

# 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 FA0255142 - POPEYE'S CHICKEN		Site Address 311 N CAPITOL AV A, SAN JOSE, CA 95133		Inspection Date 07/03/2025	
Program PR0372542 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 2 - FP13			Owner Name RMV FOODS INC.		Inspection Time 11:30 - 12:45
Inspected By JENNIE PENALOZA	Inspection Type ROUTINE INSPECTION		Consent By ELIZABETH Y IBARRA	FSC Elizabeth Ybarra 2/3/2027	

Placard Color & Score
<b>GREEN</b>
<b>85</b>

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	X			
K07 Proper hot and cold holding temperatures		X		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	X	
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	X	
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

K07 - 8 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

**Inspector Observations: Observed chicken tenders hot holding in a container at 122F; per PIC chicken was cooked 15 mins before inspection.**

**[CA] PHFs shall be held at 41°F or below or at 135°F or above.**

**[COS] PIC decided to discard chicken.**

### Minor Violations

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

**Inspector Observations: Paper towel dispenser was empty at front hand sink upon arrival.**

**[CA] Single-use sanitary towels shall be provided in dispensers; heated-air hand drying device may be substituted for single-use towels.**

**[COS] dispenser was stocked with single use paper towels during inspection.**

K30 - 2 Points - Food storage containers are not identified; 114047, 114049, 114051, 114053, 114055, 114067(h), 114069 (b)

**Inspector Observations: Observed food (flour) bins with no label.**

**[CA] Store open bulk foods in approved NSF containers with tight fitting lids.**

K45 - 2 Points - Floor, walls, ceilings: not built, not maintained, not clean; 114143(d), 114266, 114268, 114268.1, 114271, 114272

**Inspector Observations: Accumulation of food residue and grease observed on floor throughout kitchen, specifically near the cook-line, chicken batter station, ware washing area and inside the walk-in cooler.**

**[CA] Walls and/or floors in food preparation area shall be kept clean.**

### Performance-Based Inspection Questions

N/A

### Measured Observations

Item	Location	Measurement	Comments
crispy chicken	hot holding	137.00 Fahrenheit	
gravy	reheated for holding	165.00 Fahrenheit	
raw chicken	walk-in cooler	38.00 Fahrenheit	raw chicken - 41
mashed potatoes	steam table	167.00 Fahrenheit	
tender chicken	hot holding	122.00 Fahrenheit	
raw chicken	chicken batter station	37.00 Fahrenheit	raw chicken - 40F
gravy	steam table	150.00 Fahrenheit	
cheese	walk-in cooler	41.00 Fahrenheit	
chicken nuggets	hot holding	150.00 Fahrenheit	

### Overall Comments:

**Joint inspection with Jennie Penaloza and Emily Yuen.**

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 **7/17/2025**. 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:** Vishal Sharma

Owner

**Signed On:** July 03, 2025