



County of Riverside  
DEPARTMENT OF ENVIRONMENTAL HEALTH  
www.rivcoeh.org

FOOD ESTABLISHMENT INSPECTION FORM

FACILITY NAME <b>TOM'S #1</b>				DATE 1/24/2020		TIME IN 10:30 AM		TIME OUT 1:00 PM	
ADDRESS 18492 DEXTER AVE, LAKE ELSINORE, CA 92532				FACILITY DESCRIPTION Not Applicable					
PERMIT HOLDER ZAVERDA INC				EMAIL contact@tomschiliburgers.com				Major Violations 1	
PERMIT # PR0010229	EXPIRATION DATE 03/31/2020	SERVICE Follow-up inspection	REINSPECTION DATE Next Routine	FACILITY PHONE # (951)471-5565	PE 3621	DISTRICT 0052	INSPECTOR NAME Irene Goodman	Points Deducted 14	

The conditions listed below correspond to violations of the California Health and Safety Code and/or Riverside County Ordinances and must be corrected as indicated by the enforcement officer. The Department of Environmental Health appreciates your cooperation.

Failure to correct listed violation(s) prior to the designated compliance date may necessitate an additional reinspection at a charge determined by Riverside County Ordinance 640.

**Major / Minor Violations:** Major Violations are those that pose an imminent risk to public health and warrant immediate closure of the food facility or immediate correction. Minor Violations are those violations that do not pose an imminent public health risk, but do warrant correction.  
GRADE REPRESENTS THE FOLLOWING RANGES: A = 100-90 Passed inspection / meets minimum health standards. B = 89-80 Did not pass inspection / does not meet minimum health standards. C = 79-0 Failed inspection / conditions exist which may pose a potential or actual threat to public health and safety. The facility is required to display a grade card in a conspicuous place selected by the Enforcement Officer. The grade card shall not be concealed and can only be removed or relocated by the Enforcement Officer per County Ordinance 492 / County Code Section 8.40.020

**B**  
SCORE 86

☒ In = In compliance    ☒ COS = Corrected on-site    ☐ N/O = Not observed    ☐ N/A = Not applicable    ☐ OUT = Out of compliance

DEMONSTRATION OF KNOWLEDGE		COS	MAJ	OUT
<input checked="" type="radio"/> In	N/A	1. Food safety certification		2
Serve Safe. Manuel De La Luz ex: 6/9/22				
EMPLOYEE HEALTH AND HYGIENIC PRACTICES				
<input checked="" type="radio"/> In		2. Communicable disease; reporting, restrictions and exclusions	4	
<input checked="" type="radio"/> In	N/O	3. No persistent discharge from eyes, nose, and mouth		2
<input checked="" type="radio"/> In	N/O	4. Proper eating, tasting, drinking or tobacco use		2
PREVENTING CONTAMINATION BY HANDS				
<input checked="" type="radio"/> In	N/O	5. Hands clean and properly washed; gloves used properly	4	2
<input checked="" type="radio"/> In		6. Adequate handwashing facilities supplied and accessible		2
TIME AND TEMPERATURE RELATIONSHIPS				
<input checked="" type="radio"/> In	N/O	7. Proper hot and cold holding temperatures	4	2
<input checked="" type="radio"/> In	N/O	8. Time as a public health control; procedures and records	4	2
<input checked="" type="radio"/> In	N/O	9. Proper cooling methods	4	2
<input checked="" type="radio"/> In	N/O	10. Proper cooking time and temperature	4	2
<input checked="" type="radio"/> In	N/O	11. Proper reheating procedures for hot holding	4	
PROTECTION FROM CONTAMINATION				
<input checked="" type="radio"/> In	N/O	12. Returned and re-service of food		2
<input checked="" type="radio"/> In		13. Food: unadulterated, no spoilage, no contamination	4	2
<input checked="" type="radio"/> In	N/O	14. Food contact surfaces: clean and sanitized chlorine /	4	2

FOOD FROM APPROVED SOURCES		COS	MAJ	OUT
<input checked="" type="radio"/> In		15. Food obtained from approved sources	4	2
<input checked="" type="radio"/> In	N/O	16. Compliance with shell stock tags, condition, display		2
<input checked="" type="radio"/> In	N/O	17. Compliance with Gulf Oyster regulations		2
CONFORMANCE WITH APPROVED PROCEDURES				
<input checked="" type="radio"/> In	N/A	18. Compliance with variance, specialized process, and HACCP plan		2
CONSUMER ADVISORY				
<input checked="" type="radio"/> In	N/A	19. Written disclosure and reminder statements provided for raw or undercooked foods		1
SCHOOL AND HEALTHCARE PROHIBITED FOODS				
<input checked="" type="radio"/> In	N/A	20. Licensed health care facilities / public and private schools; prohibited foods not offered	4	2
WATER / HOT WATER				
<input checked="" type="radio"/> In		21. Hot and cold water available	4	2
Water Temperature 120°F				
LIQUID WASTE DISPOSAL				
<input checked="" type="radio"/> In		22. Sewage and wastewater properly disposed	4	2
VERMIN				
<input checked="" type="radio"/> In		23. No rodents, insects, birds, or animals	4	2
<input checked="" type="radio"/> In	N/A	24. Vermin proofing, air curtains, self-closing doors		1

