



REGULATORY/MEDICAL HEALTH SERVICES  
ENVIRONMENTAL HEALTH

FACILITY NAME <b>LA FONDA DEL BARRIO</b>		FACILITY ADDRESS <b>12273 WESTMINSTER AVE STE B , GARDEN GROVE, CA 92</b>	
MAILING ADDRESS <b>941 MYRTLE ST , SANTA ANA, CA 92703</b>		IDENTIFIER <b>None</b>	
C/O - OWNER <b>GUSTAVO ROMERO</b>		RESULT <b>CLOSED</b>	
FACILITY ID <b>Not Specified</b>	RELATED ID <b>SRQH45JXE</b>	SERVICE: <b>A01 - ROUTINE INSPECTION</b>	INSPECTION DATE <b>7/16/2019</b>
PROGRAM DESCRIPTION <b>0131 - RESTAURANT UNDER 31 PERSONS - COMPLEX</b>		FOOD MANAGER CERTIFICATE / EXPIRATION DATE <b>Gustavo Romero 6/9/22</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

**CRITICAL RISK FACTORS**

IN	MAJ	MIN	N/A	N/O	DESCRIPTION	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 properly	
		●			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	DESCRIPTION	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	DESCRIPTION	COS
	<b>SUPERVISION</b>	
	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	DESCRIPTION	COS
	<b>EQUIPMENT/UTENSILS/LINENS</b>	
	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	DESCRIPTION	COS
	<b>PERMANENT FOOD FACILITIES</b>	
●	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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**OPENING COMMENTS**

In order to reinstate the permit for the facility, all evidence of rodent activity must be eliminated and the affected areas cleaned and sanitized. The point of entry must be sealed up and any violations noted on this report must be corrected to a reasonable level of compliance. The facility may not sell or prepare any food or beverages until the permit has been reinstated. You must also go in to the office and complete the health permit application and pay your fee.

When you are ready to reopen your facility you must have a representative from this agency conduct a reinspection any verify that the violations have been corrected before reinstating the permit.

An after hours service is available for an extra fee if you elect to utilize it and may be requested by calling (714)433-6418 and leaving a message with your name, the name of your facility, and your contact information before 8PM. Someone will return your call to make arrangements.

Please ensure that all requirements have been completed prior to calling to request your reinspection.

**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 on this report, 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, 2020 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: Evidence of rodent activity in critical areas.

**7. ADEQUATE HANDWASHING FACILITIES SUPPLIED & ACCESSIBLE - MINOR**

Inspector Comments: Observed the handwashing station to be out of paper towel.

Violation Description: Handwashing facilities must be provided. Handwashing soap and single-use towels or drying device shall be provided in dispensers; dispensers shall be maintained in good repair. Handwashing facilities shall be clean, unobstructed, and accessible. (113953, 113953.1, 113953.2, 114067)

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

Inspector Comments: The following foods were measured at the respective temperatures: queso fresco in the small reach-in cooler measured 53F

The person in charge stated that the food had been held for more than 4 hours.

The violation was corrected by an employee discarding the food. Refer to item 53.

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)

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

Inspector Comments: Observed multiple rodent droppings on the floor, in a dish caddy in the back storage room, and behind the ice machine.

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)

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

Inspector Comments: Observed a styrofoam cup used as a scoop in a bulk food bin. Provide an approved utensil or device for dispensing food product with a handel that can be prevented from touching the food.

Observed the small reach-in cooler in the front of the kitchen to not be holding foods at the required temperature.

Repair/Adjust the refrigeration unit so that the potentially hazardous foods are maintained at or below 41F.

Observed a cardboard box from an order of beef reused to hold chips.

Discontinue re-using unapproved containers, (i.e. single-use cans, styrofoam cups, crates, cardboard boxes, plastic grocery bags). After the food product has been opened, transfer the product into durable, washable, and cleanable working containers with lids.

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, 114139, 114153, 114155, 114163, 114165, 114167, 114169, 114175, 114177, 114180, 114182)

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

Inspector Comments: Observed an accumulation or miscellaneous items and broken equipment in the storage areas and behind the facility. Remove all items from the facility which are unnecessary to the operation or maintenance of the facility.

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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#### 41. PLUMBING; PROPER BACKFLOW DEVICES - OUT OF COMPLIANCE

Inspector Comments: Observed a garden hose attached to a hose bib next to the janitorial sink with no back flow protection device installed on it. Install an approved siphon breaker or back flow protection device on the hose bib if the hose is to remain.

Observed the condensation drainage line from the walk-in cooler to be running out the back wall and depositing on the ground in the back ally. The equipment must be drained to an approved floor sink. Install an approved drainage line in accordance with all local laws and ordinances.

Observed the toilet in the womens restroom to be continually running water down into the bowl.

Violation Description: The potable water supply shall be protected with a backflow protection device, as required by applicable plumbing codes. All plumbing, plumbing fixtures, and grease interceptors 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. (14171, 114189.1, 114190, 114192, 114193, 114193.1, 114199, 114201, 114269)

#### 43. TOILET FACILITIES: PROPERLY CONSTRUCTED, SUPPLIED, CLEANED - OUT OF COMPLIANCE

Inspector Comments: The restroom door was not observed to be self-closing.

Violation Description: Toilet facilities shall be maintained clean, sanitary, and in good repair. 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. The number of toilet facilities shall be in accordance with local building and plumbing ordinances. Toilet facilities shall be provided for patrons: in establishments where there is onsite consumption of food; with more than 20,000 sq ft.; establishments offering on-site liquor consumption. (114250, 114250.1, 114276)

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

Inspector Comments: Observed the air curtain to be missing from the back door. 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.

Observed the weather stripping on the back screen door to not form a sufficient seal along the bottom of the door.

This facility is not fully enclosed due to the propped open front door. Maintain the food facility fully enclosed to prevent the entrance and harborage of animals and insects at all times except during immediate passage.

Properly rodent proof the interior/exterior of the premises. Seal all gaps that are greater than a 1/4 inch.

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 the eve over the outside of the back door to be damaged and deteriorated.

Observed the casing around the storage room door to be pulling away from the wall along the bottom creating a large gap.

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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#### 49. HEALTH PERMIT - OUT OF COMPLIANCE

Inspector Comments: Notification of a change in ownership was not provided to this Agency; this facility was found to be in operation without a valid health permit.

Effective date of new ownership: 1/1/19  
Previous DBA FANCY CAKES BAKERY  
Previous Owner: CINDY TOBIAS

You have been conditionally approved to operate pending submission of a completed Application for Health Permit, supporting ownership documents, and full payment in the amount of \$ 820 by 7/23/19.

Failure to submit the completed application, supporting ownership documents, and payment by this date will result in the closure of your facility pursuant to California Health and Safety Code Section 114381 and may be subject to penalty not to exceed three times the cost of the permit.

Violation Description: A food facility shall not be open for business without a valid permit. (114067(b,c), 114381(a), 114387)

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

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)

#### 53. VOLUNTARY CONDEMNATION & DESTRUCTION (VC&D)

Inspector Comments: 1 cup of queso fresco was discard in the trash by an employee.

Violation Description: Food, equipment, or utensils that are found to be unsanitary or in disrepair may be Voluntarily Condemned and Destroyed by the person in charge. (111890, 111895)

### 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.ochcahealthinfo.com/eh/>.



NAME: Gustavo Romero  
TITLE: Owner

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

INSPECTOR:

L ALBRIGHT  
ENVIRONMENTAL HEALTH SPEC I  
(714) 824-1686  
lalbright@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).