



CAL CODE OFFICIAL INSPECTION REPORT

FACILITY NAME TUTTI FRUTTI LA MICHOACANA		DATE 12/5/2019	REINSPECTION DATE 12/09/2019	PERMIT EXPIRATION 8/31/2019
LOCATION 1845 E 4TH ST, ONTARIO, CA 91764			INSPECTOR Rebecca Koo	
MAILING ADDRESS 1845 E 4TH ST, ONTARIO CA 91764			IDENTIFIER: None	
			SERVICE: 001 - Inspection - Routine	
			RESULT: 05 - Corrective Action / Follow up Required	
			ACTION: 03 - Reinspection Required	
TIME IN 1:33 PM	TIME OUT 4:47 PM	FACILITY ID FA0030160	RELATED ID PR0039606	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 80

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 7. Proper hot and cold holding temperatures	+	⊗	2
○ In	N/O N/A 8. Time as a public health control; procedures & record			4 2
○ In	N/O N/A 9. Proper cooling methods			4 2
○ In	N/O N/A 10. Proper cooking time & temperatures			4
○ In	N/O N/A 11. Proper reheating procedures for hot holding			4
PROTECTION FROM CONTAMINATION				
○ In	N/O N/A 12. Returned and reserve of food			2
○ In	13. Food in good condition, safe and unadulterated			4 2
○ In	N/O N/A 14. Food contact surfaces: clean and sanitized	+	⊗	2

FOOD FROM APPROVED SOURCES		COS	MAJ	OUT
○ In	15. Food obtained from approved source			4
○ In	N/O ○ N/A 16. Compliance with shell stock tags, condition, display			2
○ In	N/O ○ N/A 17. Compliance with Gulf Oyster Regulations			2
CONFORMANCE WITH APPROVED PROCEDURES				
○ In	○ N/A 18. Compliance with variance, specialized process, and HACCP Plan			2
CONSUMER ADVISORY				
○ In	N/O ○ N/A 19. Consumer advisory provided for raw or undercooked foods			2
HIGHLY SUSCEPTIBLE POPULATIONS				
○ In	○ N/A 20. Licensed health care facilities/public and private schools; prohibited foods not offered			4
WATER/HOT WATER				
○ In	21. Hot and cold water available			4 ⊗
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	⊗
FOOD STORAGE/DISPLAY/SERVICE	
30. Food storage; food storage containers identified	⊗
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	⊗
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	⊗
42. Garbage and refuse properly disposed; facilities m	1
43. Toilet facilities: properly constructed, supplied, clea	⊗
44. Premises; personal/cleaning items; vermin-proofin	1

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	3
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
Complied on 12/5/2019
Violation Reference - HSC -
113996, 113998, 114037

Inspector Comments: 1) Observed the cold holding unit next to the kitchen entrance to have the following food items out of proper temperature control:
-About 2 lbs of cut mango held at 53.9 degrees F
-About 1 lb of cut cucumbers held at 51.6 degrees F
-About 2 lbs of pork rinds held at 54.6 degrees F

A reinspection will be conducted on Monday, December 9, 2019 to verify the working condition of this 3 door cold holding unit.

2) Observed the following items stored in an unapproved Coca Cola beverage refrigeration unit to be out of temperature:
-Cut cantaloupe measured at 42 degrees F
-Cut watermelon measured at 43 degrees F

Ensure all potentially hazardous foods are held at or below 41 degrees F.

Corrected on site. See VC&D

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

Compliance date not specified
Complied on 12/5/2019
Violation Reference - HSC -
113984(e), 114097, 114099

Inspector Comments: Observed employee using a wet sanitizing towel to wipe down cutting board. Observed no detection of any sanitizer in the solution used to sanitize the food contact surface.

Required sanitizer levels for sanitizing food-contact surfaces are any of the following:
-100 ppm of chlorine for 30 seconds
-200 ppm of quaternary ammonia for 1 minute
-25 ppm of iodine for 1 minute
-or any other approved sanitizer that complies with California Retail Food Code

Corrected on site. Employee discarded the solution in the bucket.

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>

6. ADEQUATE HANDWASHING FACILITIES SUPPLIED & ACCESSIBLE

POINTS
2

Compliance date not specified
Not In Compliance
Violation Reference -

Inspector Comments: Observed no hand soap in the dispenser at the handwash sink next to the ice machine in the front service area.