SUPERVISION / PERSONAL CLEANLINESS	OUT
25. Person in charge present and performs duties, demonstration of knowledge	2
26. Personal cleanliness and hair restraints	1
GENERAL FOOD SAFETY REQUIREMENTS	
27. Approved thawing methods, frozen food storage	1
28. Food separated and protected from contamination	2
29. Washing fruits and vegetables	1
30. Toxic substances properly identified, stored, used	1
FOOD STORAGE / DISPLAY / SERVICE	
31. Adequate food storage; food storage containers identified	1
32. Consumer self-service	1
33. Food properly labeled; honestly presented; menu labeling	1

EQUIPMENT / UTENSILS / LINENS	OUT
34. Utensils and equipment approved, good repair	1
35. Warewashing: installed, maintained, proper use, test materials	1
36. Equipment / utensils: installed, clean, adequate capacity	1
37. Equipment, utensils, and linens: storage and use	1
38. Adequate ventilation and lighting; designated areas, use	1
39. Thermometers provided and accurate	1
40. Wiping cloths: properly used and stored	1
PHYSICAL FACILITIES	
41. Plumbing: properly installed, good repair	1
42. Refuse properly disposed; facilities maintained	1
43. Toilet facilities: properly constructed, supplied, cleaned	1
44. Premises; personal item storage and cleaning item storage	1

PERMANENT FOOD FACILITIES	OUT
45. Floors, walls, ceilings: good repair / fully enclosed	1
46. Floors, walls, and ceilings: clean	1
47. No unapproved private homes / living or sleeping quarters	1
SIGNS / REQUIREMENTS	
48. Last inspection report available	
49. Food Handler certifications available, current, and complete	1
50. Grade card and signs posted, visible	
COMPLIANCE AND ENFORCEMENT	
51. Plans approved / submitted	
52. Permit available / current	
53. Permit suspended / revoked	
54. Voluntary condemnation	
55. Impound	



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5. HANDS CLEAN & PROPERLY WASHED; GLOVES USED PROPERLY

POINTS

2

**Inspector Comments:** Observed the cook touch a trash can then enter the walk in cooler to grab raw beef patties with the same gloves on. Cook was instructed to wash his hands. Beef patties were voluntarily discarded. Employees must properly wash their hands immediately before engaging in food preparation. Employees must also properly wash their hands after handling soiled equipment or utensils.

**Violation Description:** Employees hands and exposed arms shall be kept clean, with fingernails properly trimmed. Employees are required to properly wash their hands: before handling food, equipment, or utensils; as often as necessary during food preparation, to remove soil and contamination; when switching from working with raw to ready-to-eat food; before putting on gloves and working with food; after touching body parts; after using toilet room; or any time when contamination may occur. Employees shall minimize bare hand and arm contact with non-prepackaged food that is in ready-to-eat form. Whenever gloves are worn, they shall be changed or replaced as often as handwashing is required. Approved hand sanitizer can be used in addition to proper handwashing. (113952, 113953.3, 113953.4, 113961, 113968, 113973)

7. PROPER HOT & COLD HOLDING TEMPERATURES

POINTS

2

**Inspector Comments:** Observed partially cooked chicken in the coolers beneath the flat grill to be at 48F. Operator voluntarily discarded the chicken.

Observed raw beef patties stored at 48F in the same drawer cooler. Beef patties were also voluntarily discarded at this time. Operator stated that the chicken was cooked and then put into the drawer coolers to cool 4 hours prior to the inspection. Due to the high temperature of the chicken, the raw beef patties in the same drawer were also placed out of temperature.

Ensure all potentially hazardous food items are properly stored at 41F and above or 135F and above at all times.

**Violation Description:** Potentially hazardous food shall be held at or below 41°F / 45°F or at or above 135°F. Potentially hazardous food removed from proper holding temperature during preparation must be returned to proper temperature within 2 hours. Potentially hazardous food shall be received at proper temperature without evidence of temperature abuse. (113996, 113998, 114037)

9. PROPER COOLING METHODS

POINTS

0

**Inspector Comments:** Discontinue cooling hot/ freshly cooked food items inside of the drawer coolers beneath the flat grill. The drawer coolers are not strong enough to cool and properly hold at 41F. Cool food in an approved, timely manner.

