



### RETAIL FOOD FACILITY INSPECTION REPORT

FACILITY NAME <b>VIDA &amp; BIENESTAR</b>			FACILITY ADDRESS <b>1202 S MAIN ST, SANTA ANA, CA 92707</b>		
MAILING ADDRESS <b>610 S GOLDENWEST ST SANTA ANA, CA 92703</b>			IDENTIFIER <b>None</b>		
C/O - OWNER <b>LEONARDO MENDOZA</b>			RESULT <b>CLOSED</b>		
FACILITY ID <b>FA0006061</b>	RELATED ID <b>PR0006061</b>	SERVICE: <b>A01 - ROUTINE INSPECTION</b>		INSPECTION DATE <b>5/24/2019</b>	
PROGRAM DESCRIPTION <b>0111 - RESTAURANT UNDER 31 PERSONS - NON-COMPL</b>			FOOD MANAGER CERTIFICATE / EXPIRATION DATE <b>None on File</b>		REINSPECTION DATE: <b>N/A</b>

Based on an inspection this day, the compliance status (IN, MAJ, MIN, N/A, N/O, OUT, COS) has been identified below. Violations noted as MAJ, MIN or OUT must be corrected. Failure to correct the listed violation(s) prior to the designated compliance date may necessitate a reinspection at an additional fee. See the following page(s) for the California Health and Safety code sections and other applicable codes for the general requirements that correspond to the violation(s) noted below.

IN = In Compliance MAJ = Major MIN = Minor N/A = Not Applicable N/O = Not Observed OUT = Out of Compliance COS = Corrected on Site

IN	MAJ	MIN	N/A	N/O	CRITICAL RISK FACTORS	COS
<b>EMPLOYEE KNOWLEDGE</b>						
●					1. Demonstration of knowledge	
		●			2. Food manager certification; food handler cards	
<b>EMPLOYEE HEALTH &amp; HYGIENIC PRACTICES</b>						
●					3. Communicable disease; reporting, restrictions & exclusions	
●					4. No discharge from eyes, nose, and mouth	
●					5. Proper eating, tasting, drinking or tobacco use	
<b>PREVENTING CONTAMINATION BY HANDS</b>						
●					6. Hands clean and properly washed; gloves used	
●					7. Adequate handwashing facilities supplied & accessible	
<b>TIME AND TEMPERATURE RELATIONSHIPS</b>						
				●	8. Proper hot and cold holding temperatures	
			●		9. Time as a public health control; procedures & records	
			●		10. Proper cooling methods	
			●		11. Proper cooking time & temperatures	
			●		12. Proper reheating procedures for hot holding	

IN	MAJ	MIN	N/A	N/O	CRITICAL RISK FACTORS	COS
<b>PROTECTION FROM CONTAMINATION</b>						
●					13. Returned and reserve of food	
●					14. Food in good condition, safe and unadulterated	
		●			15. Food contact surfaces: clean and sanitized	●
<b>FOOD FROM APPROVED SOURCES</b>						
●					16. Food obtained from approved source	
			●		17. Compliance with shell stock tags, condition, display	
			●		18. Compliance with Gulf Oyster Regulations	
<b>ADDITIONAL CRITICAL RISK FACTORS</b>						
			●		19. Compliance with variance, specialized process, & HACCP Plan	
			●		20. Consumer advisory provided for raw or undercooked foods	
			●		21. Licensed health care facilities/public & private schools: prohibited foods not offered	
●					22. Hot and cold water available	
	●				23. Sewage and wastewater properly disposed	
	●				24. No rodents, insects, birds, or animals	

### GOOD RETAIL PRACTICES

OUT	SUPERVISION	COS
	25. Person in charge present and performs duties	
	26. Personal cleanliness and hair restraints	
<b>GENERAL FOOD SAFETY REQUIREMENTS</b>		
	27. Approved thawing methods used, frozen food	
	28. Food separated and protected	
	29. Washing fruits and vegetables	
●	30. Toxic substances properly identified, stored, used	
<b>FOOD STORAGE/DISPLAY/SERVICE</b>		
●	31. Food storage; food storage containers identified	
	32. Consumer self-service	
	33. Food properly labeled & honestly presented	