Ensure to maintain all handwash sinks 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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21. HOT AND COLD WATER AVAILABLE

POINTS 2	Compliance date not specified Not In Compliance Violation Reference - HSC - 113953(c), 114099.2(b)	Inspector Comments: Observed temperature of handwash sink in customer restroom to be measured at 94.3 degrees F. Ensure that hot water is available at a minimum temperature of at least 120 degrees F measured from the faucet.
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Violation Description: An adequate, protected, pressurized, potable supply of hot water and cold water shall be provided at all times. (113953(c), 114099.2(b), 114101(a), 114189, 114192, 114192.1, 114195)

29. TOXIC SUBSTANCES PROPERLY IDENTIFIED, STORED, USED

POINTS 1	Compliance date not specified Not In Compliance Violation Reference - HSC - 114254, 114254.1	Inspector Comments: Observed 2 cans of household pesticide (Raid) in the back dry storage area. Ensure that household pesticides and chemicals are not used or stored within the facility.
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Violation Description: All poisonous substances, detergents, bleaches, and cleaning compounds shall be stored separate from food, utensils, packing material and food-contact surfaces. (114254, 114254.1, 114254.2) An insecticide, rodenticide, or other pesticide must be used in accordance with the manufacturer's instructions.

30. FOOD STORAGE; FOOD STORAGE CONTAINERS IDENTIFIED

POINTS 1	Compliance date not specified Not In Compliance Violation Reference - HSC - 114047, 114049, 114051	Inspector Comments: 1) Observed 5 containers containing unlabeled ingredients stored on shelf under the snow cone preparation table. Observed 7 containers of unlabeled ingredients on prep table next to cold holding unit by kitchen entrance. Observed 3 containers of seasonings by the elote prep station. Working containers holding food or food ingredients that are removed from their original packages shall be identified with common name of the food. 2) Observed all storage shelves in dry storage room to be only 2 inches off the ground. Observed food ingredients as well as single use plastic service items for customers stored on bottom shelves that were less than 2 inches above the floor. Food shall be protected from contamination by storing the food in a clean, dry location, where it is not exposed to splash, dust, vermin, or other forms of contamination or adulteration, and at least six (6) inches above the floor.
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Violation Description: Food shall be stored in approved containers and labeled as to contents. Food shall be stored at least 6" above the floor on approved shelving in an approved location to prevent possible contamination. (114047, 114049, 114051, 114053, 114055, 114067(h), 14069 (b))

33. NONFOOD-CONTACT SURFACES CLEAN

POINTS 1	Compliance date not specified Not In Compliance Violation Reference - HSC - 114115 (c)	Inspector Comments: Observed excessive sticky food residue on the doors and handles of the reach in refrigeration unit next to the ice machine in the front service area. Thoroughly clean and sanitize nonfood-contact surfaces in the facility. Maintain all nonfood-contact surfaces in a clean and sanitary manner free from accumulation of dust, dirt, food residue, and other debris.
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Violation Description: All nonfood contact surfaces of utensils and equipment shall be clean. (114115 (c))



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34. WAREWASHING FACILITIES: INSTALLED, MAINTAINED, USED; TEST STRIPS

POINTS <div style="border: 1px solid black; padding: 5px; display: inline-block; font-size: 24pt; font-weight: bold; color: red;">1</div>	Compliance date not specified Not In Compliance Violation Reference - HSC - 114067(f,g), 114099	Inspector Comments: Observed incorrect sanitizer test strips available for use in this facility. Facility uses quaternary ammonia and test strips for chlorine was available. Ensure to provide and maintain appropriate test strips for sanitizer in use within the facility for proper concentration levels of sanitizer.
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Violation Description: Food facilities that prepare food shall be equipped with warewashing facilities. Testing equipment and materials shall be provided to measure the applicable sanitization method. (114067(f,g), 114099, 114099.3, 114099.5, 114101(a), 114101.1, 114101.2, 114103, 114107, 114125) A thermometer must be readily available to monitor the temperature of the water at the warewashing sink. A warewashing sink used to wash wiping cloths, wash produce, or thaw food must be cleaned and sanitized before and after each use.

