

County of Santa Clara

Department of Environmental Health

Consumer Protection Division

1555 Berger Drive, Suite 300, San Jose, CA 95112-2716

Phone (408) 918-3400 www.ehinfo.org



OFFICIAL INSPECTION REPORT

Facility FA0274888 - THE CITY FISH		Site Address 16125 MONTEREY RD, MORGAN HILL, CA 95037		Inspection Date 11/01/2024	
Program PR0415500 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			Owner Name ALVAREZ, ALBERTO		Inspection Time 11:30 - 12:45
Inspected By GINA STIEHR	Inspection Type ROUTINE INSPECTION		Consent By ALBERTO ALVAREZ	FSC Alberto Alvarez 08/22/2025	

Placard Color & Score
GREEN
79

RISK FACTORS AND INTERVENTIONS	IN	OUT		COS/SA	N/O	N/A	PBI
		Major	Minor				
K01 Demonstration of knowledge; food safety certification	X						
K02 Communicable disease; reporting/restriction/exclusion	X						S
K03 No discharge from eyes, nose, mouth	X						
K04 Proper eating, tasting, drinking, tobacco use	X						
K05 Hands clean, properly washed; gloves used properly	X						S
K06 Adequate handwash facilities supplied, accessible			X				N
K07 Proper hot and cold holding temperatures			X				N
K08 Time as a public health control; procedures & records						X	
K09 Proper cooling methods			X				
K10 Proper cooking time & temperatures	X						N
K11 Proper reheating procedures for hot holding	X						
K12 Returned and reservice of food	X						
K13 Food in good condition, safe, unadulterated	X						
K14 Food contact surfaces clean, sanitized	X						S
K15 Food obtained from approved source	X						
K16 Compliance with shell stock tags, condition, display		X		X			
K17 Compliance with Gulf Oyster Regulations						X	
K18 Compliance with variance/ROP/HACCP Plan						X	
K19 Consumer advisory for raw or undercooked foods	X						
K20 Licensed health care facilities/schools: prohibited foods not being offered						X	
K21 Hot and cold water available	X						
K22 Sewage and wastewater properly disposed	X						
K23 No rodents, insects, birds, or animals	X						

GOOD RETAIL PRACTICES	OUT	COS
K24 Person in charge present and performing duties		
K25 Proper personal cleanliness and hair restraints		
K26 Approved thawing methods used; frozen food		
K27 Food separated and protected		
K28 Fruits and vegetables washed		
K29 Toxic substances properly identified, stored, used		
K30 Food storage: food storage containers identified		
K31 Consumer self service does prevent contamination		
K32 Food properly labeled and honestly presented		
K33 Nonfood contact surfaces clean		
K34 Warewash facilities: installed/maintained; test strips		
K35 Equipment, utensils: Approved, in good repair, adequate capacity	X	
K36 Equipment, utensils, linens: Proper storage and use		
K37 Vending machines		
K38 Adequate ventilation/lighting; designated areas, use		
K39 Thermometers provided, accurate		
K40 Wiping cloths: properly used, stored		
K41 Plumbing approved, installed, in good repair; proper backflow devices		X
K42 Garbage & refuse properly disposed; facilities maintained		
K43 Toilet facilities: properly constructed, supplied, cleaned		
K44 Premises clean, in good repair; Personal/chemical storage; Adequate vermin-proofing		
K45 Floor, walls, ceilings: built, maintained, clean		
K46 No unapproved private home/living/sleeping quarters		
K47 Signs posted; last inspection report available		

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K48	Plan review	
K49	Permits available	
K58	Placard properly displayed/posted	

Comments and Observations

Major Violations

K16 - 8 Points - Not in compliance with shell stock tags, condition; 114039-114039.5

Inspector Observations: *Observed one container of oysters with 6 shellstock tags and one container of oysters without any tags. Oyster tags have been kept for one year but were not in chronological order. [CA] Keep bags of oysters separate from each other and keep tag with bag of oysters until they are used up (no commingling oysters). Keep 90 days worth of oyster shellstock tags in chronological order. [COS] PIC removed shell stock tags that were not applicable to the oysters in the refrigerator and ensure the 2 lots had the correct tags.*

