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

CRITICAL RISK FACTORS

PROTECTION FROM CONTAMINATION

13. Returned and reserved of food
14. Food in good condition, safe and unadulterated
15. Food contact surfaces: clean and sanitized

FOOD FROM APPROVED SOURCES

16. Food obtained from approved source
17. Compliance with shell stock tags, condition, display
18. Compliance with Gulf Oyster Regulations

ADDITIONAL CRITICAL RISK FACTORS

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

SUPERVISION

25. Person in charge present and performs duties
26. Personal cleanliness and hair restraints

GENERAL FOOD SAFETY REQUIREMENTS

27. Approved thawing methods used, frozen food
28. Food separated and protected
29. Washing fruits and vegetables
30. Toxic substances properly identified, stored, used

FOOD STORAGE/DISPLAY/SERVICE

31. Food storage: food storage containers identified
32. Consumer self-service
33. Food properly labeled & honestly presented

EQUIPMENT/UTENSILS/LINENS

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

PHYSICAL FACILITIES

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

PERMANENT FOOD FACILITIES

45. Floor, walls, ceilings: built, maintained, and clean
46. No unapproved private homes/living or sleeping quarters

SIGNS/REQUIREMENTS

47. Signs posted; last inspection report available
48. Plan Review
49. Health Permit

COMPLIANCE AND ENFORCEMENT

50. Permit Suspension - Imminent Health Hazard
51. Notice of Violation - Hearing
52. Permit Suspension
53. Voluntary Condpondation & Destruction (VC&D)
54. Impoundment
55. Sample Collected
**OPENING COMMENTS**

The purpose of this visit was to conduct a routine health inspection.

On this date, the health permit was hereby suspended due to cockroach and rodent activity (See FM 24/FM50). An informational bulletin on procedures following a health permit suspension due to cockroach activity was provided. If the facility receives professional pest control, ensure the reentry time and pest control report and is available for reopening. An inspector will not enter the facility for reinspection without the safe entry time.

Prior to recalling for a reopening ensure;
- all evidence of vermin activity has been eliminated/removed
- all affected areas are clean and sanitized
- all holes/cracks/crevices are sealed

**8. PROPER HOT AND COLD HOLDING TEMPERATURES - MINOR**

Inspector Comments:

(1) The following foods were measured at the respective temperatures in the cold top unit on the cook's line:

- raw fish: 50°F
- shrimp: 49°F
- raw beef: 48°F
- raw chicken: 47°F
- raw pork: 48°F

The person in charge stated that the food had been held for less than four hours and the cooler top was open for the lunch rush. The ambient temperature inside the cooler measured 41°F and below.

Corrective action: The cooler top was closed. At the end of the inspection the raw meats measured 41°F and below.

(2) The following foods were measured at the respective temperatures in the walk-in cooler:

- cut tomato: 44°F
- meatball: 45°F
- cooked noodle: 45°F
- cooked chicken: 44°F
- raw egg: 45°F
- raw pork: 44°F
- cooked beef: 44°F

The person in charge stated the cooler door as left open to reload food after the morning prep. The ambient temperature of the cooler measured 41°F and below. Education was provided on ensuring the walk-in cooler isn’t over filled in order to allow appropriate air circulation.

Violation Description: Potentially hazardous foods shall be held at or below 41°F or at or above 135°F. (113996, 113998, 114037, 114343(a), 114004)

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

Inspector Comments: Observed food debris on the blade of the meat slicer that as no longer in use.

Clean and sanitize food contact surfaces on equipment and utensils when not in use and throughout the day and at least every 4 hours when in use.

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

Inspector Comments:
(1) Observed cockroaches in the following locations:
   - 2 live adults behind stainless steel wall panels above the 3 compartment sinks
   - 1 live adult behind reach-in freezer
   - 1 live juvenile under upright freezer
   - Numerous dead cockroaches under all equipment in the kitchen

(2) Observed rodent droppings in the cabinet under the cashier stand.

(3) Observed household flies throughout the facility.

Eliminate the infestation/activity of cockroaches/rodents/flies 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)

28. FOOD SEPARATED AND PROTECTED - OUT OF COMPLIANCE

Inspector Comments:
(1) Observed numerous uncovered foods in the reach-in cooler on the cook's line and in the walk-in cooler.
Provide sanitary, non-absorbent and approved coverings on all open food containers except when in use.

(2) Observed raws eggs stored above ready-to-eat foods in the walk-in cooler.
Store ready-to-eat foods above or separately from raw animal products.

Violation Description: All food shall be separated and protected from contamination. (113980, 113984, 113986, 114060, 114067, 114077, 114073, 114143)

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

Inspector Comments: Observed unlabeled chemical spray bottles stored in the are wash station.
Working containers used for storing chemicals such as cleaners and sanitizers taken from bulk supplies shall be clearly and individually identified with the common name of the material.

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 on the floor in the walk-in cooler. Store all food up off the ground on approved surfaces.

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])
34. NONFOOD-CONTACT SURFACES CLEAN - OUT OF COMPLIANCE

Inspector Comments: Observed an accumulation of grime in the following locations:
- outside of the bulk containers of rice and other foods
- the inside walls of the 2 door upright cooler
- outside of food equipment on the cooks line
- fan guard of walk-in cooler
Clean to remove the grime.

