



RETAIL FOOD FACILITY INSPECTION REPORT

FACILITY NAME HAPPY DAYS RESTAURANT		FACILITY ADDRESS 13135 BROOKHURST ST 8, GARDEN GROVE, CA 92843	
MAILING ADDRESS 1222 N MC LEAN DR SANTA ANA, CA 92703			IDENTIFIER None
C/O - OWNER NGUYEN ANH TK			RESULT CLOSED
FACILITY ID FA0038176	RELATED ID PR0043238	SERVICE: A01 - ROUTINE INSPECTION	INSPECTION DATE 10/7/2019
PROGRAM DESCRIPTION 0132 - RESTAURANT 31-60 PERSONS - COMPLEX		FOOD MANAGER CERTIFICATE / EXPIRATION DATE Anh Thi Kim Nguyen 1/17/22	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 this visit is a routine inspection.

The facility's health permit was suspended due to lack of hot water (See FM22) and operating without a valid health permit (See FM49).

Prior to calling for a reinspection to reinstate the health permit, please correct all violations noted on this report.

2. FOOD MANAGER CERTIFICATION; FOOD HANDLER CARDS - MINOR

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

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)

7. ADEQUATE HANDWASHING FACILITIES SUPPLIED & ACCESSIBLE - MINOR

Inspector Comments: Observed items stored in the front counter handwash sink. Discontinue storing items in the handwash sink so as to block access.

*This violation was corrected by the employee removing the items from the handwash sink.

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)

Corrected on site

15. FOOD CONTACT SURFACES: CLEAN AND SANITIZED - MINOR

Inspector Comments: Observed the sanitizer at the final rinse of the 3-compartment sink to be measured at 10ppm Chlorine. 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

*The violation was corrected by the employee setting up a sanitizer solution with 100 ppm Chlorine.

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

22. HOT AND COLD WATER AVAILABLE - MAJOR

Inspector Comments: Observed hot water measured at a maximum of 78F.

*The facility stated that they were aware of the issue with the hot water and have already contacted the plumber.

**The facility was informed that hot water of at least 120F is required to be provided in the facility.

Violation Description: An adequate, protected, pressurized, potable supply of hot water and cold water shall be provided at all times. (113941, 113953c, 114099.2b, 114163, 114189, 114192, 114192.1, 114195)

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

Inspector Comments: Cockroach activity was observed in the following areas:

- one cockroach egg casing (ootheca) on the floor between the glass door cooler and white upright freezer at the front counter.
- one cockroach egg casing (ootheca) on the floor between the prep table and glass door cooler at the front counter
- several dead cockroaches on the floor in the gap between the glass door cooler and white upright freezer
- cockroach fecal focal spotting around the gasket of the upright white freezer in the front counter

Eliminate the infestation/activity of cockroaches/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.

*Pest control was discussed with the facility. The facility stated that they do have a monthly pest control service.

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 the following items so as to remove the build-up of debris and/or residue:

- on the prep table by the front counter
- in the upright coolers at the front counter
- on the unused cold-top cooler by the back wok/fryer station
- on the exhaust hood
- in the cold-top reach-in cooler by the back stove

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: Sanitizer test strips were not available for use during the time of inspection. Maintain testing equipment and materials in the facility and available for use at all times for the purpose of adequately measuring the types of sanitization methods used in this facility.

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)

42. GARBAGE AND REFUSE PROPERLY DISPOSED; FACILITIES MAINTAINED - OUT OF COMPLIANCE

Inspector Comments: Observed the trash dumpster in the back alley to be uncovered.

Violation Description: All food waste and rubbish shall be kept in leak-proof and rodent-proof containers. Containers shall be covered at all times. All waste must be removed and disposed of as frequently as necessary to prevent a nuisance. The exterior premises of each food facility shall be kept clean and free of litter and rubbish. (114244, 114245, 114245.1, 114245.2, 114245.3, 114245.4, 114245.5, 114245.6, 114245.7, 114245.8)

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

Inspector Comments: Clean the following areas so as to remove the build-up of debris and/or residue:

- on the floor corners in the front counter area near the upright coolers
- on the wall by the back cold-top insert
- on the ceiling by the vent in the kitchen

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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49. HEALTH PERMIT - OUT OF COMPLIANCE

Inspector Comments: This food facility was found to be operating without a valid health permit. The facility's health permit had expired. A food facility shall not be open for business without a valid health permit.

Payment is due in the amount of \$1,190.00

Unpaid Health Services Fees must be paid in full in the form of cash, cashiers check, credit card, or money order.

Payments must be made at:
1241 E. Dyer Road, Suite 120
Santa Ana, CA 92705
8am to 4pm Monday through Friday (excluding County holidays)

Failure to pay within 5 business days may result in permit suspension.

Violation Description: A food facility shall not be open for business without a valid permit. (114067(b,c), 114381(a), 114387)

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:

- Lack of Hot Water through out the facility
- Operating without a valid health permit

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)

NOTES

*Inspection also discussed with Khoi, employee, & over-the-phone with Ken, manager's assistant

*Newsletter provided.



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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.ochcahealthinfo.com/eh/>.

NAME: Kim Anh
TITLE: owner

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

INSPECTOR:

K MILO, REHS
ENVIRONMENTAL HEALTH SPEC III
(714) 975-4799
KMilo@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.