



REGULATORY/MEDICAL HEALTH SERVICES
ENVIRONMENTAL HEALTH

RETAIL FOOD FACILITY INSPECTION REPORT

FACILITY NAME FLAME BROILER, THE			FACILITY ADDRESS 2139 N TUSTIN ST B-6, ORANGE, CA 92865		
MAILING ADDRESS 2139 N TUSTIN ST STE B-6 ORANGE, CA 92865			IDENTIFIER None		
C/O - OWNER BARAKA 786 INC			RESULT CLOSED		
FACILITY ID FA0055178	RELATED ID PR0075060	SERVICE: A01 - ROUTINE INSPECTION	INSPECTION DATE 10/28/2019		
PROGRAM DESCRIPTION 0131 - RESTAURANT UNDER 31 PERSONS - COMPLEX			FOOD MANAGER CERTIFICATE / EXPIRATION DATE Rodolfo Cortez 08/13/2023		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	DESCRIPTION	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	DESCRIPTION	COS
					PROTECTION FROM CONTAMINATION	
●					13. Returned and reserve 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	DESCRIPTION	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	DESCRIPTION	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	DESCRIPTION	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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OPENING COMMENTS

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

8. PROPER HOT AND COLD HOLDING TEMPERATURES - MAJOR

Inspector Comments: Cooked broccoli, cooked carrots, and cooked cabbage, in separate strainers, next to the cook's charbroiler measured ~85F cooked ~one hour prior for a customer.

Corrective action: The person in charge opted to discard the cooked carrots and cabbage. Refer to FM53. The broccoli was relocated to cool to 70F or below within the remaining 1 hour.

Maintain the temperature of potentially hazardous foods at or below 41°F or at or above 135°F.

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

Corrected on site

22. HOT AND COLD WATER AVAILABLE - MAJOR

Inspector Comments: 1) No hot water was available in the facility. It was stated that a water heater part had broken and a plumber had been called to repair the water heater.

Corrective action: This facility's health permit has been suspended until hot water of at least 120F is available at the warewash and janitorial sink. Refer to FM54.

2) No water was available at the kitchen handwash sink.

Corrective action: Cold water was turned ON but no hot water was available.

Provide an adequate supply of potable hot running water of at least 120F to all sinks. Handwashsinks require a minimum temperature of 100 degrees Fahrenheit through a mixing valve.

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)

Corrected on site

27. APPROVED THAWING METHODS USED, FROZEN FOOD - OUT OF COMPLIANCE

Inspector Comments: Observed unattended sealed packages of chicken thawing in sitting water in the preparation sink. The chicken measured below 41F.

Corrective action: The chicken was relocated to a refrigerator.

Discontinue improperly thawing potentially hazardous foods. Thaw all frozen potentially hazardous foods by one or more of the following methods:

- in refrigeration units
 - in a microwave oven if immediately followed by immediate preparation
 - as part of the cooking process
 - completely submerged under potable running water for a period not to exceed two hours at a water temperature of 70 F or below and with sufficient water velocity to agitate and flush off loose particles into the sink drain.
- Plan ahead as different methods of thawing could take additional time and effort.

Violation Description: Food shall be thawed under refrigeration; completely submerged under cold running water of sufficient velocity to flush loose particles; in a microwave oven; during the cooking process. (114018, 114020)



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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])

42. GARBAGE AND REFUSE PROPERLY DISPOSED; FACILITIES MAINTAINED - OUT OF COMPLIANCE

Inspector Comments: Observed the trash dumpster to be uncovered. Maintain the dumpster lid closed when not in use.

Violation Description: All food waste and rubbish shall be kept in leak-proof and rodent-proof containers. Containers shall be covered at all times. All waste must be removed and disposed of as frequently as necessary to prevent a nuisance. The exterior premises of each food facility shall be kept clean and free of litter and rubbish. (114244, 114245, 114245.1, 114245.2, 114245.3, 114245.4, 114245.5, 114245.6, 114245.7, 114245.8)

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

Inspector Comments: Observed an apron hanging on the shelving unit by the kitchen entrance.

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)

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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: No hot water in 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)

53. VOLUNTARY CONDEMNATION & DESTRUCTION (VC&D)

Inspector Comments: ~ 1 cup carrots
~ 1 cup cabbage

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)

NOTES

Handouts provided:
- Food for Thought/Waste Not OC Flyer

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.ocalthinfo.com/eh/>.



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NAME: Rodolfo Cortez
TITLE: Kitchen Manager

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

INSPECTOR:

O CAMPOS
ENVIRONMENTAL HEALTH SPECIALIST
(714) 625-7407
OCAMPOS@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.