

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 FA0212509 - BIRK'S RESTAURANT-MCCANDLESS		Site Address 3955 FREEDOM CL, SANTA CLARA, CA 95054		Inspection Date 06/11/2026		Placard Color & Score GREEN 82		
Program PR0304264 - FOOD PREP / FOOD SVC OP 26+ EMPLOYEES RC 3 - FP17			Owner Name CLASSIC AMERICANA FOOD		Inspection Time 13:30 - 16:00			
Inspected By THAO HA		Inspection Type ROUTINE INSPECTION		Consent By MARY LE				FSC Mary Le 02/07/2030

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		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	X	
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	X	
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	X	
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		

OFFICIAL INSPECTION REPORT

Facility FA0212509 - BIRK'S RESTAURANT-MCCANDLESS	Site Address 3955 FREEDOM CL, SANTA CLARA, CA 95054	Inspection Date 06/11/2026
Program PR0304264 - FOOD PREP / FOOD SVC OP 26+ EMPLOYEES RC 3 - FP17	Owner Name CLASSIC AMERICANA FOOD, INC.	Inspection Time 13:30 - 16:00
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: MAJOR:

1) Salad prep cooler measured to have:

- Mozzarella Balls at 50F
- Cooked Shrimp at 46F
- Crumbled cheese at 51F
- Ambient temperature at 50F

Cold holding insert observed to be in ice bath and measured to be 41F or below (see measured observations).

MINOR:

2) Under counter cooler left most at bar measured to have:

- Guava puree at 46F
- Lychees at 46F

Small gap observed in the left most door.

[CA] Maintain PHFs at 41F and below for cold holding.

[COS]

1) Cheese was placed on ice bath. Other PHFs were VC&D

2) Purees and syrups were moved to to the other end of cooler where half and half measured to be 41F.

Minor Violations

K29 - 2 Points - Toxic substances improperly identified, stored, used; 114254, 114254.1, 114254.2

Inspector Observations: 1) Raid observed in facility. [CA] Only used approved pesticides for commercial food facilities

K33 - 2 Points - Nonfood contact surfaces not clean; 114115(c)

Inspector Observations: Shelves in reach ins and under server area observed to have debris and grime. Some shelves observed to be rusting in reach in cooler. [CA] Replace and repair shelves. Maintains shelves in good condition.

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: Walk in cooler condenser observed to be leaking. [CA] Repair walk in cooler condenser.

K40 - 2 Points - Wiping cloths: improperly used and stored; 114135, 114185.1 114185.3(d,e)

Inspector Observations: 1) Wiping clothes at cookline bar and server areas observed to be stored on counter. [CA] Wiping towels shall be stored in sanitizing solution of an approved concentration when not in use (100 ppm - chlorine, 200 ppm - quaternary ammonium).

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

Inspector Observations: Corners and edges of walls observed to have seal peeling and starting to fray. [CA] Repair corners and edges to ensure PFR wall finish can be maintained.

Performance-Based Inspection Questions

N/A

OFFICIAL INSPECTION REPORT

Facility FA0212509 - BIRK'S RESTAURANT-MCCANDLESS	Site Address 3955 FREEDOM CL, SANTA CLARA, CA 95054	Inspection Date 06/11/2026
Program PR0304264 - FOOD PREP / FOOD SVC OP 26+ EMPLOYEES RC 3 - FP17	Owner Name CLASSIC AMERICANA FOOD, INC.	Inspection Time 13:30 - 16:00

Measured Observations

Item	Location	Measurement	Comments
Cheese crumbled	Salad cookline prep cooler	40.00 Fahrenheit	
Raw beef	Walk in cooler	40.00 Fahrenheit	
Raw chicken	Walk in cooler	40.00 Fahrenheit	
Chloriine	Under counter bar dishwasher	100.00 Fahrenheit	
Lychee purree	Right bar cooler	46.00 Fahrenheit	
Cooked mushrooms	Salad cookline prep cooler	51.00 Fahrenheit	
Chicken raw	Cookline grill cooler	39.00 Fahrenheit	
Au jus	Cookline steam table	148.00 Fahrenheit	
Cream sauce	Cookline steam table	139.00 Fahrenheit	
Hot water	3-comp sink	120.00 Fahrenheit	
Chloriine	Upright dishwasher	50.00 Fahrenheit	
Half and half	Middle bar cooler	41.00 Fahrenheit	
Key lime pie	Cooling	88.00 Fahrenheit	Per employee pies were pulled in the last 30 minutes
Warm water	Handwash sink	100.00 Fahrenheit	
Mozzarella balls	Salad cookline prep cooler	51.00 Fahrenheit	
Crema Burlee	Cooling	137.00 Fahrenheit	Just removed from hot water bath about 15 minutes prior per operator.
Ranch	Salad cookline prep cooler	36.00 Fahrenheit	
Cooked shrimp	Salad cookline prep cooler	46.00 Fahrenheit	
Octopus	Cookline fryer cooler	38.00 Fahrenheit	
Lychee	Left bar cooler	46.00 Fahrenheit	
Pasta sauce	Walk in cooler	41.00 Fahrenheit	
Cut tomatoes	Salad cookline prep cooler	37.00 Fahrenheit	
Quat ammonia	3-comp sink	200.00 Fahrenheit	
Cooked vegetables	Drawer under stove	40.00 Fahrenheit	
Guava puree	Left bar cooler	41.00 Fahrenheit	
Cheese	Walk in cooler	41.00 Fahrenheit	
Ambient temperature	Salad cookline prep cooler	50.00 Fahrenheit	
Cheese	Walk in cooler	41.00 Fahrenheit	
Cheese	Cookline grill cooler	41.00 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 6/25/2026. 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: Mary Le
Chef
Signed On: June 11, 2026