

# 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 FA0272546 - DAVE'S HOT CHICKEN - 1077		Site Address 1085 E BROKAW RD 10, SAN JOSE, CA 95131		Inspection Date 07/29/2024	
Program PR0412258 - FOOD PREP / FOOD SVC OP 26+ EMPLOYEES RC 2 - FP16			Owner Name CW STRONG RESTAURANTS		Inspection Time 14:15 - 15:50
Inspected By MINDY NGUYEN	Inspection Type ROUTINE INSPECTION		Consent By JUANA	FSC JUANA RODRIGUEZ 06/13/2028	

Placard Color & Score
<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						
K02 Communicable disease; reporting/restriction/exclusion	X						S
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						S
K08 Time as a public health control; procedures & records		X		X			N
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						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		
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		
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		

# OFFICIAL INSPECTION REPORT

<b>Facility</b> FA0272546 - DAVE'S HOT CHICKEN - 1077	<b>Site Address</b> 1085 E BROKAW RD 10, SAN JOSE, CA 95131	<b>Inspection Date</b> 07/29/2024
<b>Program</b> PR0412258 - FOOD PREP / FOOD SVC OP 26+ EMPLOYEES RC 2 - FP16	<b>Owner Name</b> CW STRONG RESTAURANTS CALIFORNIA DHC	<b>Inspection Time</b> 14:15 - 15:50
<b>K48</b> Plan review		
<b>K49</b> Permits available		
<b>K58</b> Placard properly displayed/posted		

## Comments and Observations

### Major Violations

K08 - 8 Points - Improperly using time as a public health control procedures & records; 114000

**Inspector Observations:** *Observed 4-hour time stickers (TPHC) were being used for sauces and sliced cheese in the prep units in the cooking area. At around 2:43pm, the time sticker indicated discard time was at 2:26pm. PIC stated that the stickers were referring to the previous batch of cheese/sauces, and that the current cheese/sauces in the prep inserts were a new batch to be discarded 4 hours from the current time.*

**[CA]** *When using time, rather than temperature, foods must be IMMEDIATELY time-labeled for start or end discard times.*

**[COS]** *Employee put new time stickers on the food containers to be discarded at 6:43pm today.*

### Minor Violations

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:** *Observed upright refrigerator in the back kitchen was not in use. PIC stated facility stopped using it about a month ago.*

**[CA]** *Removed unused equipment from the facility to prevent clutter.*

### Performance-Based Inspection Questions

Needs Improvement - Time as a public health control; procedures & records.

### Measured Observations

Item	Location	Measurement	Comments
COOKED CHICKEN	HOT HOLDING	160.00 Fahrenheit	5 MINUTE DISCARD TIME
HOT WATER	3-COMPARTMENT SINK	120.00 Fahrenheit	
RAW CHICKEN	WALK-IN REFRIGERATOR	39.00 Fahrenheit	
QUATERNARY AMMONIA	SANITIZER BUCKET	200.00 PPM	
COLESLAW	WALK-IN REFRIGERATOR	41.00 Fahrenheit	
WARM WATER	HANDWASH SINK, RESTROOM	100.00 Fahrenheit	
WARM WATER	HANDWASH SINK	100.00 Fahrenheit	
MACARONI AND CHEESE	REACH-UNDER HOT HOLDING UNIT	150.00 Fahrenheit	

### Overall Comments:

**Facility paid for CFDA license registration for milkshake/ice cream machine. Facility showed inspection report from CDFA. Please have a copy of the registration available at the facility (post it on the wall near the machine).**

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 **8/12/2024**. 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.

# OFFICIAL INSPECTION REPORT

<b>Facility</b> FA0272546 - DAVE'S HOT CHICKEN - 1077	<b>Site Address</b> 1085 E BROKAW RD 10, SAN JOSE, CA 95131	<b>Inspection Date</b> 07/29/2024
<b>Program</b> PR0412258 - FOOD PREP / FOOD SVC OP 26+ EMPLOYEES RC 2 - FP16	<b>Owner Name</b> CW STRONG RESTAURANTS CALIFORNIA DHC	<b>Inspection Time</b> 14:15 - 15:50

**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:** Juana Rodriguez  
Manager

**Signed On:** July 29, 2024