



REGULATORY/MEDICAL HEALTH SERVICES  
ENVIRONMENTAL HEALTH

**RETAIL FOOD FACILITY INSPECTION REPORT**

FACILITY NAME <b>KATHY MARKET AGUA</b>		FACILITY ADDRESS <b>700 E 1ST ST B110, SANTA ANA, CA 92701</b>	
MAILING ADDRESS <b>11352 WESTMINSTER AVE GARDEN GROVE, CA 92843</b>		IDENTIFIER <b>None</b>	
C/O - OWNER <b>MLT INVESTMENT CORP</b>		RESULT <b>CLOSED</b>	
FACILITY ID <b>FA0055474</b>	RELATED ID <b>PR0075531</b>	SERVICE: <b>A01 - ROUTINE INSPECTION</b>	INSPECTION DATE <b>11/20/2018</b>
PROGRAM DESCRIPTION <b>0391 - FOOD MARKET - PACKAGED FOOD 1-1999 SQ FT</b>		FOOD MANAGER CERTIFICATE / EXPIRATION DATE <b>None on File</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**

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

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.

**7. ADEQUATE HANDWASHING FACILITIES SUPPLIED & ACCESSIBLE - MINOR**

Inspector Comments: No single use towels were observed inside the dispenser of the restroom hand wash station.

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)

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

Inspector Comments: Numerous rodent droppings were observed in the following locations:

- next to bottles of baby Gerber food
- on a pallet next to the bottles of "Harvest Classic" Juice
- next to and under the coffee machine stored on the floor next to the media center closet
- on the floor inside the camera monitor storage closet (under computer monitors, under copy machine, under register)
- on the floor next to the blue colored water softener unit
- around the water treatment cylinder stored on the unit with wheels (throughout the mobile unit)
- outside the restroom in between the wall and the Gerber storage shelf
- inside the restroom behind the ceiling panels stored on the floor and behind the toilet
- under the un-installed mop sink (second mop sink available)
- in the floor behind all food storage shelves
- on the floor under the display cooler located in the customer area
- on the floor next to the cooler chest located in the 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)

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

Inspector Comments: 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)

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

Inspector Comments: Observed an accumulation of trash/grease on the ground around the refuse area.

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)



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**43. TOILET FACILITIES: PROPERLY CONSTRUCTED, SUPPLIED, CLEANED - OUT OF COMPLIANCE**

Inspector Comments: 1. The restroom door was not observed to be self-closing.  
2. Provide toilet tissue in a permanently installed dispensers at each toilet.

Violation Description: Toilet facilities shall be maintained clean, sanitary, and in good repair. Toilet rooms shall be separated by a well-fitting self-closing door. Toilet tissue shall be provided in a permanently installed dispenser at each toilet. The number of toilet facilities shall be in accordance with local building and plumbing ordinances. Toilet facilities shall be provided for patrons: in establishments where there is onsite consumption of food; with more than 20,000 sq ft.; establishments offering on-site liquor consumption. (114250, 114250.1, 114276)

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

Inspector Comments: 1. Two ceiling panels were observed missing above the cereal box storage shelf located behind the front counter.  
2. Gaps greater than 1/4 inch were observed under the front doors. Provide a weather strip.  
Properly rodent proof the interior/exterior of the premises. Seal all gaps that are greater than a 1/4 inch.

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 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 infestation

Prior to reopening the following must be completed:

- 1) Eliminate all evidence of rodent activity by approved methods. Remove all excess clutter, pallets, cardboard from the facility, as well as personal belongings to allow for effective pest control service and to prevent future harborage of rodent and other vermin (Refer to FM24)
- 2) Was, rinse, and sanitize all floors, walls, shelves, and all affected area in the facility.
- 4) Eliminate all entry points. Seal all gaps and crevices greater than 1/4 inch. Refer to violation FM45
- 5) Make certain FM 24 and FM 44 are completed corrected prior to calling to request a reinspection.

Informational Bulletin Procedures Following a Health Permit Suspension Due to Cockroach/Rodent Activity was provided this date.

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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**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.ochcahealthinfo.com/eh/>.

NAME: G. Diaz  
TITLE: Person in charge

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

INSPECTOR:

L NIEVES, REHS  
ENVIRONMENTAL HEALTH SPEC III  
(714) 824-9891  
lnieves@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).