Violation Description: All nonfood-contact surfaces of utensils and equipment shall be clean. (114115 [c])

36. EQUIPMENT/UTENSILS - APPROVED; INSTALLED; GOOD REPAIR; CAPACITY - OUT OF COMPLIANCE

Inspector Comments:
(1) Observed the gaskets to be torn on the following refrigeration units:
- 2 door upright freezer
- 1 door reach in cooler on cook's line
Repair/replace the gaskets.

(2) Observed cardboard lining the top of the reach-in freezer in the hallway on the way to the bathroom. Discontinue reusing cardboard.

(3) Observed the cutting boards on the prep table to be heavily scored.
Eliminate the stains and scoring from the cutting boards or replace with approved cutting boards. Surfaces such as cutting blocks and boards that are subject to scratching and scoring shall be resurfaced if they can no longer be effectively cleaned and sanitized, or discarded if they are not capable of being resurfaced.

Violation Description: All utensils and equipment shall be fully operative and in good repair. All utensils and equipment shall be approved, installed properly, and meet applicable standards. (114130, 114130.1, 114130.2, 114130.3, 114130.4, 114130.5, 114130.6, 114132, 114133, 114137, 114153, 114155, 114163, 114165, 114167, 114169, 114175, 114177, 114180, 114182)

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

Inspector Comments: (1) Observed the unwrapped plastic utensils to be stored in a way that the handles are facing different directions.
Knives, forks, and spoons that are not prewrapped shall be presented so that only the handles are touched by the employees or consumer, and by consumers if consumer self-service is provided. Unwrapped straws obtained by the consumer must be dispensed in a sanitary manner.

(2) Measured the temperature of the water to store the rice scoop at 76F.
Store in-use utensils that are used with potentially hazardous food in a sanitary container and clean the utensils at least every four hours, or in a container of water if the water is maintained at a temperature of at least 135F, or in running water of sufficient velocity to flush particulates to the drain if used with moist food such as ice cream or mashed potatoes.

(3) Observed food equipment stored outside the facility. Equipment or utensils may not be stored in the following locations: locker room, toilet room, refuse room, mechanical room, under unshielded sewer lines, under leaking water lines, under open stairwells, or under other sources of contamination.

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)
38. ADEQUATE VENTILATION AND LIGHTING; DESIGNATED AREAS, USE - OUT OF COMPLIANCE

Inspector Comments:

(1) Observed an accumulation of grease on the hood filters. Clean to remove the grease.

(2) Observed a gap between the hood filters. Seal the gap.

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. 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, 114149.1, 114149.2, 114149.3, 114252, 114252.1)

40. WIPING CLOTHS: PROPERLY USED AND STORED - OUT OF COMPLIANCE

Inspector Comments: Although sanitizer buckets were set up, multi-use wiping cloths were observed stored outside of the bucket. Discontinue holding multi-use wiping cloths outside of the sanitizer solution between uses. Store wiping cloths in an approved sanitizer solution (e.g., 100 ppm chlorine, 200 ppm quaternary ammonium or 25 ppm iodine) between uses, or provide a clean cloth for each use.

Violation Description: Wiping cloths used to wipe service counters, scales, or other surfaces that may come into contact with food shall be used only once unless kept in clean water with sanitizer; separate sanitizing containers shall be provided for wiping cloths used with raw animal foods. (114135, 114185.1 114185.3 [d-e])

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

Inspector Comments:

(1) Observed the air curtain disconnected or in disrepair. Repair, reconnect or install an insect exclusion device (i.e. Air curtain, Fly fan) so that it automatically activates as necessary to prevent flying pests from entering the facility.

(2) Observed the back door to be propped open. Maintain the food facility fully enclosed to prevent the entrance and harborage of animals and insects at all times except during immediate passage.

(3) Observed an employee cell phone and drink stored on the dry food storage shelf by the back door. Maintain employee clothing and personal effects in a room, enclosure, lockers, or other designated area or designated area separated from toilets, food storage, food preparation areas and utensil washing areas.

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)
FACILITY NAME: YU'S GARDEN  
LOCATION: 5408 WALNUT AVE H, IRVINE, CA 92604  
DATE: 4/18/2019  
RELATED ID: PR0005037

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

Inspector Comments:
(1) Observed an accumulation of grime/debris in the following locations:
- floor of cooks line
- floor under all freezers/coolers
- floor under prep station
- floor under equipment behind front counter
- floor under ice machine
- floor of storage closet in the hallway on the way to the bathroom
- wall behind reach-in freezer
- inside and around floor drain under the 3 compartment sink
Clean to remove the grime/debris.

(2) Seal the following holes/gaps/crevices/cracks:
- holes under the 3 compartment sink
- all gaps between the walls and stainless steel wall panels (i.e. above the 3 compartment sink)

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)
## RETAIL FOOD FACILITY INSPECTION REPORT

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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 and rodent activity

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)

### SIGNATURE(S) OF ACKNOWLEDGEMENT

It was agreed that a copy of this report will be sent to the e-mail address provided. The person in charge was directed to call this office if the report is not received within 2 business days. Additional information can be found at http://www.ochealthinfo.com/eh/.

**NAME:** M. Bai  
**TITLE:** Manager
REGULATORY/MEDICAL HEALTH SERVICES
ENVIRONMENTAL HEALTH

RETAIL FOOD FACILITY INSPECTION REPORT

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

INSPECTOR:

E COSTLOW
ENVIRONMENTAL HEALTH SPECIALIST
(714) 714-2736
ECostlow@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 or wastenotoc.org.