

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 FA0257079 - WINGSTOP 549		Site Address 5353 ALMADEN EX 62, SAN JOSE, CA 95118		Inspection Date 12/29/2022	
Program PR0375615 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 2 - FP13			Owner Name DRUMS AND FLATS INC.		Inspection Time 15:00 - 16:05
Inspected By GABRIEL GONZALEZ		Inspection Type ROUTINE INSPECTION		Consent By LEXY. ROBERT CURIEL (PIC)	
				FSC ROBERT CURIEL EXP: 10/12/2025	

Placard Color & Score
GREEN
96

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						S
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		
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		
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		X
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

K39 - 2 Points - Thermometers missing or inaccurate; 114157, 114159

Inspector Observations: Prep refrigeration unit missing thermometer or is not readily visible. [CA] Provide thermometer in the warmest part of refrigeration units and affix to be readily visible. Regularly check thermometers to monitor ambient air temperature inside of refrigeration units. Adjust/repair/service refrigeration units as necessary in order to hold potentially hazardous foods at or below 41F.

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

Inspector Observations: --48 HOUR NOTICE--
Our records indicate this facility has a delinquent account and is operating without a valid permit.
Total account balance due is \$1,356.25
Payment must be made within 48 hours (2 business days) to DEH at the address at the top of this report or via our website at www.Ehinfo.org
Previous written notification of account balance was provided in a Delinquent Permit Letter.
The right to an administrative hearing was waived for failure to respond to the Delinquent Permit Letter. A re-inspection will not be conducted if your account is paid in full by the Comply By date. The facility shall remain open and a new valid permit will be mailed after payment has been received. If your account has not been paid in full by the Comply By date, a re-inspection will be performed and the facility owner may be billed at the current hourly rate per County Ordinance Code B11-8. Non-payment of permit fees within 48 hours will result in additional legal actions up to and including facility closure.

Follow-up By
01/03/2023

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
CHICKEN WING	1 DR REACH IN FRIDGE	37.00 Fahrenheit	
WATER	PREP SINK	127.00 Fahrenheit	
WATER	3 COMP SINK	136.00 Fahrenheit	
QUAT	3 COMP SINK DISPENSER	200.00 PPM	
RANCH	PREP FRIDGE	38.00 Fahrenheit	
BLANCHED FRIES	WALK IN FRIDGE SPEED RACK	59.00 Fahrenheit	COOLING
CHICKEN WING	WALK IN FRIDGE	39.00 Fahrenheit	
CHEESE	DISPENSER	145.00 Fahrenheit	

Overall Comments:

Email inspector at gabriel.gonzalez@deh.sccgov.org when payment has been submitted.

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 **1/12/2023**. 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.

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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: ROBERT CURIEL
GM

Signed On: December 29, 2022