114115 (c)</p>	<p>Inspector Comments: Observed debris build up on the shelving inside of the refrigerator at the cooks line.</p> <p>Clean and maintain all nonfood contact surfaces in a sanitary manner as often as needed.</p>
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Violation Description: All nonfood contact surfaces of utensils and equipment shall be clean. (114115 (c))



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35. EQUIPMENT/UTENSILS - APPROVED; INSTALLED; CLEAN; GOOD REPAIR, CAPACITY

POINTS 1	Compliance date not specified	Inspector Comments: Observed cooks table refrigeration to measure 55 F. Repair/Replace refrigerator on cooks table and maintain in good repair. A follow up inspection will be conducted.
	Not In Compliance Violation Reference - HSC - 114130, 114130.1, 114130	

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	Inspector Comments: Observed several dishes with food debris on them stored with clean dishes. Store all dishes in a clean and sanitary manner.
	Not In Compliance Violation Reference - HSC - 114074, 114081, 114119	

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	Inspector Comments: Observed the following: - One light bulb out in the ventilation hood. - The lights in the walk way to the walk in freezer dim. - One light bulb in the walk in freezer nonfunctional. Repair/Replace light bulbs.
	Not In Compliance Violation Reference - HSC - 114149, 114149.1	

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)

45. FLOORS, WALLS AND CEILINGS: BUILT, MAINTAINED, AND CLEAN

POINTS 1	Compliance date not specified	Inspector Comments: Observed the flooring below the soda machine near the front counter missing. Repair/Replace flooring. NOTE: Manager stated that the soda machine is new and the flooring will be replaced.
	Not In Compliance Violation Reference - HSC - 114143 (d), 114266	

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))



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48. FOOD HANDLER CERTIFICATION

POINTS 3	Compliance date not specified Not In Compliance Violation Reference - SBCC - 33.0409	<p>Inspector Comments: Observed four (4) food service worker at this facility- without a current / valid San Bernardino County food handler/ worker card.</p> <p>Provide a valid San Bernardino County Food Handler Card for each of these workers within two (2) weeks.</p> <p>A missing food handler card information and verification sheet was provided to fill out and fax and return to San Bernardino County Environmental Health Services department. Fax to (909) 387-4323 or send to sbcfoodworker@gmail.com.</p> <p><u>Failure to do so will result in a charged re-inspection to verify compliance.</u></p>
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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

51. PLAN REVIEW

POINTS 0	Compliance date not specified Not In Compliance Violation Reference - HSC - 114380	<p>Inspector Comments: Observed small floor sink below new soda machine. Floor sink observed with a metal grate above it.</p> <p>Further research will be done for the floor sink and operator will be advised.</p>
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Violation Description: A person proposing to build or remodel a food facility shall submit plans for approval before starting any new construction or remodeling of any facility for use as a retail food facility. (114380)

52. VC & D

POINTS 0	Compliance date not specified Not In Compliance Violation Reference - HSC - 113980	<p>Inspector Comments: The approximate weight of food items were voluntarily condemned and discarded:</p> <ul style="list-style-type: none"> - Two pounds of carne asada. - One pound of steak. - One half pound of shredded cheese. - A quarter pound of salsa.
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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.



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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. Do not remove, relocate or obstruct from customer view once placed by inspector.

Provided the following:

- Missing food handler card form.
- Donating surplus food pamphlet.
- Request for a re-score form.

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: Lia
TITLE: Manager