



# FOOD FACILITY ROUTINE INSPECTION REPORT

## Environmental Health Division

2120 Diamond Boulevard, Suite 100, Concord, CA 94520  
(925) 608-5500 FAX (925) 608-5502 (www.cchealth.org/eh)



DBA/Name:	THE HERITAGE DOWNTOWN	Risk Category:	3	Date:	02/24/2025
Address:	1785 SHUEY AVE	City/Zip:	WALNUT CREEK, 94596	Program Record #:	PR0014850
Owner/Operator:	HERITAGE POINTE -- NEWTONS	Person in Charge:	Agustin Gutierrez	Phone #:	9259437427
Current Health Permit:	YES	Program Element:	0609	Service:	002
		Time In:	9:55 am	Time Out:	12:05 pm
Food Safety Certified Person:	Carmen Mata Sol	Exam Provider:	National Registry of Food Safety	Cert #:	21626046
				Date Expired:	9/17/2024

A \$ 199/hr (1hr minimum) fee may be charged for verified complaints, to reopen facilities ordered closed, re-placard inspections or when violations noted during an inspection are not corrected prior to the re-inspection date. Any or all violations may be posted on the Contra Costa Environmental Health Website.

## CLOSURE

### Violation Comments

#### 22. No insects, rodents, birds or animals present

Major

Observations: Observed live and dead cockroaches in following areas:

- Dead cockroaches in glue trap on top of electrical above 3-compartment sink
- Approximately live 6 cockroaches in crack and crevice below 3-compartment sink
- 3 live cockroaches (nymphs and juvenile) on and by 2-door prep cooler at salad station
- 1 dead cockroach in floor sink under hand sink

Facility gets serviced monthly and has increased servicing to weekly. Most recent service report reviewed.

-Facility is closed due to this observation. See general observation for more details.

#### Corrective Action:

Each food facility shall be kept free of vermin: rodents (rats, mice), cockroaches & flies. No live animal shall be kept or allowed in a food facility with the exception of a patrol/service animal & animals for consumption (114259.1, 114259.4, 114259.5).

#### 44. Floors, walls and ceiling: built, maintained and clean

Observations: A) Observed open crack and crevice in the following areas:

- Underneath 3-compartment sink
- entrance of dish washing area

B) Cracked cove basing in the following areas:

- Near 2-prep cooler and walk in cooler
- Repair. Seal all cracks and crevices.

C) Food debris underneath ice machine.

-Clean and maintain.

#### Corrective Action:

Floors/walls/ceilings surfaces, other than customer service area, shall be constructed of durable, smooth, nonabsorbent, easily cleanable materials & shall be kept clean & in good repair. Approved base coving shall be provided in all areas, except for customer areas & areas where food is stored in its original unopened packaged or containers (114257, 114266, 114268, 114268.1, 114269, 114271, 114272).



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## General Inspection Observations

Operation hours:

Breakfast- 8-10am

Lunch-11am-1pm

Dinner-4pm-7pm

Due to the observation, facility is closed. Spoke to person in charge (PIC), Augustin about contingency plan for food options for residents. Per Augustin, they will getting catered food for their residents. Pest control is scheduled to come out tomorrow morning. Advised PIC against same day pest control servicing and reopening inspection due to the contact time of pest control method and time to clean and sanitize affected areas. Highly recommended PIC to get pest control service today. Per PIC, they may have pest control company come tonight. See closing directive and complete checklist prior to requesting for chargeable reinspection.

A chargeable reinspection to reopen facility is scheduled for tomorrow morning. Ensure that there is no vermin activity in order to be reopened. White placard will be posted upon reopening and will be changed during a routine inspection or a closure.

Ensure to have valid food manager certificate.