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

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

POINTS <div style="border: 1px solid black; padding: 5px; display: inline-block; font-size: 24pt; font-weight: bold; color: red;">1</div>	Compliance date not specified Not In Compliance Violation Reference - HSC - 114130, 114130.1, 114130	Inspector Comments: 1) Observed the use of a household freezer unit stored in the office with ingredients for use in food preparation for the facility. 2) Observed a household Nespresso machine next to elote hot holding area. 3) Observed the use of a Coca Cola beverage refrigeration unit being actively used to refrigerate cut cantaloupe, watermelon, whole strawberries, cucumbers, and other various food ingredients. 4) Observed household hot induction plate used for corn. Discontinue the use of household appliances and unapproved equipment in the facility immediately. Ensure that all equipment in the facility is NSF approved for use in a commercial facility. Observed unapproved propane single burner used for heating up corn located in the back kitchen area near the rear emergency exit. Observed no ventilation hood above this stove unit and no ventilation hood was located within this facility. Discontinue the use of this unapproved stove immediately. Prior routine inspection on 11/2/2018 stated this previous violation. On 6/14/2019 re-score inspection stated the continued use of this unapproved stove. On follow-up inspection conducted on 6/17/2019, operator had removed the stove. On this date, the unapproved stove was observed on site. Continued non-compliance will result in a future charged inspection at an hourly rate of \$245. Continued use of this equipment may lead to possible office hearings, revocation of permit, and/or further legal action. A reinspection will be conducted on Monday, December 9, 2019 to ensure removal of unapproved equipment. If any new equipment is being installed, contact Environmental Health Services at 1-800-442-2283 for additional information and approval prior to installation.
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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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41. PLUMBING; PROPER BACKFLOW DEVICES

POINTS

1

Compliance date not specified
Not In Compliance
Violation Reference - HSC -
114171, 114189.1

Inspector Comments: 1) Observed less than a 1 inch air gaps in waste water pipes behind freezer units holding ice cream at front area, waste water lines of the 3 compartment sink, and snow cone machine in front service area.

Ensure that an air gap that measures a minimum of twice the diameter of the pipe exists between the rim of the floor sink and the inlet of the waste water discharge pipe.

2) Observed a PVC pipe connected to the water filtration system dispensing water directly into the prep sink in an unapproved manner.

Ensure to connect water filter system to the main water line to the prep sink if filter water is desired.

Installation of new plumbing lines must be approved by Environmental Health Services Plan Check department.

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)

43. TOILET FACILITIES: PROPERLY CONSTRUCTED, SUPPLIED, CLEANED

POINTS

1

Compliance date not specified
Not In Compliance
Violation Reference - HSC -
114250, 114276

Inspector Comments: 1) Observed the doors to the employee and to the customer restrooms without the ability to self-close.

Ensure that toilet rooms are separated by a well-fitting, self-closing door.

2) Observed restroom faucets only able to maintain running water for 5 seconds.

Ensure to repair or replace faucets in the restroom to maintain running water for a minimum of 15 seconds.

3) Observed toilet paper dispenser to be broken and providing no protection to toilet paper.

Ensure to repair or replace toilet paper dispenser.

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)

47. SIGNS POSTED; LAST INSPECTION REPORT AVAILABLE

POINTS

1

Compliance date not specified
Not In Compliance
Violation Reference - HSC -
113725.1, 113953.5

Inspector Comments: Observed no letter grade placard in sight within the facility or posted outside in view of the public. Observed no copy of the most recent routine inspection report available at this time.

Ensure that letter grade placard is properly displayed. Do not remove, relocate, or alter letter grade placard. Ensure to have a copy of the most recent routine inspection report available upon request.

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



Public Health
Environmental Health Services

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52. VC & D

POINTS

0

Compliance date not specified
Not In Compliance
Violation Reference - HSC -
113980

Inspector Comments: The following items have been VC&D at this time:

-2 lbs of cut mangoes
-1 lb of cut cucumbers
-2 lbs of pork rinds

Operator consented to the condemnation and destruction of above mentioned food as said material being unfit for human consumption or otherwise in violation of California Health and Safety Code.

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.

Overall Inspection Comments

Letter grade "B" posted at this time.

DO NOT REMOVE, RELOCATE, OR ALTER LETTER GRADE PLACARD.

A reinspection will be conducted on Monday, December 9, 2019 to ensure removal of unapproved equipment including propane tank stove and to verify proper working condition of 3 door cold holding unit in front service area.

A rescore form was provided at this time.

A PEP talk was given at this time.

Top 5 CDC Risk Factors handout and Elevated Risk Based Inspections handout were given at this time.

Signature(s) of Acknowledgement

NAME: Fernanda Carmona
TITLE: Employee/Cashier