**Violation Description:** All potentially hazardous food shall be rapidly cooled from 135°F to 70°F within 2 hours, and then from 70°F to 41°F, within 4 hours. Cooling shall be by one or more of the following methods: in shallow containers; separating food into smaller portions; adding ice as an ingredient; using an ice bath, stirring frequently; using rapid cooling equipment; or, using containers that facilitate heat transfer. (114002, 114002.1)

10. PROPER COOKING TIME AND TEMPERATURE

POINTS

2

**Inspector Comments:** Observed partially cooked chicken in the drawer coolers beneath the cook line. Operator stated that the chicken is partially cooked, and then re-cooked later when ordered. In order to partially cook potentially hazardous food items and having the intent to fully cook at a later time, the facility needs a variance from the state. For this, contact the California Department of Public Health for any questions regarding an approved variance.

Chicken voluntarily discarded.

**Violation Description:** Food of raw animal origin or containing food of raw animal origin shall be cooked to meet minimum temperature requirements as follows: single pieces of meat, and raw shell eggs for immediate service, shall be heated to 145°F for 15 seconds; comminuted meat, injected meats, ratites, raw shell eggs, or any food containing comminuted meat or raw eggs, shall be heated to 155°F for 15 seconds; poultry, comminuted poultry, stuffed meat, stuffed pasta, or stuffing containing meat shall be heated to 165°F for 15 seconds. Raw animal origin shall be properly cooked to 165°F when using a microwave. Refer to the chart "Mandatory Cooking Temperatures" for other temperature requirements. (114004, 114008, 114010, 114021(c))

14. FOOD CONTACT SURFACES; CLEAN AND SANITIZED

⚠ CRITICAL ⚠

POINTS

4

**Inspector Comments:** Observed the sanitizer at the 3 compartment sink at 10 ppm while actively ware washing. Instructed operator to add more chlorine sanitizer in order to provide at least 100 ppm of chlorine sanitizer while ware washing. All dishes were re washed and sanitized in an approved manner.

**Violation Description:** All food contact surfaces of utensils and equipment shall be properly cleaned and sanitized. Food contact surfaces shall be clean to the sight and touch, no accumulation of dust, dirt, food residue, and other debris. (114097, 114099.1, 114099.2, 114099.4, 114099.6, 114099.7, 114101(b-d), 114105, 114109, 114111, 114113, 114115, 114117, 114118, 114123, 114125(b), 114130.2, 114130.5, 114141)



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23. NO RODENTS, INSECTS, BIRDS, OR ANIMALS

POINTS

2

**Inspector Comments:** Observed 1 nymph cockroach on the floor near the cook line. 2 dead cockroaches were observed; 1 behind the ware washing area and 1 beneath the back preparation table. Operator provided an invoice from 1/22/2020 from their pest control services. Continue to provide professional pest control as needed in order to eliminate cockroaches inside of the facility.

**Violation Description:** Each food facility shall be kept free of vermin. Only approved animals, such as service animals or decorative fish in aquariums, are permitted inside a food facility. (114259.1, 114259.4, 114259.5)

36. EQUIPMENT / UTENSILS PROPERLY INSTALLED, CLEAN; ADEQUATE CAPACITY

POINTS

1

**Inspector Comments:** Observed the storage area beneath the cook line to still be soiled with grease and food debris. Observed grease accumulation in the cabinet area of the fryer. Thoroughly clean and maintain cleanliness of all equipment throughout the facility.

**Violation Description:** All utensils and equipment shall be clean and installed in an approved manner. Equipment type and quantity shall be adequate for the operation. (114115, 114130.3, 114139, 114153, 114163, 114165, 114167, 114169, 114175, 114180, 114182, 114257)

41. PLUMBING: PROPERLY INSTALLED, GOOD REPAIR

POINTS

1

**Inspector Comments:** Observed a leak at the bottom of the preparation sink. Repair and eliminate the leak in an approved manner.

**Violation Description:** All plumbing 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. All food-related equipment drain lines must discharge through an approved indirect connection. Any hose used for conveying potable water shall be made from approved material and used for no other purpose. (114171, 114189.1, 114190, 114192(b,c), 114193, 114193.1, 114199, 114201, 114269)



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**Overall Inspection Comments**

This facility has failed their re-inspection from down graded inspection dated 1/10/2020. This facility has failed to meet the minimum requirements of the California Health and Safety Code (86=B). Due to the repeated failed inspections, an Administrative Hearing will be held at 2275 S. Main St. Suite 204, Corona CA 92882 on Tuesday, January 28, 2020 at 8 a.m. "B" card is still posted. "B" card must remain posted until removed by an employee of this department. Contact I. Goodman with any questions at (951) 273-9140 or at [IGoodman@rivco.org](mailto:IGoodman@rivco.org).

