



**RETAIL FOOD FACILITY INSPECTION REPORT**

FACILITY NAME <b>MEMPHIS</b>		FACILITY ADDRESS <b>2920 BRISTOL ST, COSTA MESA, CA 92626</b>			
MAILING ADDRESS <b>2920 BRISTOL ST COSTA MESA, CA 92626</b>			IDENTIFIER <b>None</b>		
C/O - OWNER <b>DANIEL RAY BRADLEY</b>			RESULT <b>CLOSED</b>		
FACILITY ID <b>FA0016169</b>	RELATED ID <b>PR0016169</b>	SERVICE: <b>A01 - ROUTINE INSPECTION</b>		INSPECTION DATE <b>10/25/2019</b>	
PROGRAM DESCRIPTION <b>0132 - RESTAURANT 31-60 PERSONS - COMPLEX</b>		FOOD MANAGER CERTIFICATE / EXPIRATION DATE <b>M. Motz 4/14/2021</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	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	
					<b>PROTECTION FROM CONTAMINATION</b>	
●					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	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	
	<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	
	<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	



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**OPENING COMMENTS**

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

\*\*\*On this date, cockroach activity was noted in critical areas of the restaurant. The permit was suspended, and a "Closed" seal was posted.

IMMEDIATE HEALTH PERMIT SUSPENSION AND CLOSURE

Reason for closure: cockroach activity in critical areas

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.

\*\*Prior to calling for a reinspection correct all of the following items:

1. Eliminate live cockroaches by approved methods (refer to #24).
  2. Remove all excess clutter and cardboard from the facility, as well as personal belongings to allow for effective pest control service and to prevent future harborage of cockroaches and other vermin.
  3. Have your pest control receipt available for review by the Environmental Health Specialist responding to your request for reinspection. Without proof that it is safe for the Specialist to enter your facility the reinspection will not occur.
  4. Enter your facility only after it is safe to do so. Clean and sanitize all food contact surfaces that were exposed to the spotting, live or dead cockroaches, and pesticides.
  5. Seal the gaps and/or crevices and eliminate harborage points (refer to #44).
  6. Correct all violations listed on this inspection report
- \* Gasket repair and legs/wheels for the equipment as listed in #36 will be observed for compliance during the 3-week reinspection after the permit reinstatement.

**2. FOOD MANAGER CERTIFICATION; FOOD HANDLER CARDS - MINOR**

Inspector Comments: Not all of the food handlers possess a California Food Handler Card. Each food handler shall maintain a valid California Food Handler Card for the duration of his or her employment as a food handler. Cards shall be valid for three years from the date of issuance, regardless of whether the food handler changes employers during that period. (Certified Food Managers are exempted from this requirement.)

Violation Description: There shall be an individual that possesses a current Food Safety Certificate for each food facility that prepares, handles, or serves nonprepackaged potentially hazardous food. Any individual who is involved in the preparation, storage, or service of food in a food facility shall obtain a food handler card within 30 days after the date of hire. (113947.1-113947.5, 113948)

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**8. PROPER HOT AND COLD HOLDING TEMPERATURES - MAJOR**

Inspector Comments: 1. Measured the following foods between 47-53 F inside the cold top preparation cooler in the corner of the preparation line:

- cooked chorizo
- sliced tomatoes
- diced tomatoes
- roasted garlic dressing

According to the employee working that area, the tomatoes were the only foods that were held for more than four hours.

2. Measured buttermilk sauce (used for breading fish/chicken) at 63 F inside a container out of temperature control at the entrance to the preparation line.

3. Measured ham sauce at 65 F inside a container out of temperature control on the bottom shelf below the hot holding unit.

4. Observed raw beef sitting unattended on the right drainboard of the 3-compartment sink at the start of the inspection. This item was addressed, and was started on a cooking process before a temperature could be taken. According to the employee working that area, the food was held here for less than 4 hours.

5. Observed three flats of intact raw shell eggs on the shelf above the cold-top preparation unit at the start of the inspection. These eggs were put away inside of the 2-door upright cooler as the inspection started. According to the employee working that area, the eggs were held in this location for approximately 1.5 hours prior to the inspection.

Maintain all potentially hazardous foods below 41 F or above 135 F.

Corrective action: The tomatoes in item #1 were voluntarily discarded by the facility. The remaining foods in item 1, 2, 3 were place into ice baths.

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**

**10. PROPER COOLING METHODS - MINOR**

Inspector Comments: > Measured cooked gumbo at 130 F in a deep, covered container sitting next to the waffle maker near the 2-door upright cooler at the preparation area. According to the person working this area, the food was cooling for approximately 30 minutes prior to the inspection. No cooling logs were available at the time of inspection.

