



REGULATORY/MEDICAL HEALTH SERVICES
ENVIRONMENTAL HEALTH

RETAIL FOOD FACILITY INSPECTION REPORT

FACILITY NAME YUMMY BAKERY & RESTAURANT		FACILITY ADDRESS 9550 BOLSA AVE 115E1, WESTMINSTER, CA 92683	
MAILING ADDRESS 9587 BOLSA AVE WESTMINSTER, CA 92683		IDENTIFIER None	
C/O - OWNER PHAM FOODS INC		RESULT CLOSED	
FACILITY ID FA0053654	RELATED ID PR0064210	SERVICE: A01 - ROUTINE INSPECTION	INSPECTION DATE 3/5/2019
PROGRAM DESCRIPTION 0131 - RESTAURANT UNDER 31 PERSONS - COMPLEX		FOOD MANAGER CERTIFICATE / EXPIRATION DATE T.MAI 11/14/22	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 today's visit is to conduct a routine inspection. This is a joint inspection with S. Sovan (REHS)

IMMEDIATE HEALTH PERMIT SUSPENSION AND CLOSURE

Reason for closure: Cockroach activities in a critical area of the food facility.

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.

To re-open, immediately correct the following:

- 1) Eliminate all cockroach evidence from the affected areas noted in item 24
- 2) Use an approved method of pest control and provide invoice detailing the measures that were performed and re-entry time
- 3) Clean and sanitize all affected utensils and surfaces
- 4) Seal the gaps/openings noted in item 44.

1. DEMONSTRATION OF KNOWLEDGE - MINOR

Inspector Comments: Education on proper glove usage was provided this date.

Violation Description: All food employees, including the person in charge, shall have adequate knowledge of and be trained in food safety as it relates to their assigned duties. (113947)

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 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)

8. PROPER HOT AND COLD HOLDING TEMPERATURES - MINOR

Inspector Comments: Cooked beans were measured at 59F in the front cold top insert for 3 hours. The beans were relocated to a functional cooler. Refer to item 36.

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)

9. TIME AS A PUBLIC HEALTH CONTROL; PROCEDURES & RECORDS - MINOR

Inspector Comments: Pork rolls and pork steamed buns on a time as a public health control plan were not marked with a discard time. The owner stated the food had been out of temperature control for less than 4 hours.

Corrective Action: The remaining discard time was placed on the food items.

Violation Description: When time only, rather than time and temperature is used as a public health control, records and documentation must be maintained. (114000)

Corrected on site



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15. FOOD CONTACT SURFACES: CLEAN AND SANITIZED - MINOR

Inspector Comments: Observed a knife (not currently in use) stored on the magnetic strip that was not clean to sight and touch. Ensure to clean and sanitize prior to use.

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)

16. FOOD OBTAINED FROM APPROVED SOURCE - MAJOR

Inspector Comments: Observed packages of homemade "com say" (crispy rice with dry shredded pork) being sold at the facility. All packages were removed from display and voluntarily discarded. All food sold at the facility must from an approved source.

Violation Description: All food shall be obtained from an approved source and maintained in an approved food facility. Liquid, frozen, and dry eggs or milk, or its products shall be obtained pasteurized. (113980, 114021-114031, 114041, 114365, 114376)

Corrected on site

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

Inspector Comments: Observed several live multi-staged cockroaches on the floor around the piping behind the machine in the sandwich preparation 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.

Refer to item 50.

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

Inspector Comments: Observed raw eggs being stored above produce inside the walk-in cooler. 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)

30. TOXIC SUBSTANCES PROPERLY IDENTIFIED, STORED, USED - OUT OF COMPLIANCE

Inspector Comments: Label the unlabeled chemical spray bottles as to its contents.

Violation Description: All poisonous substances, detergents, bleaches, and cleaning compounds shall be stored separate from food, utensils, packaging materials, and food-contact surfaces, and shall be used in an approved manner. (114254, 114254.1, 114254.2)

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

Inspector Comments: 1) Discontinue re-using the single-use fruit baskets to store food. Store all food in approved storage containers.

2) Label the unlabeled bulk food bins/containers.

3) Observed box of taro roots being stored on the floor in the walk-in cooler. Store all food up off the floor at least 6 inches.

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])



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34. NONFOOD-CONTACT SURFACES CLEAN - OUT OF COMPLIANCE

Inspector Comments: Clean the fan guards and shelves inside the walk-in cooler to remove the accumulated dust and/or dirt.

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

35. WAREWASHING FACILITIES: INSTALLED, MAINTAINED, USED; TEST STRIPS - OUT OF COMPLIANCE

Inspector Comments: The sanitizer level was measured above 200 ppm chlorine at the 3-compartment final sanitizing rinse. When using chlorine as a sanitizer, maintain the sanitizer level between 100ppm-200ppm. Make sure to use the chlorine test strips to verify the sanitizer level.

Violation Description: Food facilities that prepare food shall be equipped with warewashing facilities. Testing equipment and materials shall be provided to measure the applicable sanitization method. (114067(f,g), 114099, 114099.3, 114099.5, 114101(a), 114101.1, 114101.2, 114103, 114107, 114125)

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

Inspector Comments: 1) Repair/Adjust the front cold top cooler so that the potentially hazardous foods are maintained at or below 41F. Refer to item 8.

2) Repair the leaking faucet of the 1-compartment food preparation sink.

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: 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)

40. WIPING CLOTHS: PROPERLY USED AND STORED - OUT OF COMPLIANCE

Inspector Comments: Observed multi-use wiping cloths not stored in a sanitizer bucket. Discontinue holding multi-use wiping cloths outside of the sanitizer solution between uses. Store wiping cloths in an approved sanitizer solution (e.g., 100 ppm chlorine, 200 ppm quaternary ammonium or 25 ppm iodine) between uses, or provide a clean cloth for each use.

Violation Description: Wiping cloths used to wipe service counters, scales, or other surfaces that may come into contact with food shall be used only once unless kept in clean water with sanitizer; separate sanitizing containers shall be provided for wiping cloths used with raw animal foods. (114135, 114185.1 114185.3 [d-e])



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

Inspector Comments: 1) Observed the front and back doors being 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.

- 2) Seal the gaps/openings in the following areas:
 --the base cove in the right corner of the back door
 --around the plumbing where the preparation sink was previously located
 --around the piping behind ice machine and bread oven

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)

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 activities in a critical area of the food facility. Refer to item 24.

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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53. VOLUNTARY CONDEMNATION & DESTRUCTION (VC&D)

Inspector Comments: 6 small packages and 4 large packages. Refer to item 16.

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)

NOTES

PROVIDED "Cockroach" bulletin

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.ochealthinfo.com/eh/>.

NAME: T. PHAM
TITLE: OWNER

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

INSPECTOR:

E PANG
ENVIRONMENTAL HEALTH SPECIALIST
(714) 955-1106
EPANG@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.