OUT	EQUIPMENT/UTENSILS/LINENS	COS
	34. Nonfood contact surfaces clean	
	35. Warewashing facilities: installed, maintained, used; test strips	
	36. Equipment/Utensils approved; installed; good repair, capacity	
●	37. Equipment, utensils and linens: storage and use	
	38. Adequate ventilation and lighting; designated areas, use	
	39. Thermometers provided and accurate	
	40. Wiping cloths: properly used and stored	
<b>PHYSICAL FACILITIES</b>		
	41. Plumbing: proper backflow devices	
	42. Garbage and refuse properly disposed; facilities maintained	
	43. Toilet facilities: properly constructed, supplied, cleaned	
●	44. Premises; personal/cleaning items; vermin-proofing	

OUT	PERMANENT FOOD FACILITIES	COS
●	45. Floor, walls, ceilings: built, maintained, and clean	
	46. No unapproved private homes/living or sleeping quarters	
<b>SIGNS/REQUIREMENTS</b>		
	47. Signs posted; last inspection report available	
	48. Plan Review	
	49. Health Permit	
<b>COMPLIANCE AND ENFORCEMENT</b>		
●	50. Permit Suspension - Imminent Health Hazard	
●	51. Notice of Violation - Hearing	
	52. Permit Suspension	
	53. Voluntary Condemnation & Destruction (VC&D)	
●	54. Impoundment	
●	55. Sample Collected	



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LOCATION 1202 S MAIN ST., SANTA ANA, CA 92707	RELATED ID PR0006061

**OPENING COMMENTS**

The purpose of this visit is a routine inspection. This is a joint inspection with J. Gonzalez.

The permit was suspended this date due to cockroach infestation. See FM 50.

On this date unapproved cooking equipment/unapproved food operation was observed inside a storage room within the facility. The unapproved equipment was impounded this date see FM 54.

A compliance hearing has been scheduled for the owner/operator on May 28, 2019 at 9:00 a.m. at 1241 E. Dyer Rd., Santa Ana CA 92705 to provide an opportunity to present evidence as to why the facility's permit should not be modified, suspended or revoked due to serious violations of the California Health and Safety Code.

Your failure to attend this hearing will be deemed a waiver of your right to a hearing in this matter. Pursuant to the fee resolution, the owner/operator is assessed \$360 when a hearing is scheduled. The fee must be paid prior to the hearing.

Bring a government issued photo identification to the hearing.

**2. FOOD MANAGER CERTIFICATION; FOOD HANDLER CARDS - MINOR**

Inspector Comments: Food Safety Certificate was observed expired at time of inspection. Provide Food Safety Certificate within 14 days. A reinspection is scheduled for 6/7/19. To avoid a reinspection fee or additional administrative action, email a copy of your current Food Safety Certificate or proof of enrollment to kfordon@ochca.com.

Not all of the food handlers possess a California Food Handler Card. Each food handler shall maintain a valid California Food Handler Card for the duration of his or her employment as a food handler. Cards shall be valid for three years from the date of issuance, regardless of whether the food handler changes employers during that period. (Certified Food Managers are exempted from this requirement.)

Violation Description: There shall be a Food Manager Certificate on the premises for the designated employee that has passed an approved and accredited exam. Food facilities that prepare, handle, or serve non-prepackaged food, shall ensure that all food handlers have an approved food handler card. (113947.1-113947.5, 113948)

**15. FOOD CONTACT SURFACES: CLEAN AND SANITIZED - MINOR**

Inspector Comments: Observed utensils on a drying rack at the 3-compartment sink. The person in charge stated that the utensils had not been sanitized. CORRECTIVE ACTION: The person in charge set up a sanitizer solution and sanitized the utensils.

Violation Description: All food contact surfaces of utensils and equipment shall be clean and sanitized. (113984(d), 114097, 114099.1, 114099.4, 114099.6, 114101(b-d), 114105, 114109, 114111, 114113, 114115(a, b, d), 114117, 114125(b), 114141)

**Corrected on site**

**22. HOT AND COLD WATER AVAILABLE - MINOR**

Inspector Comments: Observed the highest temperature at the mop sink to measure 74F. Provide water at the mop sink measuring a temperature of at least 120F.

