



REGULATORY/MEDICAL HEALTH SERVICES
ENVIRONMENTAL HEALTH

RETAIL FOOD FACILITY INSPECTION REPORT

FACILITY NAME CIRCLE K #1956		FACILITY ADDRESS 33541 DEL OBISPO ST, DANA POINT, CA 92629	
MAILING ADDRESS 255 E RINCON ST #100 CORONA, CA 92879		IDENTIFIER None	
C/O - OWNER CIRCLE K STORES INC		RESULT CLOSED	
FACILITY ID FA0007584	RELATED ID PR0007584	SERVICE: A01 - ROUTINE INSPECTION	INSPECTION DATE 2/14/2019
PROGRAM DESCRIPTION 0312 - FOOD MARKET NON-COMPLEX 2000-5999 SQ FT		FOOD MANAGER CERTIFICATE / EXPIRATION DATE B. Hendrawan 01/25/23	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 was to conduct a routine inspection.

IMMEDIATE HEALTH PERMIT SUSPENSION AND CLOSURE

REASON FOR CLOSURE: Evidence of rodent infestation in the facility such as rodent droppings in the food storage area and dead mouse on the glue trap in the customer area (see details in FM24).
Prior to calling for reinspection, ensure to correct the Critical Risk Factors FM08, FM15, and FM24.

1. DEMONSTRATION OF KNOWLEDGE - MINOR

Inspector Comments: Employees were not knowledgeable in the following food safety topics: proper hot and cold holding of potential hazardous food, proper food storage, cleaning/sanitizing food contact surfaces, and manual warewashing of multi use equipment. Education on these topics was provided to the employees.

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)

7. ADEQUATE HANDWASHING FACILITIES SUPPLIED & ACCESSIBLE - MINOR

Inspector Comments: Observed the handle for cold water at the handwash sink to be in disrepair. The person in charge is aware of this issue and already called the repair service. The valve for cold water must be closed to stop the running water. Maintain all handwashing sinks fully operative, in good repair and easily accessible.

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: The following foods were measured at the respective temperatures:

1. In the right hot roller:

- * Steak and cheese Tornado rolls at 120F.
- * Egg & cheese Tornado roller at 121F - 124F.

The person in charge (PIC) stated that the food had been held for less than 3.5 hours. This violation was corrected by the PIC reheating the rolls at 165F minimum and hot holding the rolls at 135F.

2. In the display cooler in opposite to the coffee station:

- * Egg & cheese Made to go burgers at 43F - 45F.
- * Bbq pork rib and cheese Made to go sandwiches at 43F - 45F.
- * Egg, bacon, and cheese Made to go burritos at 47F - 48F.
- * Bean & cheese Made to go burritos at 47F - 48F.
- * Grilled steak Three hold brothers at 44F - 46F.
- * Grilled chicken Three hold brothers at 44F - 46F.
- * Cheese Hot pockets sandwiches at 44F - 46F.
- * Cheese White castle burger at 44F - 48F.

The employee stated that the foods had been held for more than 4 hours. This violation was corrected by the PIC discarding all above food items in the trash bin (see FM53).

This is a repeat violation. A cooler temp log was discussed and provided to the PIC. The manager, B. Hendrawan, agreed to implement the temp log to prevent this violation in future.

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)

Corrected on site



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15. FOOD CONTACT SURFACES: CLEAN AND SANITIZED - MAJOR

Inspector Comments: Observed the following:

1. An accumulation of slime and debris in nozzles and covers of the soda fountain in the customer area.
2. An accumulation of old food debris in the cover and nozzle of the nacho cheese dispenser in the customer area.
3. An accumulation of old food debris and grease in the tong at the hot rollers for hot dogs and rolls.

Clean and sanitize food contact surfaces on equipment and utensils throughout the day and at least every 4 hours when in use.

Hand wash multi-service utensils in the following manner:

- a) clean in hot water and cleanser
- b) rinse in clear water
- c) immerse in a warm final sanitizing solution of 100 ppm chlorine for 30 seconds, 200 ppm quaternary ammonium for 1 minute, 25 ppm iodine for 1 minute or by immersion for at least 30 seconds where the water temperature is maintained at 171 degrees Fahrenheit or above,
- d) allow utensils to air dry before use

This violation was corrected by the PIC cleaning and sanitizing all the above food contact surfaces #1, #2, and #3. This is a repeat violation.

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)

Corrected on site

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

Inspector Comments: Observed the following:

1. A dead mouse on the glue trap under the prepackaged snack counter, next to the slush machine in the customer area.
2. Two rodent droppings on the floor between the racks for prepackaged food and the water heater area.

