

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 FA0261720 - RUBIO'S FRESH MEXICAN GRILL		Site Address 81 CURTNER AV, SAN JOSE, CA 95125		Inspection Date 04/12/2021	
Program PR0383826 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 2 - FP13			Owner Name RUBIO'S RESTAURANTS INC		Inspection Time 15:00 - 15:50
Inspected By MAMAYE KEBEDE		Inspection Type ROUTINE INSPECTION		Consent By BRICE FILIPPINI	
				FSC Brice Filippini /3/2024	

Placard Color & Score
GREEN
91

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						
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				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		
K36 Equipment, utensils, linens: Proper storage and use	X	
K37 Vending machines		
K38 Adequate ventilation/lighting; designated areas, use	X	
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		X
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

K14 - 3 Points - Food contact surfaces unclean and unsanitized; 113984(e), 114097, 114099.1, 114099.4, 114099.6, 114101, 114105, 114109, 114111, 114113, 114115(a,b,d), 114117, 14125(b), 114141

Inspector Observations: The sanitizer concentration on the three-compartment warewashing sink was measured below 150 ppm quaternary ammonia. There was very low chlorine sanitizer on the mechanical dishwasher as well.

[CA] Whenever sanitizing of utensils/equipment is conducted, the sanitizer concentration maintain in the sanitizing compartment of the manual warewashing sink must be maintained at 200 ppm quaternary ammonia or 100 ppm chlorine, unless otherwise specified by manufacturer of the chemical. The chlorine level on the mechanical dishwasher must be maintained at 50 ppm as well.

K36 - 2 Points - Equipment, utensils, linens: Improper storage and use; 114074, 114081, 114119, 114121, 114161, 114178, 114179, 114083, 114185, 114185.2, 114185.3, 114185.4, 114185.5

Inspector Observations: The rice scoop was stored on unclean surface.

[CA] All reusable utensils including the ice scoop must be stored on clean surface/container in between use.

Clean utensils were stored on crates.

[CA] Clean utensils must be store in easily to clean containers.

K38 - 2 Points - Inadequate ventilation and lighting in designated area; 114149, 114149.1, 114149.2, 114149.3, 114252, 114252.1

Inspector Observations: The light panel above the preparation area does not have shatterproof covers.

[CA] Replace the missing light panel cover in both the front preparation and back in the kitchen areas immediately.

K42 - 2 Points - Garbage and refuse improperly disposed; 114244, 114245, 114245.1, 114245.2, 114245.3, 114245.4, 114245.5, 114245.6, 114245.7, 114245.8

Inspector Observations: Excessive trash accumulation was observed on the women's restroom.

[CA] Clean the trash accumulation immediately.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
Hot water	Three compartment sink	129.00 Fahrenheit	
Quaternary ammonia	Three compartment sink	150.00 PPM	
Shrimp	Final cook	167.00 Fahrenheit	
Chicken	Final cook	165.00 Fahrenheit	
Avocado	Preparation fridge	40.00 Fahrenheit	
Beans	Steam table	159.00 Fahrenheit	
Rice	Steam table	167.00 Fahrenheit	
Shrimp	Preparation fridge	40.00 Fahrenheit	

Overall Comments:

Note: 1. Food safety certificate: Brice Filippini -8/3/2024.

2. Beverage station is accessible to customers.

[CA] Do not allow customers to access any self-service areas, including beverage stations, bulk-item food bins, coffee grinding stations, and food bars. Staff may be stationed at the self-service areas to assist customers by performing the services then handing the prepared items off to the customers.

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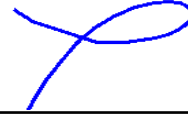
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3. Signature not obtained due to COVID-19 and social distancing parameters. Copy of this report is emailed to the person in charge. Please print the report, and keep copy of the report on file in the facility

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 **4/26/2021**. 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:

- [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: Brice Filippini
Manager

Signed On: April 14, 2021