After heating/cooking or hot holding, potentially hazardous food shall be cooled rapidly from 135°F to 41°F or below within six hours. During this time, the decrease in temperature from 135°F to 70°F shall occur within two hours. Utilize one or more of the following methods.

Rapid cooling methods:

- a) placing the food in shallow, heat-conducting pans
- b) separating the food into smaller or thinner portions
- c) using rapid cooling equipment
- d) using containers that facilitate heat transfer
- e) adding ice as an ingredient
- f) using ice paddles
- g) inserting appropriately designed containers in an ice bath and stirring frequently
- h) utilizing other effective means that have been approved by the enforcement agency

When placed in cooling or cold holding equipment, food containers shall be arranged in the equipment to provide maximum heat transfer through the container walls, loosely covered, or uncovered if protected from overhead contamination during the cooling period. Liquid or semi-liquid foods shall be stirred as necessary in order to evenly cool.

Corrective Action Taken: The food was divided into smaller containers, uncovered, and relocated into the upright cooler during the inspection.

Violation Description: All potentially hazardous foods shall be RAPIDLY cooled from 135°F to 41°F within 6 hours. During this time, the food shall decrease from 135°F to 70°F within 2 hours. Cooling shall be accomplished by using one or more of the following methods: placing in shallow pans, separating into smaller portions, using rapid cooling equipment, using ice, or other approved methods. (114002, 114002.1)

**Corrected on site**



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

Inspector Comments: > Regarding cockroach activity observed this visit:

1. Observed two live adult cockroaches below the espresso machine at the bar area.
2. Observed one live adult cockroach in the machine compartment of the cooler behind the front server station.

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)

**28. FOOD SEPARATED AND PROTECTED - OUT OF COMPLIANCE**

Inspector Comments: > Observed an open container of intact raw shell eggs stored adjacent to and above open containers of ready-to-eat foods.

Store ready-to-eat foods above or separately from raw animal products.

Violation Description: All food shall be separated and protected from contamination. (113980, 113984, 113986, 114060, 114067, 114077, 114073, 114143)

**36. EQUIPMENT/UTENSILS - APPROVED; INSTALLED; GOOD REPAIR; CAPACITY - OUT OF COMPLIANCE**

Inspector Comments: 1. Replace/repair the torn gaskets for the cold-top preparation unit in the corner of the preparation line and the cooler below the grill.

2. Adjust/repair the cold-top preparation cooler to be able to hold potentially hazardous foods below 41 F.

\*\*DO NOT use this unit for holding potentially hazardous foods until the unit is observed to have an ambient temperature below 41 F.

3. Remove the large amount of water accumulation from the interior of the keg cooler at the bar area.

4. To ensure proper cleaning of the floors at the bar area, provide the single-door, undercounter cooler and the keg cooler with approved legs or castor wheels.

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)

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

Inspector Comments: > Observed an unsecured pressurized cylinder at the end of the bar area.

All pressurized cylinders shall be securely fastened to a rigid structure.

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. A full service restaurant is to only provide a single-use plastic straw to a consumer when requested. (114074, 114081, 114119, 114121, 114161, 114178, 114179, 114083, 114185, 114185.2, 114185.3, 114185.4, 114185.5)

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

Inspector Comments: > Provide a proper air gap for the condensation drainage near the espresso machine. All air gaps must be a distance of twice the diameter of the pipe with a minimum of a one inch gap.

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)



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

Inspector Comments: 1. Observed the patio door propped open during the inspection. Maintain all entrance doors closed except during immediate passage.

2. Seal the gaps in the wall at the back of the undercounter bar area near the espresso machine
3. Seal the gaps below the bar counter near the hot holding units.
4. Seal the crevices between the shelf mounts/shelving near the corner of the preparation line.
5. Seal the loose paneling around the portal near the dish washing machine
6. Seal the crevices between the shelf mounts/shelving in the ware washing room

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: > Clean the areas of food, dust, and debris including, but not limited to the following:

1. All the floors below and behind the bar
2. Floors behind the 2-door upright cooler.
3. Floors and walls behind the cold-top preparation cooler.
4. Walls behind and floors around the hot holding units
5. Floors behind and below the grills, ovens and fryer.
6. Floors in the warewashing area
7. Walls of the warewashing area including around the shelving in the warewashing room and below the 3-compartment sink
8. Ceiling around the exhaust hood including both vents near the preparation cooler.

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 activity in critical areas

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: The operator consented to the voluntary condemnation and destruction of the following:

- Approximately 6 pounds of tomatoes

\* estimation was from the employee working the preparation line

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)

**SIGNATURE(S) OF ACKNOWLEDGEMENT**



NAME: Mindy Motz  
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:

A MARR  
ENVIRONMENTAL HEALTH SPECIALIST  
(714) 714-2119  
amarr@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).