A thorough inspection for vermin activity was conducted. No further evidence of live activity was observed. Eliminate the infestation of rodents 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)

Corrected on site

28. FOOD SEPARATED AND PROTECTED - OUT OF COMPLIANCE

Inspector Comments: Observed open packs of Tornado rolls in the back walk in cooler without covers. Provide sanitary, non-absorbent and approved coverings on all open food containers except when in use.

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



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

Inspector Comments: Observed the following:

1. Food items (prepackaged food and beverage containers) stored directly on the floor throughout the facility including the customer area, the back storage area, and both walk in coolers. Elevate all items at least 6 inches off the floor to prevent potential contamination and to allow ease of access for thorough cleaning. If items are too heavy to elevate on shelving, casters may be used for ease of mobility.

2. Prepackaged food items (beef jerky, biscuits) hang on racks that were close to the floor (i.e. less than 6.0"). Elevate all items at least 6 inches off the floor to prevent potential contamination and to allow ease of access for thorough cleaning.

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: Observed an accumulation of dust and debris on the counter for snacks and the soda fountain. Clean the surface regularly.

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: Observed the following:

1. Crates used as shelving and containers of food items in the back storage area and in the back walk in cooler. Discontinue re-using unapproved containers, (i.e. single-use cans, styrofoam cups, crates, cardboard boxes, plastic grocery bags). Also, equipment surfaces must be smooth, non-absorbent, durable, and easily cleanable. Equipment and utensils must be commercial grade and approved by ANSI, or another testing company certified by American National Standards Institute or by this Agency.

2. Racks in the back walk in cooler to be lined with cardboard. Equipment surfaces must be smooth, non-absorbent, durable, and easily cleanable.

3. An accumulation of ice, rust, and debris in the freezers. Regularly clean inside the freezers.

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 non-food items stored directly on the floor in the back storage area. Elevate all items at least 6 inches off the floor to prevent potential contamination and to allow ease of access for thorough cleaning. If items are too heavy to elevate on shelving, casters may be used for ease of mobility.

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)



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

Inspector Comments: Observed the following:

1. The light shields above the snack counter in the customer area to be in disrepair.
2. An accumulation of insects in the light shields.

Clean and repair the light shields. This is a repeat violation.

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)

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

Inspector Comments: Observed an accumulation of water and grime in the restroom. Clean the restroom regularly.

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 a mop stored mop-head down in the mop bucket. Store mops in a manner with the mop head upwards to facilitate rapid and thorough air drying.

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 CEILINGS: BUILT, MAINTAINED, AND CLEAN - OUT OF COMPLIANCE

Inspector Comments: Observed the following:

1. An accumulation of food grease, dust, and items in the following areas:

- * Under the snack counter in the customer area.
- * Under racks, shelves, and equipment in the back storage area including the general merchandise room.
- * Under racks in the back and front walk in coolers.

Thoroughly clean and sanitize all the floors.

2. An accumulation of grime and debris in the floor sinks under the snack counter and before the restroom. Clean the floor sinks regularly.

3. Ceiling to be wet damaged in the general merchandise room and the restroom. Repair the ceiling.

4. Ceiling above the snack counter in the customer area to be in disrepair. Repair the ceiling, seal any gaps/holes to eliminate vermin entrance.

5. Ceiling in the back walk in cooler to be in disrepair. There was a big gap in the wood panel which was used to cover the ceiling. Seal any gaps/holes to eliminate entrance of contaminants.

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: Evidence of rodent infestation in the facility such as rodent droppings in the food storage area and dead mouse on the glue trap in the customer area (see details in FM24).

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

1. Eliminate evidences of rodent infestation by approved methods (refer to FM24).
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 rodents and other vermin. Elevate all items 6.0" off the floor for easy cleaning.
3. Clean and sanitize all food contact surfaces and contaminated surfaces.
4. 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.
5. Eliminate Harborage Points/Areas completely (see FM45).

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: The PIC discarded the following items in the trash bin (refer to FM08):

- * Egg & cheese Made to go burgers: 21 pcs.
- * Bbq pork rib and cheese Made to go sandwiches: 7 pcs.
- * Egg, bacon, and cheese Made to go burritos: 15 pcs.
- * Bean & cheese Made to go burritos: 23 pcs.
- * Grilled steak Three hold brothers: 11 pcs.
- * Grilled chicken Three hold brothers: 8 pcs.
- * Cheese Hot pockets sandwiches: 8 pcs.
- * Cheese White castle burger: 13 pcs.

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

Permit verification form was verified by the Manager. Changes will be processed.

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 for further information.

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.ochca.com/eh/>.

NAME: B. Hendrawan
TITLE: Manager

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

INSPECTOR:

N LE
ENVIRONMENTAL HEALTH SPEC I
(714) 714-2394
NLe@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.