



REGULATORY/MEDICAL HEALTH SERVICES
ENVIRONMENTAL HEALTH

RETAIL FOOD FACILITY INSPECTION REPORT

FACILITY NAME LA VIDA CANTINA		FACILITY ADDRESS 1870 HARBOR BLVD A209, COSTA MESA, CA 92627	
MAILING ADDRESS 1927 HARBOR BLVD STE 388 COSTA MESA, CA 92627		IDENTIFIER RESTAURANT	
C/O - OWNER LA VIDA COSTA MESA LLC		RESULT CLOSED	
FACILITY ID FA0063025	RELATED ID PR0091916	SERVICE: A01 - ROUTINE INSPECTION	INSPECTION DATE 7/1/2019
PROGRAM DESCRIPTION 0135 - RESTAURANT 151-200 PERSONS - COMPLEX		FOOD MANAGER CERTIFICATE / EXPIRATION DATE D. NUNEZ EXP: 8/16/21	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 reservice 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

The purpose of this visit is to conduct a routine inspection. This facility's Health Permit was suspended due to vermin activity in critical areas. See item 50.

A compliance hearing has been scheduled for the owner/operator of this facility on Wednesday, 7/10/19 at 9:30 AM, at 1241 E Dyer RD., Suite 120, Santa Ana CA, 92705 to provide an opportunity to present evidence as to why the facility's permit should not be modified, suspended or revoked due to serious violations of the California Health and Safety Code. Your failure to attend this hearing will be deemed a waiver of your right to a hearing in this matter. Pursuant to the fee resolution, a fee of \$360 is assessed when a hearing and subsequent reinspection are scheduled. This fee will be billed after the completion of the reinspection that is scheduled during the hearing. Bring a legal government issued photo identification to the hearing.

8. PROPER HOT AND COLD HOLDING TEMPERATURES - MINOR

Inspector Comments: Measured the following foods at 48F in the preparation cooler across from the cook's line:

- chicken tacos, pico de gallo, shredded cheese, in-house made sauces

Per the chef, the foods were stored in the unit since the previous evening.

Corrective action: The foods were voluntarily discarded by the chef. See 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)

10. PROPER COOLING METHODS - MAJOR

Inspector Comments: Measured shredded chicken at 48F stored in deep stacked containers in the walk-in cooler. Per the chef, the foods were cooked and cooled on the previous day.

Corrective action: The foods were voluntarily discarded by the chef. See item 53.

Violation Description: All potentially hazardous foods shall be RAPIDLY cooled from 135°F to 41°F within 6 hours. During this time, the food shall decrease from 135°F to 70°F within 2 hours. Cooling shall be accomplished by using one or more of the following methods: placing in shallow pans, separating into smaller portions, using rapid cooling equipment, using ice, or other approved methods. (114002, 114002.1)

Corrected on site

15. FOOD CONTACT SURFACES: CLEAN AND SANITIZED - MINOR

Inspector Comments: 1. Observed soiled knives to be stored overnight between the reach-in cooler's and adjacent units. Discontinue storing utensils in between equipment. Store equipment in a sanitary manner to prevent vermin harborage and food build-up. See item 37.

2. Observed a soiled can opener stored on the preparation table across from the walk-in cooler. Only store cleaned and sanitized equipment.

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)

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

Inspector Comments: 1. Live cockroaches were observed in the following critical areas:

- inside the oven beneath the salamander
- on the floor directly beneath the two large preparation coolers located across the cook's line

2. Dead cockroaches were observed in the following locations:

- sticky trap beneath the servers station across from the large ice machine
- countertop beneath the bar's tv(s)

3. Rodent droppings/urine were observed in the following critical areas:

- beside the accordion style door leading into the kitchen/office areas
- behind the wooden cabinet located next to the above mentioned area
- on top of each reach-in cooler located in the side bar where the garage door is located
- on the floor and within the black shelving unit located in the electrical equipment closet across from the garage style door

Eliminate the infestation/activity of cockroaches/rodents/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)

34. NONFOOD-CONTACT SURFACES CLEAN - OUT OF COMPLIANCE

Inspector Comments: Clean to remove the accumulation of grime from the following locations:

- throughout the door/gaskets/hinges on each of the reach-in coolers at the dining room bar
- beneath the bar top in the dining room's bar.

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: 1. Measured the following units at the respective temperatures:

- preparation cooler across from the fryers @47F
- small preparation cooler at the end of the cook's line @ 50F (No potentially hazardous foods stored in the unit during the inspection)
- beer cooler at the center of the dining room bar @ 48F (No potentially hazardous foods stored in the unit during the inspection)

Repair/Adjust the refrigeration unit (s) so that the potentially hazardous foods are maintained at or below 41F.

2. Repair/replace the rusted shelving observed on each of the dining rooms bar's reach-in coolers.

3. Replace the cracked lids observed to be used at the preparation coolers.

Ensure equipment is in good repair

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 soiled knives to be stored overnight between the reach-in cooler's and adjacent units. Discontinue storing utensils in between equipment. Store equipment in a sanitary manner to prevent vermin harborage and food build-up.

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: Repair/replace the inoperable lightbulbs in the following locations:

- inside the walk-in cooler (remove the waterbuild-up)
- at each grease exhaust hood in both preparation stations

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)

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

Inspector Comments: Properly vermin proof the interior/exterior of the premises including, but not limited to, the following locations:

- on each side of the accordion style doors in this facility
- gaps beneath the bar top
- ceiling in the electrical closet beside the side bar (located across from the garage style door)
- hole on the wall between the reach-in coolers located at the side bar
- gaps beside the garage style door at the side bar
- electrical conduit lines above the side bar
- conduit line above the dish machine
- . 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)

45. FLOORS, WALLS AND CEILINGS: BUILT, MAINTAINED, AND CLEAN - OUT OF COMPLIANCE

Inspector Comments: Observed flooring in disrepair (i.e. deteriorating or missing grout) in the following locations:

- dining room bar
- bar @ the garage door
- cooks line beneath all equipment
- preparation area across from the walk-in cooler

Repair the floor in order to provide a surface that is smooth, durable, non-absorbent and easily cleanable. If flooring is to be replaced, submit a sample to this office prior to installation.

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, 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 and rodent activity in critical areas

ABSOLUTELY NO FOOD/BEVERAGE PREP OR SALES MAY OCCUR IN THIS FACILITY WITHOUT PRIOR WRITTEN APPROVAL FROM THIS AGENCY.

Prior to calling for a reinspection all of the violations listed on this report must be corrected, including, but not limited to, the following:

- 1) Eliminate all live and dead cockroaches and all rodent activity using approved pest control methods (refer to #24).
- 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 cockroaches and other vermin.
- 3) Clean and sanitize all equipment surfaces, food containers, shelves, walls and floors to eliminate all cockroach and pesticide contamination particularly all areas where live or dead cockroaches or cockroach spotting were observed, including, but not limited to, those areas listed in #24.
- 4) Properly eliminate/seal potential points of entry such as holes and gaps in the walls, basecoves, ceiling, and under all exterior doors to prevent vermin entrance, including, but not limited, to those listed in #44 & #45.
- 5) 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. Enter your facility only after it is safe to do so.

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: chicken tacos 10 lbs
pico de gallo 2 lbs
shredded cheese 2lbs
in-house made sauces 8 lbs
Shredded chicken 40 lbs

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)

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: C. PUN
TITLE: DIRECTOR OF OPERATIONS

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

INSPECTOR:

J VALDEZ
ENVIRONMENTAL HEALTH SPEC II
(714) 823-7732
jvaldez@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.