



REGULATORY/MEDICAL HEALTH SERVICES
ENVIRONMENTAL HEALTH

RETAIL FOOD FACILITY INSPECTION REPORT

FACILITY NAME OH THOSE DONUTS		FACILITY ADDRESS 1734 NEWPORT BLVD, COSTA MESA, CA 92627			
MAILING ADDRESS 1734 NEWPORT BLVD COSTA MESA, CA 92627			IDENTIFIER None		
C/O - OWNER STEPHEN E METRO			RESULT CLOSED		
FACILITY ID FA0017502	RELATED ID PR0017502	SERVICE: A01 - ROUTINE INSPECTION		INSPECTION DATE 2/7/2019	
PROGRAM DESCRIPTION 0111 - RESTAURANT UNDER 31 PERSONS - NON-COMPLEX			FOOD MANAGER CERTIFICATE / EXPIRATION DATE Expired		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	
					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	
	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	
	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 is 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 fats used as a food ingredient must be discontinued and removed from the food facility. Refer to ocfoodinfo.com for further information.

Please submit a valid Food Manager Safety Certificate by February 21st, 2019 to this agency for review. Failure to do so may result in additional reinspections and fees.

2. FOOD MANAGER CERTIFICATION; FOOD HANDLER CARDS - MINOR

Inspector Comments: Observed the food manager certificate to be expired.

Please submit a valid Food Manager Safety Certificate by February 21st, 2019 to this agency for review. Failure to do so may result in additional reinspections and fees.

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)

6. HANDS CLEAN AND PROPERLY WASHED; GLOVES USED PROPERLY - MINOR

Inspector Comments: 1. Observed an employee wash their hands at the 2-compartment sink. Hands shall be washed at designated handwash stations.

Violation Description: Employees are required to wash their hands with soap and warm water for a minimum of 10 seconds: before beginning work; before handling food / equipment / utensils; as often as necessary, during food preparation, to remove soil and contamination; when switching from working with raw to ready-to-eat foods, after touching body parts; after using toilet room; or any time when contamination may occur. Food employees shall minimize contact with exposed, ready-to-eat food with their bare hands and shall use suitable utensils, gloves, or dispensing equipment. Food employees shall keep their fingernails clean. Gloves shall be worn if a food employee has artificial nails, nail polish, rings, or orthopedic support devices. (113952, 113953.3, 113953.4, 113961, 113968, 113973 [b-f])

7. ADEQUATE HANDWASHING FACILITIES SUPPLIED & ACCESSIBLE - MINOR

Inspector Comments: Observed the paper towel roll outside of the dispenser at the handwash sink.

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)

8. PROPER HOT AND COLD HOLDING TEMPERATURES - MAJOR

Inspector Comments: Measured potentially hazardous foods at the following temperatures:

a. cold top/reach-in cooler - slices of turkey, roast beef, ham and cheese measured 48F. The person in charge stated that the food was moved from another operative upright cooler and into the cold top/reach-in cooler for no more than 2 hours.

Hold potentially hazardous foods at or below 41F.

Corrective Action:

*The foods listed above was relocated back into the operative upright "Traulsen" cooler.

Violation Description: Potentially hazardous foods shall be held at or below 41°F or at or above 135°F. (113996, 113998, 114037, 114343(a), 114004)



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22. HOT AND COLD WATER AVAILABLE - MINOR

Inspector Comments: Water available for handwashing was less than 100 F. If the temperature of water provided to a handwashing sink is not readily adjustable at the faucet, the temperature of the water shall be at least 100F, but not greater than 108 F.

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)

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

Inspector Comments: Observed German Cockroach activity at the following locations:
a. many live on the wall and piping behind the 2-compartment sink.
b. few live in the back wheel casters of the 2-door upright "Traulsen" cooler next to the office.
c. a couple live behind the donut fryer

Eliminate the infestation/activity of cockroaches from the temporary 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.

Corrective Action Taken:

*The facility's health permit was suspended. SEE FM50

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)

31. FOOD STORAGE; FOOD STORAGE CONTAINERS IDENTIFIED - OUT OF COMPLIANCE

Inspector Comments: Observed bags of flour and sugar held on the floor by the griddle. Store foods at least 6" off the floor

Violation Description: Food shall be stored in approved containers and labeled as to its contents. Food shall be stored at least 6" above the floor on approved shelving and in an approved area. (114047, 114049, 114051, 114053, 114055, 114067(h), 114069 [b])

34. NONFOOD-CONTACT SURFACES CLEAN - OUT OF COMPLIANCE

Inspector Comments: Clean and remove the debris/residue from the following locations:
a. the wooden cabinet spaces for dry food storage next to eh restroom
b. donut cooling rack
c. exterior surfaces of bulk ingredient containers (i.e flour, dry mixes) below the pastry prep table
e. exterior surfaces of the pastry prep table.

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 potentially hazardous foods above 41F in the cold top/reach-in cooler unit.

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 food equipment stored below the 2-compartment sink. Clean and sanitize the equipment and store at least 6" off the floor.

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)

41. PLUMBING; PROPER BACKFLOW DEVICES - OUT OF COMPLIANCE

Inspector Comments: Observed a drain line directly into the floor sink behind the ice machine. Provide an air gap between the drain line and the upper rim of the floor sink.

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)

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

Inspector Comments: The restroom door was not observed to be self-closing. Install/repair the self-closing mechanism for the restroom door.

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: Observed personal effects next to open food in the dry cabinet spaces across from the griddle. 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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45. FLOORS, WALLS AND CEILING: BUILT, MAINTAINED, AND CLEAN - OUT OF COMPLIANCE

Inspector Comments: 1. Clean and remove the accumulation of debris/residue from the following locations:

- a. floor behind the upright "Traulsen" cooler by the office
- b. floor by water heater
- c. floor by the donut fryer and prep table
- d. floor below the plastic storage rack right outside the restroom
- e. floors and walls throughout the facility

2. The base cove was deteriorated/missing behind the 2-compartment sink. Replace the base cove

3. Tiles were missing next to the donut prep table.

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: Cockroach infestation

Prior to calling for a reinspection to reinstate the health permit, please ensure the following:

- Eliminate the cockroach infestation using approved methods.
- Provide a pest control receipt with safe re-entry
- Clean & sanitize all affected areas
- Seal various gaps & crevices
- All violations on this report must be corrected.

A cockroach info bulletin was provided

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

The following food safety materials was provided to the person in charge

- handwashing stickers
- food for thought issue #6
- foodborne illness outbreak
- food allergy awareness
- trans fat bulletin

A permit verification was presented to the owner, who stated that nothing has changed.

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.ochalthinfo.com/eh/>.

NAME: Stephen Metro
TITLE: Owner

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

INSPECTOR:

D PHAM
ENVIRONMENTAL HEALTH SPEC I
(714) 388-2859
DPham@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.