

**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**

<b>Facility</b> FA0288669 - LA BARRIQUE RESTAURANT		<b>Site Address</b> 969 STORY RD 6090, SAN JOSE, CA 95122		<b>Inspection Date</b> 06/07/2021	
<b>Program</b> PR0432910 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			<b>Owner Name</b> LA BARRIQUE RESTAURANT		<b>Inspection Time</b> 13:00 - 13:45
<b>Inspected By</b> FREDERICK KIEU		<b>Inspection Type</b> ROUTINE INSPECTION		<b>Consent By</b> HARRY NGUYEN OWNER	
<b>FSC</b> Not Available					

<b>Placard Color &amp; Score</b>
<b>GREEN</b>
<b>90</b>

RISK FACTORS AND INTERVENTIONS	IN	OUT		COS/SA	N/O	N/A	PBI
		Major	Minor				
K01 Demonstration of knowledge; food safety certification			X				S
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							
K07 Proper hot and cold holding temperatures	X						
K08 Time as a public health control; procedures & records						X	
K09 Proper cooling methods					X		S
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				S
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	X	
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	X
K58	Placard properly displayed/posted	

## Comments and Observations

### Major Violations

No major violations were observed during this inspection.

### Minor Violations

K01 - 3 Points - Inadequate demonstration of knowledge; food manager certification

**Inspector Observations: The facility is unable to produce a Food Safety Certificate(FSC) and food handler cards upon request.[CA]Facilities serving food shall have evidence of at least one valid FSC available at all times and valid Food Handler Cards for all other employees who serve or handle food.**

K18 - 3 Points - Non-compliance with variance/ROP/HACCP Plan; 114057, 114057.1, 114417.6, 114419

**Inspector Observations: Observed a vacuum packing machine at the facility. Food facility utilizing a specialized practice without a written HACCP plan/variance, or is not following the HACCP plan/variance as written[CA]Provide variance letter from CA Dept of Public Health approving a deviation from standard health code requirements shall be maintained at the food facility.**

K34 - 2 Points - Warewashing facilities: not installed or maintained; no test strips; 114067(f,g), 114099, 114099.3, 114099.5, 114101(a), 114101.1, 114101.2, 114103, 114107, 114125

**Inspector Observations: -The bar 3 compartment sink is lacking dual integral drainboards. [CA] Provide dual integral drainboards for the 3 compartment sink.**

**-The bar undercounter dishwasher is lacking dual integral drainboards. [CA] Provide dual integral drainboards for the dishwasher or have it adjacent to a 3 compartment sink w dual integral drainboards.**

K49 - 2 Points - Permits not available; 114067(b,c), 114381(a), 114387

**Inspector Observations: Facility is currently inactive. Facility opened without obtaining a valid health permit from the Santa Clara County Department of Environmental Health. [CA] Facility has till the end of the week to complete the Change of Ownership packet for a valid health permit. The ownership fee of \$340 will be charged for the change of ownership. In addition, an annual permit fee of \$1435 (FP14) plus 25% penalty fee will also be charged. New permit application must be submitted by Friday 6/11/21 or legal action will be taken. Please see attached Change of Owner packet or visit <https://cpd.sccgov.org/food-facility-ownership-change>. Facility is issued a temporary permit to operate till the end of the week.**

### Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

### Measured Observations

Item	Location	Measurement	Comments
hot water	3 compartment sink	130.00 Fahrenheit	
santizier	dishwasher	180.00 Fahrenheit	
raw meat	walk in	38.00 Fahrenheit	
hot water	food preparation sink	128.00 Fahrenheit	
refrigeration unit	3 door undercounter unit	40.00 Fahrenheit	
refrigeration unit	3 door preparation unit	38.00 Fahrenheit	
hot water	bar handsink	109.00 Fahrenheit	
hot water	handsink next to 3 comp	115.00 Fahrenheit	
santizer	bar dishwasher	50.00 PPM	

### Overall Comments:

**Report emailed to owner.**

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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 **6/21/2021**. 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:

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

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**Received By:** Harry Nguyen Owner

**Signed On:** June 08, 2021

**Comment:** No signature due to social distancing.