



**ORANGE COUNTY HEALTH CARE AGENCY**  
 REGULATORY/MEDICAL HEALTH SERVICES  
 ENVIRONMENTAL HEALTH

**RETAIL FOOD FACILITY INSPECTION REPORT**

FACILITY NAME <b>WAYS AND MEANS OYSTER HOUSE</b>			FACILITY ADDRESS <b>21022 PACIFIC COAST HWY, HUNTINGTON BEACH, CA 92648</b>		
MAILING ADDRESS <b>1809 CAPETOWN CIR, COSTA MESA, CA 92627</b>			IDENTIFIER: <b>None</b>		
C/O - OWNER <b>WAYS AND MEANS DEVELOPMENT</b>			RESULT: <b>CLOSED</b>		
FACILITY ID <b>FA0069375</b>	RELATED ID <b>PR0102615</b>	SERVICE: <b>A01 - ROUTINE INSPECTION</b>		INSPECTION DATE <b>7/2/2019</b>	
PE <b>0134 - RESTAURANT 101-150 PERSONS - COMPLEX</b>			FOOD MANAGER CERTIFICATE / EXPIRATION DATE <b>J. Rodriguez 9/27/21</b>		REINSPECTION DATE: <b>N/A</b>

Based on an inspection this day, the compliance status (IN, MAJ, MIN, OUT, N/A, N/O, 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 N/A = Not Applicable N/O = Not Observed MAJ = Major MIN = Minor 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 reservice 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	



## RETAIL FOOD FACILITY INSPECTION REPORT

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LOCATION 21022 PACIFIC COAST HWY, HUNTINGTON BEACH, CA 92648	RELATED ID PR0102615

### OPENING COMMENTS

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

Due to a cockroach infestation, the health permit has been suspended at this time. Refer to violation FM24 and FM50.

Prior to requesting a re-opening inspection, all violations noted during this inspection must be corrected. The cockroach bulletin was provided at this time.

Photos were taken at this date.

### 2. FOOD MANAGER CERTIFICATION; FOOD HANDLER CARDS

Inspector Comments:

A valid Food Safety Certificate was not available for review at time of inspection. Provide Food Safety Certificate within 14 days. A reinspection is scheduled for 7-16-19. To avoid a reinspection fee or additional administrative action, email a copy of your current Food Safety Certificate or proof of enrollment to [jluces@ochca.com](mailto:jluces@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

Inspector Comments:

Observed the hand washing sink basin at the back preparation area to be blocked by equipment.

Maintain the hand washing sink available at all times.

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)

**Corrected on site**

### 15. FOOD CONTACT SURFACES: CLEAN AND SANITIZED

Inspector Comments:

Observed several ladles stored at the clean equipment shelf to have an accumulation of old food debris.

Corrective Action:

The ladles were returned to the three compartment sink to be washed, rinsed, and sanitized.

Violation Description: All food contact surfaces of utensils and equipment shall be clean and sanitized. (113984(d), 114097, 114099.1, 114099.4, 114099.6, 114101(b-d), 114105, 114109, 114111, 114113, 114115(a, b, d), 114117, 114125(b), 114141)

**Corrected on site**

### 17. COMPLIANCE WITH SHELLSTOCK TAGS, CONDITION, DISPLAY

Inspector Comments:

Observed the shell stock tags to be stored outside of chronological order.

Maintain shell stock tags for 90 days and in chronological order.

Violation Description: Shellstock shall have complete certification tags and shall be properly stored and displayed. (114039 - 114039.5)



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

Inspector Comments:

I. Observed several live cockroaches at the following areas:

1. Multiple live adults and nymphs were observed underneath the dish machine, in the corner, behind the plastic corner.
2. Multiple live adults were observed on and around the legs of the clean equipment rack at the corner adjacent to the janitorial sink.

II. Observed several dead cockroaches at the following areas:

1. Underneath and behind the line of upright coolers adjacent to the water heater
2. Around the base of the water heater
3. Underneath the two door upright cooler adjacent to the small ice machine
4. Underneath the cooler at the bar closest to the front entrance
5. Underneath the reach in cooler ice cream cooler and adjacent cooler at the front customer 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)

### 29. WASHING FRUITS AND VEGETABLES

Inspector Comments:

Observed a food worker wash vegetables at the front area hand washing sink.

Use the hand washing sink only for hand washing.

Violation Description: Raw, whole produce shall be washed prior to preparation. (113992)

**Corrected on site**

### 34. NONFOOD-CONTACT SURFACES CLEAN

Inspector Comments:

Observed an accumulation of grime/debris at the following locations:

1. On the exterior surfaces of the broiler unit at the main preparation line, including the lines above and behind
2. On the surfaces of the clean equipment racks adjacent to the warewashing area

Violation Description: All nonfood-contact surfaces of utensils and equipment shall be clean. (114115 [c])

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

Inspector Comments:

1. Observed several wire strainers stored at the clean equipment rack to be frayed/damaged

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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### 41. PLUMBING; PROPER BACKFLOW DEVICES

Inspector Comments:

Observed the back preparation area hand washing sink to be leaking

Repair the leak

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

Inspector Comments:

1. Observed a wall tile to be missing underneath the oven at the back preparation line

2. Observed visible gaps at the corner cover of the FRP paneling underneath the dish machine.

Seal all gaps greater than 1/4 an inch to prevent the harborage of vermin

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

Inspector Comments:

I. Observed an accumulation of grime/debris at the following locations:

1. At the walls and floors underneath dish machine
2. At the walls and floor underneath the three compartment sink
3. On the floors underneath the small ice machine and adjacent coolers
4. On the walls behind the equipment at the main preparation line
5. On the floors at the corners, underneath the clean equipment racks, adjacent to the water heater
6. On the floors underneath the ice cream cooler and adjacent unit at the customer area

II. Observed the wall corner covering below the back preparation area hand washing sink to be damaged.

Repair/replace the covering

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 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: Cockroach 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)



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**NOTES**

Refusal to sign

The Spring/Summer 2019 Food for Thought bulletin was provided at this time

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](http://ocfoodinfo.com) for further information.

The cockroach bulletin was provided at this time.

**SIGNATURE(S) OF ACKNOWLEDGEMENT**

NAME:P. Delcham  
 TITLE:Principal

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

INSPECTOR:

J LUCES  
 ENVIRONMENTAL HEALTH SPEC I  
 (714)380-2500  
[jluca@ochca.com](mailto:jluca@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).