



REGULATORY/MEDICAL HEALTH SERVICES  
ENVIRONMENTAL HEALTH

**RETAIL FOOD FACILITY INSPECTION REPORT**

FACILITY NAME <b>POM &amp; OLIVE</b>		FACILITY ADDRESS <b>1400 BRISTOL ST C, COSTA MESA, CA 92626</b>	
MAILING ADDRESS <b>1400 BRISTOL ST STE C COSTA MESA, CA 92626</b>		IDENTIFIER <b>None</b>	
C/O - OWNER <b>KEYVILLE INC</b>		RESULT <b>CLOSED</b>	
FACILITY ID <b>FA0014509</b>	RELATED ID <b>PR0014509</b>	SERVICE: <b>A01 - ROUTINE INSPECTION</b>	INSPECTION DATE <b>6/10/2019</b>
PROGRAM DESCRIPTION <b>0134 - RESTAURANT 101-150 PERSONS - COMPLEX</b>		FOOD MANAGER CERTIFICATE / EXPIRATION DATE <b>K. BAGHERITARI EXP: 5/1/24</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	EMPLOYEE KNOWLEDGE	COS
●					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	PROTECTION FROM CONTAMINATION	COS
●					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	SUPERVISION	COS
	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	EQUIPMENT/UTENSILS/LINENS	COS
●	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	PERMANENT FOOD FACILITIES	COS
●	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**

This is a joint inspection conducted with H. Lopez, EHS. This facility's Health Permit was suspended due to rodent activity in critical areas. See item 50.

**22. HOT AND COLD WATER AVAILABLE - MINOR**

Inspector Comments: Adequate water pressure was not observed to be provided at the womens restroom sink. Provide water with sufficient pressure to allow for proper handwashing.

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)

**23. SEWAGE AND WASTEWATER PROPERLY DISPOSED - MINOR**

Inspector Comments: Observed the floor sink near the handwashing sink to be filled with water (but not overflowing). The sinks in the area were run and no signs of sewage overflow were observed.

Corrective action: The floor drain screen was removed and unclogged.

Violation Description: All liquid waste must drain to an approved fully functioning sewage disposal system; toilets shall be operable. (114197)

**Corrected on site**

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

Inspector Comments: Rodent droppings were observed including, but not limited to, the following critical areas:

- between the round booths in the dinning area
- beneath inverted dairy crates in the servers isle/hallway
- inside the motor area of the soda machine unit at the far end of the bar
- beneath a stainless steel shelving unit located in the main food preparation room
- behind unused tables stored in the back storage section of the facility

Eliminate the activity of rodents//vermin from the food facility by using only approved methods. Remove all evidence of the activity 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)

**Corrected on site**

**34. NONFOOD-CONTACT SURFACES CLEAN - OUT OF COMPLIANCE**

Inspector Comments: Clean to remove the accumulation of grease and/or grime from the following locations:

- between/behind/underneath/inside each piece of equipment/unit located at the cook's line
- plumbing lines located behind the cook's line equipment
- grease exhaust hood fire suppression lines hanging above cooking equipment

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: Measured the reach-in cooler located at the bar at 52F. No potentially hazardous foods were observed to be stored inside the unit at this time. Repair/Adjust the refrigeration unit (s) so that the potentially hazardous foods are maintained at or below 41F.

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)



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

Inspector Comments: Observed there to be unused stored equipment in the facility (e.g., burner(s), grill, dining tables) 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)

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

Inspector Comments: Observed there to be gaps between the grease exhaust hood filters. Properly secure/install the filters to eliminate all gaps.

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)

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

Inspector Comments: Observed there to be a leak beneath the food preparation sink located in the main preparation room. Ensure that all plumbing is in good repair.

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)

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

Inspector Comments: 1. Observed gaps greater than 1/4 inch in the following locations:

- beneath/between the front doors of the facility
- beneath the brown, wooden double doors located next to the dining room
- beneath the white double doors located in the storage area of the facility
- above conduit lines leading into the ceiling in the dry food storage room
- missing air vent cover in the storage room located across from the cook's line
- beneath a wooden platform covered by detached basecoving material in the dry food storage room

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

Observed this facility's front 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.

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

Inspector Comments: 1. Clean to remove the accumulation of grime and/or old food debris from the floors including, but not limited to, the following locations:

- beneath the stainless steel preparation table in the middle of the food preparation room
- beneath equipment at both cook's lines
- beneath each refrigeration unit located across from the cooks line facing the dining room

2. Observed walls in the following locations to be in disrepair (i.e., peeling)

- beneath the wall mounted shelving units in the main food preparation room
- in the equipment storage room located across the second cook's line area

Ensure that wall surfaces are smooth, durable, non absorbent, and easily cleanable.

3. Eliminate the black mold-like material observed on the wall adjacent to the dish machine.

4. Observed there to be a missing basecove tile on the wall outside the walk-in cooler. 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)



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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: Rodent activity in critical areas

Prior to calling for a reinspection the following must be corrected:

- 1) Eliminate all rodent activity from this facility using approved pest control methods (refer to #24).
- 2) Clean and sanitize all surfaces to eliminate rodent contamination including, but not limited to, all prep tables, food equipment, food containers, shelves, and floors.
- 3) Properly eliminate/seal potential points of entry such as holes and gaps in the walls, basecoves, ceiling, and under all exterior doors to prevent vermin entrance including but not limited to those listed in #44 & #45.

NOTE: Violations number(s) 36 & 41 must be corrected prior to the reinspection that will be scheduled after this facility has been reopened.

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)

**55. SAMPLE COLLECTED**

Inspector Comments: Photos were taken.

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



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**SIGNATURE(S) OF ACKNOWLEDGEMENT**

A copy of this report was left at the facility on this date. Additional information can be found at <http://www.ochcahealthinfo.com/eh/>.

NAME: K. BAGHERITARI  
TITLE: OPERATOR

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

INSPECTOR:

J VALDEZ  
ENVIRONMENTAL HEALTH SPEC II  
(714) 823-7732  
[jvaldez@ochca.com](mailto:jvaldez@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).