Violation Description: An adequate, protected, pressurized, potable supply of hot water and cold water shall be provided at all times. (113941, 113953c, 114099.2b, 114163, 114189, 114192, 114192.1, 114195)



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**24. NO RODENTS, INSECTS, BIRDS, OR ANIMALS - MAJOR**

Inspector Comments: Observed live cockroaches in the back storage area in the following locations:

- 1) Inside the trash can
- 2) On the floor near the trash can
- 3) Behind the "Maytag" freezer

Observed dead cockroaches in the back storage area behind the "Acros" stove.

Observed a cockroach egg casing in the back storage area in a cardboard box on the shelf to the left of the "Hotpoint" refrigerator.

Eliminate the infestation/activity of cockroaches/rodents/flies/vermin from the food facility by using only approved methods. Remove all evidence of the infestation and thoroughly clean and sanitize all affected surfaces. Construct, equip, maintain and operate the food facility so as to prevent the entrance and harborage of animals, birds and vermin including, but not limited to, rodents and insects.

Violation Description: Each food facility shall be kept free of insects, birds, animals, or vermin: rodents (rats, mice), cockroaches, flies. (114259, 114259.1, 114259.4, 114259.5)

**30. TOXIC SUBSTANCES PROPERLY IDENTIFIED, STORED, USED - OUT OF COMPLIANCE**

Inspector Comments: Observed a can of "Raid" in the office area. Remove unapproved items from the facility.

Observed unlabeled spray bottles in the front kitchen area. Label the spray bottles.

Violation Description: All poisonous substances, detergents, bleaches, and cleaning compounds shall be stored separate from food, utensils, packaging materials, and food-contact surfaces, and shall be used in an approved manner. (114254, 114254.1, 114254.2)

**31. FOOD STORAGE; FOOD STORAGE CONTAINERS IDENTIFIED - OUT OF COMPLIANCE**

Inspector Comments: Observed food stored in the office area. Keep food only in food storage areas.

Violation Description: Food shall be stored in approved containers and labeled as to its contents. Food shall be stored at least 6" above the floor on approved shelving and in an approved area. (114047, 114049, 114051, 114053, 114055, 114067(h), 114069 [b])

**37. EQUIPMENT, UTENSILS AND LINENS: STORAGE AND USE - OUT OF COMPLIANCE**

Inspector Comments: Observed single-use food containers stored in office area. Store food containers in an approved location.

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. Utensils and equipment shall be handled and stored so as to be protected from contamination. (114074, 114081, 114119, 114121, 114161, 114178, 114179, 114083, 114185, 114185.2, 114185.3, 114185.4, 114185.5)



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**44. PREMISES: PERSONAL/CLEANING ITEMS; VERMIN-PROOFING - OUT OF COMPLIANCE**

Inspector Comments: Observed personal items in the beverage cooler in the front kitchen area. Corrected on site: The person in charge moved the items to the bottom shelf where they are not adjacent to drinks for sale.

Observed personal items (candle, candies) on the same shelf with food products in the front food preparation area. Keep personal items removed from food preparation and storage areas.

**VERMIN PROOFING:**

Observed a gap between the mop sink and the wall. Seal the gap with a smooth, durable, non-adsorbent easily cleanable material.

Violation Description: The premises of each food facility shall be kept clean and free of litter and rubbish; non-food items shall be stored and displayed separate from food and food-contact surfaces; the facility shall be kept vermin proof; open-air barbecues shall be operated in an approved manner. (114067(j), 114123, 114143(a)&(b), 114256, 114256.1, 114256.2, 114256.4, 114257, 114257.1, 114259, 114259.2, 114259.3, 114279, 114281, 114282)

**45. FLOORS, WALLS AND CEILINGS: BUILT, MAINTAINED, AND CLEAN - OUT OF COMPLIANCE**

Inspector Comments: Observed gaps in the ceiling of the back storage area. Seal the gaps with a smooth, durable, non-adsorbent easily cleanable material.

Violation Description: The walls / ceilings shall have durable, smooth, nonabsorbent, light-colored, 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), 114266, 114268, 114268.1, 114271, 114272)



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**50. PERMIT SUSPENSION - IMMINENT HEALTH HAZARD**

Inspector Comments: IMMEDIATE HEALTH PERMIT SUSPENSION AND CLOSURE

The permit to operate the above named food facility is hereby temporarily suspended, and the facility is ordered immediately closed under the authority of Sections 114405 and 114409 of Division 104, Part 7, Chapter 13, Article 3 of the California Health and Safety Code. The attached Inspection Report specifies the conditions that warrant this closure and the Sections of the law that are being violated.

