



REGULATORY/MEDICAL HEALTH SERVICES
ENVIRONMENTAL HEALTH

RETAIL FOOD FACILITY INSPECTION REPORT

FACILITY NAME BURGERIM		FACILITY ADDRESS 26741 ALISO CREEK RD E, ALISO VIEJO, CA 92656	
MAILING ADDRESS 763 S MAIN ST 2004 ORANGE, CA 92868			IDENTIFIER None
C/O - OWNER LEGRACE CORP			RESULT CLOSED
FACILITY ID FA0041429	RELATED ID PR0047571	SERVICE: A01 - ROUTINE INSPECTION	INSPECTION DATE 10/17/2019
PROGRAM DESCRIPTION 0133 - RESTAURANT 61-100 PERSONS - COMPLEX		FOOD MANAGER CERTIFICATE / EXPIRATION DATE J. Long 11/14/2023	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	

RETAIL FOOD FACILITY INSPECTION REPORT

FACILITY NAME BURGERIM	DATE 10/17/2019
LOCATION 26741 ALISO CREEK RD E, ALISO VIEJO, CA 92656	RELATED ID PR0047571

OPENING COMMENTS

The purpose of this visit was to conduct a routine inspection. On this date, the Health Permit has been suspended due to the observation of cockroaches of different life stages in the facility. Please review all violations in detail and the permit suspension directions in FM 50.

8. PROPER HOT AND COLD HOLDING TEMPERATURES - MINOR

Inspector Comments: Measured cooked mushrooms at 110 F in the hot-holding unit. The person in charge state* Td that they have been held there for longer than four hours.

* The violation was corrected by the person in charge voluntarily discarding the food.

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

Corrected on site

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

Inspector Comments: Observed dead and live cockroaches at different life stages in the following locations:

- 1) Live cockroach in the crevice between the dish machine and three-compartment sink
- 2) Live cockroach moving on the leg of the dish machine.
- 3) A cockroach casing in the crevice between the dish machine and the three-compartment sink
- 4) Two mature dead cockroaches on the floor by the container of fat near the fryers.
- 5) Live cockroach underneath the three-compartment sink in the bar area.

Eliminate the infestation/activity of cockroaches 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: - Observed the food racks in the walk-in cooler to have an accumulation of food debris/residue. Remove the accumulation and maintain clean.

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 food debris/residue accumulation in the following locations but is not limited to:

- 1) Heavy grease accumulation in the fryer cabinet
- 2) Inside the crevices of the dish machine
- 3) In the crevice between the dish machine and three-compartment sink
- 4) Inside the cabinet underneath the shake machine
- 5) On the shelf of the preparation table directly next to the flat-top
- 6) On the caster wheels of equipment

Remove the accumulation and maintain all areas of the facility clean in a safe and sanitary manner.

- Observed an accumulation of grime inside the drain tube of draft system. Remove accumulation and maintain clean in a safe and sanitary manner.

- Observed ice buildup on the walls and fans of the walk-in cooler. Remove the buildup.

- Observed a soiled spoon being stored in the warm water flusher near the shake machine. The spoon was washed and sanitized.

- Observed the main large drain on the cook's line to have a heavy accumulation of food residue/debris. Remove accumulation, clean, and sanitize the drain cover and area.

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)



RETAIL FOOD FACILITY INSPECTION REPORT

FACILITY NAME BURGERIM	DATE 10/17/2019
LOCATION 26741 ALISO CREEK RD E, ALISO VIEJO, CA 92656	RELATED ID PR0047571

37. EQUIPMENT, UTENSILS AND LINENS: STORAGE AND USE - OUT OF COMPLIANCE

Inspector Comments: Observed mops being stored directly on the floor. Discontinue this practice and store all equipment for the facility at least six inches off the ground.

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: Observed gaps between the hood filters of the exhaust hood. Seal the gaps to allow for adequate grease ventilation and prevent possible fires.

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)

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

Inspector Comments: - Although sanitizer buckets were set up, multi-use wiping cloths were observed stored outside of the 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.

- Observed a heavily soiled multi-use towel being used as a wiper for the shake machine. The towel was placed in a dirty bin.

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])

41. PLUMBING; PROPER BACKFLOW DEVICES - OUT OF COMPLIANCE

Inspector Comments: Observed the gap between the water inlet of the preparation sink and its floor sink to not be greater than an inch. Maintain at least an inch or greater gap between them to prevent backflows.

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)

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

Inspector Comments: Seal all gaps and crevices greater than a quarter inch to prevent the harborage of vermin.

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)



RETAIL FOOD FACILITY INSPECTION REPORT

FACILITY NAME BURGERIM	DATE 10/17/2019
LOCATION 26741 ALISO CREEK RD E, ALISO VIEJO, CA 92656	RELATED ID PR0047571

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

Inspector Comments: Observed heave food debris/residue accumulation in the following locations but is not limited to:

- 1) On the floors in the corner near the fryers and old fat bin
- 2) On the floors of the walk-in cooler
- 3) On the floors and walls behind the water heater
- 4) On the floors and walls of the janitorial sink
- 5) On the floors underneath the equipment of the main cook's line
- 5) On the floors and walls near the dish machine

Remove all accumulation and maintain all areas clean in a safe and sanitary manner.

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)



RETAIL FOOD FACILITY INSPECTION REPORT

FACILITY NAME BURGERIM	DATE 10/17/2019
LOCATION 26741 ALISO CREEK RD E, ALISO VIEJO, CA 92656	RELATED ID PR0047571

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: Observed cockroaches of different life stages in several areas of the facility.

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 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. (refer to GRP44)
- 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 all cracks and crevices to prevent vermin harborage, 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.
- 6.) Please review the provided cockroach information bulletin provided.

NOTE: Violations number 45, 44, and 36 must be corrected prior to the reinspection that will be scheduled after this facility has been reopened.

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)

RETAIL FOOD FACILITY INSPECTION REPORT

FACILITY NAME BURGERIM	DATE 10/17/2019
LOCATION 26741 ALISO CREEK RD E, ALISO VIEJO, CA 92656	RELATED ID PR0047571

53. VOLUNTARY CONDEMNATION & DESTRUCTION (VC&D)

Inspector Comments: One container of cooked mushrooms was voluntarily discarded by the person in charge.

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

Cockroach bulletin was provided on this date.

SIGNATURE(S) OF ACKNOWLEDGEMENT



NAME: M. Nguyen
TITLE: Owner

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

INSPECTOR:

M GODOY
ENVIRONMENTAL HEALTH SPECIALIST
(714) 292-8745
MGODOY@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.