Failure to attend the hearing will result in further legal action.

**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 gross negligence or intentional misconduct in the preparation or handling of the donated food. See Section 171425 of the Civil Code and Sections 114432 to 114434 inclusive of the Health and Safety Code. For more information visit our website at [www.rivcoeh.org](http://www.rivcoeh.org).

**Signature**

Anjelica  
Person in Charge

01/24/2020

Irene Goodman  
Environmental Health Specialist

01/24/2020



## REASONS FOR IMMEDIATE CLOSURE OF A FOOD FACILITY

Per California Health and Safety Code Section 114409 (a):

"If any imminent health hazard is found, unless the hazard is immediately corrected, an enforcement officer may temporarily suspend the permit and order the food facility immediately closed."

A food facility may be closed for any of the following reasons:

- Overflowing sewage (inside or outside the facility)
- No potable water
- No hot water
- No electricity
- Rodent or insect infestation
- Any other conditions at the facility that may create an imminent public health risk

In addition to the reasons above, Per California Health and Safety Code Section 114411:

"The enforcement agency may, after providing opportunity for a hearing, modify, suspend, or revoke a permit for serious or repeated violations of any requirement of this part or for interference in the performance of the duty of the enforcement officer."

No foil or cardboard on shelves!



## PROPER FOOD STORAGE IN REFRIGERATORS AND FREEZERS

Ready-to-Eat Food

Cooked Food

Raw Meat, Raw Eggs

Store cooked and ready-to-eat food above raw food to avoid cross-contamination. Keep all food covered to prevent contamination.

## MANUAL SANITIZING OF EQUIPMENT AND UTENSILS USING A THREE COMPARTMENT SINK

1. **SCRAPE**, clean, or soak items as necessary before washing.
2. **WASH** items in detergent and hot water of at least 100°F in the first sink.
3. **RINSE** items in clear water in the second sink.
4. **SANITIZE** by submerging each item in a sanitizing solution in the third sink. Use one of the following sanitizing methods:
  - 100ppm of a chlorine based sanitizer for a minimum of 30 seconds in the solution
  - 200ppm of a quaternary ammonium based sanitizer for a minimum of 60 seconds in the solution
  - 25ppm of an iodine based sanitizer for a minimum of 60 seconds in the solution
  - Water at a temperature of 171°F for a minimum of 30 seconds in solution
5. **AIR DRY** all items on the drain board.



## PROPER COOLING OF FOOD IN YOUR FACILITY

Potentially hazardous foods should always be rapidly cooled.

### TIME IS THE KEY FACTOR IN PROPER COOLING

- Foods must cool from 135°F to 70°F in 2 hours or less
- Foods must cool from 70°F to 41°F in 4 hours or less

Use one of the following methods to cool food properly:

- Break large foods down into smaller portions and place in shallow pans no more than 4 inches deep. Metal pans cool better than glass or plastic pans.
- Add ice as an ingredient to replace water used in the recipe.
- Place foods within an ice bath and frequently stir the foods to speed the cooling process.
- Loosely cover foods so that heat and steam can escape during cooling.
- Arrange containers within a refrigeration unit so that air can flow properly around containers.
- Use special equipment like chill paddles or blast chillers to rapidly bring down food temperature.

Use an accurate thermometer to verify the food is being cooled within proper timeframes.

## PROPER FOOD THAWING METHODS



1. Under refrigeration
2. In a microwave oven on "defrost"
3. Submerged under cold running water in an approved preparation sink for no longer than 2 hours
4. As part of the cooking process



## INTERNAL COOKING TEMPERATURES

Use a probe thermometer to take internal cooking temperatures



Food temperature cannot be felt - use your probe thermometer!



## FOR QUESTIONS OR COMMENTS CONTACT YOUR LOCAL AREA OFFICE

**BLYTE**  
260 N Broadway  
Blythe, CA 92225  
Phone 760-921-5090  
Fax 760-921-5085

**CORONA**  
2275 S Main St #204  
Corona, CA 92882  
Phone 951-273-9140  
Fax 951-520-8319

**HEMET**  
800 S Sanderson Ave #200  
Hemet, CA 92545  
Phone 951-766-2824  
Fax 951-766-7874

**INDIO**  
47-950 Arabia St #A  
Indio, CA 92201  
Phone 760-863-8287  
Fax 760-863-8303

**MURRIETA**  
30135 Technology Dr #250  
Murrieta, CA 92563  
Phone 951-461-0284  
Fax 951-461-0245

**PALM SPRINGS**  
554 S Paseo Dorotea  
Palm Springs, CA 92264  
Phone 760-320-1048  
Fax 760-320-1470

**RIVERSIDE**  
4065 County Circle Dr #104  
Riverside, CA 92503  
Phone 951-358-5172  
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