Any food facility for which the permit has been temporarily suspended shall cease all food handling, close and remain closed until all conditions warranting the closure are corrected and your permit has been reinstated by a representative of Environmental Health.

You are hereby notified that you have the right to request a hearing, within 15 calendar days after service of this Notice to show cause why the permit suspension is not warranted. Your failure to request a hearing within 15 calendar days shall be deemed a waiver of your right to a hearing.

An owner, manager or operator who fails to comply with this Closure Notice may be found guilty of a misdemeanor, with a possible fine of \$1,000.00 and/or imprisonment for not more than six months for each offense.

This Health Permit Suspension and Closure Notice is issued to you under the authority of the California Health and Safety Code, Division 104, Part 7, Chapter 13, Article 3. Copies of the Code Sections referred to herein may be reviewed at most public libraries, the Internet, or at Environmental Health.

Contact this office at the number noted above, during normal days of business to request a re-inspection, or if you have any questions.

If you are calling after 5:00 pm or on weekends, leave a message at (714) 433-6418 and an inspector/on call staff will call you back at their earliest convenience. Please make after hour request calls before 8:00 pm. The afterhours overtime rate through June 30, 2019 is \$45.75 per quarter hour, or fraction thereof; time charged includes all travel time.

The CLOSED notification seal was issued this date.

**REASON FOR CLOSURE: COCKROACH INFESTATION**

Violation Description: If an imminent health hazard is found, an enforcement officer may temporarily suspend the permit and order the food facility immediately closed. (114409)

**51. NOTICE OF VIOLATION - HEARING**

Inspector Comments: On this date unapproved cooking equipment/unapproved food operation was observed inside a storage room within the facility. The unapproved equipment was impounded this date see FM 54.

A compliance hearing has been scheduled for the owner/operator on May 28, 2019 at 9:00 a.m. at 1241 E. Dyer Rd., Santa Ana CA 92705 to provide an opportunity to present evidence as to why the facility's permit should not be modified, suspended or revoked due to serious violations of the California Health and Safety Code.

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Bring a government issued photo identification to the hearing.

Violation Description: A permit suspension hearing has been scheduled for the owner/operator to provide an opportunity to present evidence as to why the facility's permit should not be suspended. (114411)

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#### 54. IMPOUNDMENT

**Inspector Comments:**

You are hereby notified that the following items [1) "Stratus" flat top grill; 2) Unbranded flat top grill; 3) Hot holding unit; 4) "Maytag" freezer; 5) "Acros" stove; 6) "Hotpoint" refrigerator; 7) "Radiance" stove], which were observed onsite being used or sold, have been impounded on 5/24/19 under the provisions of the California Retail Food Code, Chapter 13, Article 1, Section 114393. The impound may only be released after an onsite visit by Environmental Health to verify compliance with the code. If the impounded items were not released from your food facility by a representative of Environmental Health and you failed to contact this office within thirty days from the date of this notice, this will be deemed a waiver of your interest in the impounded items and they may be discarded by Environmental Health without further notice.

Violation Description: An enforcement officer may impound food, equipment, or utensils that are found to be unsanitary or in disrepair. (114393)

#### 55. SAMPLE COLLECTED

Inspector Comments: Photos were taken this date.

Violation Description: An enforcement officer may secure any sample, photographs, or other evidence from a facility. (114390)

### SIGNATURE(S) OF ACKNOWLEDGEMENT



NAME: L. Mendoza

TITLE: Owner

Signing for the receipt of the above report is not an admission of the facts of the violations set forth herein.

INSPECTOR:

K FORDON  
ENVIRONMENTAL HEALTH SPECIALIST  
(714) 462-7182  
KFORDON@OCHCA.COM

Did you know that effective January 1, 2018, the California Health and Safety Code was amended to make it easier for food facilities to donate food? Please consider donating your excess food/product to a local food bank, pantry, or soup kitchen. As a good faith food donor, you are protected from civil and criminal liability if the food product later causes harm to its recipient, unless the injury is a direct result of your gross negligence or intentional misconduct in the preparation or handling of the donated food. See Section 1714.25 of the Civil Code and Sections 114432 to 114434, inclusive, of the Health and Safety Code. For more information, please visit [ocfoodinfo.com](http://ocfoodinfo.com) or [wastenotoc.org](http://wastenotoc.org).