

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 FA0206804 - POPEYE'S CHICKEN & BISCUITS		Site Address 1671 N CAPITOL AV A, SAN JOSE, CA 95132		Inspection Date 12/06/2023	
Program PR0302190 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 2 - FP13			Owner Name RMV FOODS INC.		Inspection Time 10:15 - 11:40
Inspected By GUILLERMO VAZQUEZ	Inspection Type ROUTINE INSPECTION	Consent By SUSANA MARTINEZ	FSC Gloria Hernandez 5/3/27		

Placard Color & Score
GREEN
93

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	X						S
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						S
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	
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	X	
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	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

No major violations were observed during this inspection.

Minor Violations

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

Inspector Observations: Multiple employees within the food facility are missing there food handler cards. Per PIC, about five employees are missing there food handler cards.

[CA] Each food handler shall maintain a valid food handler card for the duration of his or her employment as food handler. A valid food handler card shall be provided within 30 days of after the date of hire.

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

Inspector Observations: 1. Fan guards within the kitchen area have debris build up on them.

2. Fan guards within the restroom have dust build up on them.

[CA] Nonfood-contact surfaces of equipment shall be kept free of an accumulation of dust, dirt, food residue, and other debris.

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: Soda machine drain pipe is directly inside of the floor sink.

[CA] All equipment that discharges liquid waste shall be drained by means of indirect waste pipes, and all wastes drained by them shall discharge through an air-gap into a floor sink or other approved type of receptor.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
Mashed potato	Hot holding (steam table)	162.00 Fahrenheit	
Sanitizer (Quats)	Sanitizer bucket	200.00 PPM	
Ambient	Reach in freezer (2x)	5.00 Fahrenheit	
Chicken tender	Hot holding	165.00 Fahrenheit	
Raw chicken	Walk in	40.00 Fahrenheit	
Deep fried chicken	Cook line	170.00 Fahrenheit	Final cook temperature.
Hot water	3-Compartment	120.00 Fahrenheit	
Beans	Hot holding (steam table)	158.00 Fahrenheit	
Warm water	Restroom	100.00 Fahrenheit	
Cheese	Under counter refrigeration	38.00 Fahrenheit	
Raw chicken	Ice bath	38.00 Fahrenheit	
Coleslaw	Under counter refrigeration	39.00 Fahrenheit	
Warm water	Hand wash	100.00 Fahrenheit	
Mashed potato (packaged)	Hot holding	146.00 Fahrenheit	
Cheese	Walk in	39.00 Fahrenheit	

Overall Comments:

NOTE

- Hand wash station next to the cook line is starting to fall off the wall, still draining properly. Re-mount hand wash station.

- Per PIC, facility maybe moving over to the facility were Carls Jr. (1689 N. Capitol Ave. San Jose) was within the next 1-2 years. Submit plans into the department with regards to the remodeling of that facility and notify this department when current facility is no longer active. Permit will be inactivated at that point.

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Joint inspection with Emily I.

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 **12/20/2023**. 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: Gloria Hernandez
Manager

Signed On: December 06, 2023