



REGULATORY/MEDICAL HEALTH SERVICES
ENVIRONMENTAL HEALTH

RETAIL FOOD FACILITY INSPECTION REPORT

FACILITY NAME BACCHUS SECRET CELLAR			FACILITY ADDRESS 6735 QUAIL HILL PKWY, IRVINE, CA 92603		
MAILING ADDRESS 6735 QUAIL HILL PKWY IRVINE, CA 92603			IDENTIFIER None		
C/O - OWNER GERARD SQUARED LLC			RESULT CLOSED		
FACILITY ID FA0046588	RELATED ID PR0054395	SERVICE: A01 - ROUTINE INSPECTION	INSPECTION DATE 11/20/2019		
PROGRAM DESCRIPTION 0312 - FOOD MARKET NON-COMPLEX 2000-5999 SQ FT			FOOD MANAGER CERTIFICATE / EXPIRATION DATE None on File		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	

IN	MAJ	MIN	N/A	N/O	DESCRIPTION	COS
					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	

OUT	DESCRIPTION	COS
	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	

OUT	DESCRIPTION	COS
	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

This is 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 www.ocfoodinfo.com for further information.

During today's inspection, the following cooking equipment were noted in use without a ventilation hood:

- Convection oven (1)
- Panini press (2)
- Electric range (2)

2. FOOD MANAGER CERTIFICATION; FOOD HANDLER CARDS - MINOR

Inspector Comments:

1. 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.)

2. A valid Food Manager Certificate was not available for review at the time of the inspection.

Operator Danny C. stated there is an employee who has a valid and current Food Manager Certificate but the certificate is not on site.

Maintain the certificate on site for future inspections.

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)

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

Inspector Comments:

Observed rodent droppings at the following locations:

- on floor surface behind and under the large white freezer unit (in storage room).
- on wine storage shelves in the dining area.
- on floor surface behind and under the ice machine.
- inside cabinet surface beneath the servers' station.
- floor surface in between the cooler and wine rack at the bar area.

Operator Danny C. provided proof of professional pest control service, last received at this facility on 11.14.19, which did not note rodent activity.

Prior to contacting this Agency for permit reinstatement, complete the following:

1. Eliminate the infestation/activity of rodents from the food facility by using only approved methods.
2. Remove all evidence of the infestation and thoroughly CLEAN (using soap and water) and SANITIZE (100ppm chlorine solution) all affected surfaces.
3. 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)



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27. APPROVED THAWING METHODS USED, FROZEN FOOD - OUT OF COMPLIANCE

Inspector Comments:

Observed frozen shrimp stored in a container of standing water at the food preparation sink.

Discontinue this practice.

Employee corrected the violation by placing the container of frozen shrimp under running water.

Violation Description: Food shall be thawed under refrigeration; completely submerged under cold running water of sufficient velocity to flush loose particles; in a microwave oven; during the cooking process. (114018, 114020)

34. NONFOOD-CONTACT SURFACES CLEAN - OUT OF COMPLIANCE

Inspector Comments:

Remove the dust buildup from wine racks and interior cabinets throughout facility.

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:

Discontinue using paper towels to line food containers (guacamole, fish) as observed in the kitchen reach in cooler.

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:

1. Food tongs are stored on the splashguard of the kitchen food preparation sink.

Discontinue this practice.

Store food equipment using approved storage methods.

2. Observed unsecured pressurized cylinders in the pressurized closet.

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)

38. ADEQUATE VENTILATION AND LIGHTING; DESIGNATED AREAS, USE - OUT OF COMPLIANCE

Inspector Comments:

Provide a functional light bulb inside the upright 1 door cooler located in the kitchen.

Violation Description: Exhaust hoods shall be provided to remove toxic gases, heat, grease, vapors, and smoke and be approved by the local building department. Canopy-type hoods shall extend 6" beyond all cooking equipment. All areas shall have sufficient ventilation to facilitate proper food storage. Toilet rooms shall be vented to the outside air by a screened openable window, an air shaft, or a light-switch activated exhaust fan, consistent with local building codes. Adequate lighting shall be provided in all areas to facilitate cleaning and inspection. Light fixtures in areas where open food is stored, served, prepared, and where utensils are washed shall be of shatterproof construction or protected with light shields. (114149, 114149.1, 114149.2, 114149.3, 114252, 114252.1)

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

Inspector Comments:

1. Employees' keys and cell phone were stored on a kitchen food storage shelf.

Discontinue this practice.

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.

2. There are chemical bottles stored directly on the floor surface beneath the ware wash sink.

Store all bottles above the floor surface.

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:

1. Remove the brown (grease) stains from the ceiling tiles located in the kitchen.

The tiles are located directly above the convection oven.

This facility does not have ventilation hood above the oven, which may be contributing to the stained ceiling tiles.

2. Remove grime from floor surface :

- under the ice machine
- under the white freezer chest
- under storage racks
- under dish machine in the kitchen
- under dish machine in the bar
- under keg cooler at the bar

Remove grime, clean and sanitize the floor surfaces, using a sanitizer solution of 100ppm chlorine.

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: rodent activity

Prior to contacting this Agency for re-inspection to reinstate permit, please complete the following:

1. Eliminate the infestation/activity of rodents from the food facility by using only approved methods.
2. Remove all evidence of the infestation and thoroughly CLEAN (using soap and water) and SANITIZE (100ppm chlorine solution) all affected surfaces.
3. Wash, rinse and sanitize the following:
 - all multi-use food equipment (plate ware, pans, pots, spatulas, food containers, etc)
 - all food contact surfaces (food preparation surfaces, food contact tables,etc..)
 - all storage shelves
 - all cabinets
 - all wine storage racks located throughout the facility (kitchen, bar, storage areas, cheese area,etc.).
4. All floors and walls must be washed, rinsed, and sanitized using an approved sanitizer (100ppm chlorine sanitizer).
5. 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: If an imminent health hazard is found, an enforcement officer may temporarily suspend the permit and order the food facility immediately closed. (114409)

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/>.



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NAME: DANNY C.
TITLE: OPERATOR

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

INSPECTOR:

N TESHAMICHAEL, REHS
ENVIRONMENTAL HEALTH SPEC III
(714) 824-1777
ntesfamichael@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.