

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 FA0287339 - FIVE GUYS BURGERS & FRIES		Site Address 438 N CAPITOL AV, SAN JOSE, CA 95136		Inspection Date 11/25/2024	
Program PR0431024 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 2 - FP13			Owner Name TRIPART MANAGEMENT II, II		Inspection Time 12:20 - 13:15
Inspected By YUEN IP	Inspection Type ROUTINE INSPECTION		Consent By JIMENA	FSC Jimena Ochoa olorio- 09/04/2026	

Placard Color & Score
GREEN
100

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						
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						
K06 Adequate handwash facilities supplied, accessible	X						
K07 Proper hot and cold holding temperatures	X						
K08 Time as a public health control; procedures & records	X						
K09 Proper cooling methods						X	
K10 Proper cooking time & temperatures	X						
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						
K15 Food obtained from approved source	X						
K16 Compliance with shell stock tags, condition, display						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		
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		
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

No major violations were observed during this inspection.

Minor Violations

No minor violations were observed during this inspection.

Performance-Based Inspection Questions

N/A

Measured Observations

Item	Location	Measurement	Comments
Fries	On fryer	171.00 Fahrenheit	
Water	3 compartment sink	120.00 Fahrenheit	
Quaternary ammonia	Sanitizer bucket	200.00 PPM	
Cut tomato	Open top fridge	39.00 Fahrenheit	
Hot dog	Walk-in fridge	37.00 Fahrenheit	
Cheese	Fridge drawer	40.00 Fahrenheit	
Water	Hand wash sink front fries station	100.00 Fahrenheit	
Cooked mushroom	Steam table	171.00 Fahrenheit	
Water	Hand wash sink near 3 compartment sink	100.00 Fahrenheit	
Water	Hand wash sink front near cashier	100.00 Fahrenheit	
Raw beef patty	Walk-in fridge	37.00 Fahrenheit	
Cooked beef patty	Off grill	172.00 Fahrenheit	
Water	Hand wash sink restroom	100.00 Fahrenheit	
Fries	Next to second stage of fryer	121.00 Fahrenheit	Per PIC, fried a few minutes ago and will go under second frying process. TPHC for fries within 2 hours.
Raw beef patty	Fridge drawer	40.00 Fahrenheit	
Milk	Milk shake machine	38.00 Fahrenheit	
Quaternary ammonia	3rd compartment sink	200.00 PPM	Test strip available
Cooked onion	Steam table	168.00 Fahrenheit	

Overall Comments:

No major violations observed at the time of inspection

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 **12/9/2024**. 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.

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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: Felipe
Store manager

Signed On: November 25, 2024