



**RETAIL FOOD FACILITY INSPECTION REPORT**

FACILITY NAME <b>DEL TACO #41</b>		FACILITY ADDRESS <b>1720 SUPERIOR AVE, COSTA MESA, CA 92627</b>	
MAILING ADDRESS <b>25521 COMMERCENTRE DR STE 200 LAKE FOREST, CA 92630</b>		IDENTIFIER <b>None</b>	
C/O - OWNER <b>DEL TACO LLC</b>		RESULT <b>CLOSED</b>	
FACILITY ID <b>FA0007387</b>	RELATED ID <b>PR0007387</b>	SERVICE: <b>C08 - INVESTIGATION - EMERGENCY RESPONSE/ ON-CALL ST</b>	INSPECTION DATE <b>2/15/2019</b>
PROGRAM DESCRIPTION <b>0113 - RESTAURANT 61-100 PERSONS - NON-COMPLEX</b>		FOOD MANAGER CERTIFICATE / EXPIRATION DATE <b>Not reviewed</b>	REINSPECTION DATE: <b>N/A</b>

**Items noted below were observed during the course of this inspection. Any violations observed must be corrected. Failure to correct the listed violation(s) prior to the designated compliance date may necessitate a reinspection at an additional fee.**

**OPENING COMMENTS**

On site after notification by control one that a sewage discharge was reported from the Costa Mesa Sanitary District, Called T. Gomez of Costa Mesa Sanitary District who advised that he was dispatched at 2:37 approximately and arrived at the facility at approximately 2:53 PM. T. Gomez advised that the restaurant was in operation upon arrival and departure from the facility. Upon arrival I discussed the situation with E.C. with Plumbing masters who advised that he arrived at the facility at approximately 5:00 PM. The plumber advised he was able to clear the line and proceeded to pull the man hole covers and show me that the sewage was discharging. Prior to the observation we turned on several faucets within the facility. During discussion S. Sharp observed potential sewage puddled on the floor tiles just inside the back door around a floor drain. During Discussion with M. Torres manager on site she advised that she noticed the bathrooms flowing slowly around 1:00 PM and advised one of the bathrooms backed up. At 6:38 PM T. Nicholson, District Manager for Del Taco called me upon my request. A detailed synopsis was provided to Mr. Nicholson. Mr. Nicholson advised that the bathroom that backed up was the central bathroom and that this bathroom is adjacent to the floor drain that was backing up and is only a few feet away. Mr. Nicholson and I discussed the time line and concurred with the approximate time frames. M. Torres advised that the bathroom that backed up was actually the first bathroom and that sewage was discharged onto the floor. In addition, S. Sharp contacted J. Anzora who advised he was aware of the sewage leak. After confirming that the cause of the backup was cleared E.C. advised that Baker Commodities pump truck already on site was going to pump the waste clarifier to ensure all grease and debris are removed. This step was completed. In addition, the sewage on the floor was cleaned up and the facility was directed to wash rinse and sanitize all floors and food contact surfaces and following to direct staff to all wash their hands.



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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: Sewage Discharge within and outside of the facility.

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.ocadohealthinfo.com/eh/>.

NAME: M. Torres  
TITLE: General Manager



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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:

S SHARP, REHS  
SUPV ENVIRONMENTAL HEALTH  
SPECIALIST  
(714) 433-6130  
ssharp@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).