## Temperature/Sanitizer Observations

Item/Location	Temp/Sanit	Item/Location	Temp/Sanit	Item/Location	Temp/Sanit
1-door prep cooler/bar	38.0 F	Hot water/hand sink	100.0 F		
Rigatoni/5-door prep cooler	39.0 F	Hot water/3-compartment sink	123.0 F		
Watermelon/walk in cooler	38.0 F	Walk in cooler	36.0 F		
Green beans/5-door prep cooler	40.0 F	Quat sanitizer bucket	200.0 PPM		
Red sauce/1-door display cooler	40.0 F				

Specialist: CINDY VO Phone: (925) 608-5551

Received by:

Agustin Gutierrez

Captured: 2/24/2025 12:05:35PM  
Chef



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### CLOSURE DIRECTIVE

As authorized by the California Health and Safety Code (CHSC) Sections 114405, 114409, and 114411, the above referenced food facility is hereby ordered cease and desist operation(s), effective immediately.

Violation(s) which constitute an immediate danger to public health or safety have been observed. As a result, the permit to operate is being temporarily suspended, and this facility is ordered to remain closed until written authorization to reopen and resume operations has been granted by an authorized representative of Contra Costa Environmental Health (CCEH).

As specified in CHSC Section 114405, you have the right to a hearing to show cause why the permit suspension is not warranted. If a hearing is desired, a written request for the hearing must be made by you within 15 calendar days after receipt of this notice. A failure to request a hearing within 15 days of the receipt of this notice shall be deemed a waiver of the right to a hearing. If you request a hearing, the hearing will be scheduled within 15 calendar days of CCEH's receipt of the request, and you will be notified in writing of the hearing date. When circumstances warrant, the hearing officer may order a hearing at any reasonable time within this 15-day period to expedite the permit suspension or revocation process.

Please contact your inspector (925) 608-5551 or the CCEH office at (925) 608-5500 to request a re-inspection when you feel the violation(s) necessitating abatement have been adequately addressed.

### **Before requesting an Environmental Health reinspection, the following items must be completed:**

1. Provide a report from a licensed pest control company that indicates the type of control measures taken and that the facility has been treated. It is highly recommend that the report indicate that no live vermin have been observed after treatment.
2. Eradicate all live rodents and insects from the facility.
3. Remove all droppings, dead insects, rodents, rodent rub marks
4. Clean and sanitize the affected area(s) and equipment.
5. Dispose of all food items that have been adulterated/contaminated.
6. Seal holes (e.g., in walls and ceilings, repair cove base) and entryways (e.g., weather-stripping around doors); keep exterior doors closed; screen openable windows.
7. Eliminate harborage inside and outside of the facility (e.g., remove junk, cast-offs, contributory vegetation, etc.).
8. Eliminate food and water sources inside and outside the facility (e.g., clean the facility and maintain a clean condition) and repair any water leaks.
9. Properly store items (e.g., at least 6 inches above floor in sealed rodent-proof/insect-proof containers; organize overly packed and disorganized storage areas).
10. Properly store and dispose of garbage and other wastes (e.g., bag wastes, keep dumpster lids closed, frequent removal).

\*\*\* Please note that pest control treatments for rodents or insects may require a sufficient amount of contact time for these to be effective. Consult with a pest control company for guidance on eliminating harborage, entryways, and food/water sources.

**After all applicable corrections are completed, contact the Environmental Health Division for a reinspection appointment. Environmental Health will require verification that these items have been completed before the facility is authorized to resume business or operation. This facility is not to reopen until written authorization is provided by Environmental Health that the suspended health permit has been reinstated.**



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### Operator Advisory for Food Donations:

California state food law allows for the donation of surplus foods that are still fit for human consumption. Donating surplus wholesome food instead of throwing it in the trash can feed hungry people, save space in our landfills, and prevent the emission of harmful greenhouse gases. The California Good Samaritan Food Donation Act (AB 1219) and the Federal Bill Emerson Good Samaritan Food Donation Act provides liability protections for businesses that make good faith donations of surplus food. Please see the links below for more information:

California Good Samaritan Food Donation Act (AB 1219)

[https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=201720180AB1219](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB1219)

Federal Bill Emerson Good Samaritan Food Donation Act

<https://www.congress.gov/congressional-report/104th-congress/house-report/661/1>

General Food Donation Information

<https://cchealth.org/eh/food/donation.php>

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Please assist us in improving our customer service by completing a short survey: <https://forms.office.com/g/tDJ77GPgQa>