Minor Violations

K06 - 3 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

Inspector Observations: *Observed 2 large garbage cans placed directly in front of kitchen handwash station. [CA] Keep handwash stations clear and accessible at all times. Relocate garbage cans.*

K07 - 3 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

Inspector Observations: *Observed potentially hazardous food that measured in the temperature danger zone (ham 49F). Per PIC, the ham was recently purchased and put into the beverage cooler. Ambient temperature reading of beverage refrigerator was measured at 42F. [CA] Ensure PHFs are properly cold held at 41F or below OR hot held at 135F or above. Repair, adjust or replace unit if necessary. Discontinue using beverage cooler for cold holding potentially hazardous foods. [COS] PIC moved PHFs to reach-in cooler.*

K09 - 3 Points - Improper cooling methods; 114002, 114002.1

Inspector Observations: *Observed clam chowder cooling in a very low ice bath. [CA] ENSure ice bath is at the same level of the cooling PHF.*

K35 - 2 Points - Equipment, utensils - Unapproved, unclean, not in good repair, inadequate capacity; 114130, 114130.1, 114130.2, 114130.3, 114130.4, 114130.5, 114132, 114133, 114137, 114139, 114153, 114155, 114163, 114165, 114167, 114169, 114175, 114177, 114180, 114182

Inspector Observations: *Observed beverage refrigerator being used to store potentially hazardous foods. [CA] Discontinue using beverage refrigerators for PHF cold holding.*

Observed a residential type oven being used to make oysters Rockefeller. [CA] Discontinue use of cooking equipment without a hood. Use approved commercial equipment under a ventilation hood. Facility may choose to submit the "Mechanical Ventilation Exemption" form if they would like to operate equipment without a hood.

K41 - 2 Points - Plumbing unapproved, not installed, not in good repair; improper backflow devices; 114171, 114189.1, 114190, 114192, 114193, 114193.1, 114199, 114201, 114269

Inspector Observations: *Observed reach-in refrigerators that drain into a pan. [CA] Replace units so that they are self-contained or pipe the current units into an approved wastewater receptacle such as a floor sink.*

Performance-Based Inspection Questions

Needs Improvement - Adequate handwash facilities: supplied or accessible.

Needs Improvement - Proper cooking time & temperatures.

Needs Improvement - Proper hot and cold holding temperatures.

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Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
hot water	3 comp sink	120.00 Fahrenheit	
fish	reach-in	39.00 Fahrenheit	
shrimp	food prep cold hold	41.00 Fahrenheit	
oysters	reach-in cooler	39.00 Fahrenheit	
chowder	warmer	148.00 Fahrenheit	
scallops	cooler	40.00 Fahrenheit	
chlorine	warewash machine	50.00 PPM	
clam chowder	food prep sink (ice bath for cooling)	187.00 Fahrenheit	
hot water	handwash sink	100.00 Fahrenheit	
ham	coca cola beverage refrigerator	49.00 Fahrenheit	per pic, ham was purchased today and recently put into the refrigerator unit
clams	reach-in freezer	5.00 Fahrenheit	

Overall Comments:

When required to determine compliance, a single reinspection will be conducted without additional charge. If subsequent reinspections are required, an hourly fee (minimum one hour) at the current rate approved by the Board of Supervisors will be assessed for each and every reinspection until the necessary changes or corrections are made. Unless otherwise noted by the inspector, all violations are to be corrected no later than **11/15/2024**. Any major change in menu or any change in ownership must have prior approval by this Department. This may require structural and/or equipment changes or remodeling to accommodate new operations.

Legend:

- [CA] Corrective Action
- [COS] Corrected on Site
- [N] Needs Improvement
- [NA] Not Applicable
- [NO] Not Observed
- [PBI] Performance-based Inspection
- [PHF] Potentially Hazardous Food
- [PIC] Person in Charge
- [PPM] Part per Million
- [S] Satisfactory
- [SA] Suitable Alternative
- [TPHC] Time as a Public Health Control



Received By: Alberto Alvarez
Owner

Signed On: November 01, 2024