



REGULATORY/MEDICAL HEALTH SERVICES
ENVIRONMENTAL HEALTH

RETAIL FOOD FACILITY INSPECTION REPORT

| | | | | | |
|---|--------------------------------|---|---------------------------|------------------------------------|--|
| FACILITY NAME DUFFYS | | FACILITY ADDRESS 531 W IMPERIAL HWY, LA HABRA, CA 90631 | | | |
| MAILING ADDRESS 531 W IMPERIAL HIGHWAY LA HABRA, CA 90604 | | | IDENTIFIER None | | |
| C/O - OWNER DUFFYS LA HABRA INC | | | RESULT CLOSED | | |
| FACILITY ID FA0022290 | RELATED ID PR0022290 | SERVICE: A01 - ROUTINE INSPECTION | | INSPECTION DATE 8/2/2019 | |
| PROGRAM DESCRIPTION 0111 - RESTAURANT UNDER 31 PERSONS - NON-COMPLE | | FOOD MANAGER CERTIFICATE / EXPIRATION DATE None on File | | REINSPECTION DATE: N/A | |

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 | | COS |
|----|-----|-----|-----|-----|---|-----|
| ● | | | | | EMPLOYEE KNOWLEDGE | |
| | | ● | | | 1. Demonstration of knowledge | |
| | | | | | 2. Food manager certification; food handler cards | |
| | | | | | EMPLOYEE HEALTH & HYGIENIC PRACTICES | |
| ● | | | | | 3. Communicable disease; reporting, restrictions & exclusions | |
| ● | | | | | 4. No discharge from eyes, nose, and mouth | |
| ● | | | | | 5. Proper eating, tasting, drinking or tobacco use | |
| | | | | | PREVENTING CONTAMINATION BY HANDS | |
| ● | | | | | 6. Hands clean and properly washed; gloves used properly | |
| | | ● | | | 7. Adequate handwashing facilities supplied & accessible | |
| | | | | | TIME AND TEMPERATURE RELATIONSHIPS | |
| | | ● | | | 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 | | COS |
|----|-----|-----|-----|-----|--|-----|
| ● | | | | | PROTECTION FROM CONTAMINATION | |
| ● | | | | | 13. Returned and reservice 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

| OUT | | COS |
|-----|--|-----|
| | 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 | |

| OUT | | COS |
|-----|--|-----|
| | 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 | |

| OUT | | COS |
|-----|---|-----|
| | 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 Condemnation & Destruction (VC&D) | |
| | 54. Impoundment | |
| ● | 55. Sample Collected | |



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| FACILITY NAME DUFFYS | DATE 8/2/2019 |
| LOCATION 531 W IMPERIAL HWY, LA HABRA, CA 90631 | RELATED ID PR0022290 |

OPENING 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.

The CLOSED notification seal was issued this date.

REASON FOR CLOSURE: rodent infestation

*As of June 18, 2018, partially hydrogenated oils (PHOs) are no longer recognized as safe for human consumption by Order of the Food and Drug Administration (FDA). Any food product containing PHOs or trans fat used as a food ingredient must be discontinued and removed from the food facility. Refer to ocfoodinfo.com for further information.

2. FOOD MANAGER CERTIFICATION; FOOD HANDLER CARDS - MINOR

Inspector Comments: Food Safety Certificate was not available at time of inspection. Provide Food Safety Certificate within 14 days. A reinspection is scheduled for 08/16/2019. To avoid a reinspection fee or additional administrative action, email a copy of your current Food Safety Certificate or proof of enrollment to LFUERTES@OCHCA.COM.

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)

7. ADEQUATE HANDWASHING FACILITIES SUPPLIED & ACCESSIBLE - MINOR

Inspector Comments: Observed paper towels stored outside of the dispenser at the handwash sink located inside the kitchen.

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)

8. PROPER HOT AND COLD HOLDING TEMPERATURES - MINOR

Inspector Comments: The following foods were measured at the respective temperatures:

- raw chicken: 45F inside the stand-up cooler located in the kitchen
- raw beef: 45F inside the stand-up cooler located in the kitchen

The person in charge [PIC] 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)

Corrected on site

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

Inspector Comments: Observed rodent droppings in the following locations:

- the floor beneath the counter to the right of the back of bar entrance (behind trash can and bottle opener)
- the floor beneath the left-hand side of the warewash sink located in the kitchen
- the floor between the cold-top insert unit and the toaster oven located in the kitchen
- the floor behind the stand-up display cooler located in the kitchen
- the floor between the walk-in cooler and the bulk soda shelves located in the dry storage area

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)



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34. NONFOOD-CONTACT SURFACES CLEAN - OUT OF COMPLIANCE

Inspector Comments: Remove the old food, residue, and debris from the following locations:

- the interior of the cold-top/reach-in unit located in the kitchen
- the interior of the microwave located in the kitchen

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. The ambient temperature inside the stand-up display cooler located in the kitchen measured 45F. Repair/Adjust the refrigeration unit (s) so that the potentially hazardous foods are maintained at or below 41F.

2. Observed a gap between the wall and the splash guard of the warewash sink located inside the kitchen. Seal the gap.

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)

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

Inspector Comments: Observed a gap between the bottom of the door and the door frame for the front entrance into the facility. 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:

1. Observed a hole in the wall around the electrical panel above the cold-top insert unit located in the kitchen. Repair the wall in order to provide a surface that is smooth, durable, non-absorbent and easily cleanable.

2. Observed a hole in the base coving beneath the left-hand side of the warewash sink located in the kitchen.

3. Observed a gap in the base coving behind/beneath the stand-up display cooler located in the kitchen.

Provide an integrally designed base coving with a 3/8-inch radius at the juncture of the floor and wall. The coving must extend up the wall at least 4 inches.

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)

49. HEALTH PERMIT - OUT OF COMPLIANCE

Inspector Comments: This facility was observed to be operating outside the scope of its health permit (cooking and cooling taco meat for use at a later date). You have 7 days to convert your operation back to what this permit allows. Expanding the scope of what this permit allows may require plan submission and approval, and permit upgrade.

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



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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 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: rodent 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)

53. VOLUNTARY CONDEMNATION & DESTRUCTION (VC&D)

Inspector Comments: Approximately 2 lbs of raw chicken and 2 lbs of raw beef were discarded by the PIC under the observation of the Environmental Health Specialist.

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)

55. SAMPLE COLLECTED

Inspector Comments: Photos were taken on this date.

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

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/>.



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NAME: A. Springfield
TITLE: Person in Charge

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

INSPECTOR:

L FUERTES
ENVIRONMENTAL HEALTH SPECIALIST
(714) 559-2862
lfuertes@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.