

# 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

|                                                                                  |  |                                                            |                                             |                                      |                                         |                                                                                                                                                                |  |                                         |
|----------------------------------------------------------------------------------|--|------------------------------------------------------------|---------------------------------------------|--------------------------------------|-----------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|--|-----------------------------------------|
| <b>Facility</b><br>FA0204812 - THE PATIO @ RUDY'S                                |  | <b>Site Address</b><br>412 EMERSON ST, PALO ALTO, CA 94301 |                                             | <b>Inspection Date</b><br>06/09/2025 |                                         | <b>Placard Color &amp; Score</b><br><div style="background-color: black; color: white; padding: 10px; text-align: center;"> <b>GREEN</b><br/> <b>87</b> </div> |  |                                         |
| <b>Program</b><br>PR0305373 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14 |  |                                                            | <b>Owner Name</b><br>THE PATIO @ RUDY'S LLC |                                      | <b>Inspection Time</b><br>12:45 - 14:10 |                                                                                                                                                                |  |                                         |
| <b>Inspected By</b><br>TRAVIS KETCHU                                             |  | <b>Inspection Type</b><br>ROUTINE INSPECTION               |                                             | <b>Consent By</b><br>ERIN O'SULLIVAN |                                         |                                                                                                                                                                |  | <b>FSC</b> Elizabeth Prado<br>4/30/2030 |

  

| 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  |       |       |        |     |     | 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  |       |       |        |     |     |     |
| K07                            | Proper hot and cold holding temperatures                                    |    |       | X     |        |     |     | S   |
| K08                            | Time as a public health control; procedures & records                       |    |       |       |        |     | X   |     |
| K09                            | Proper cooling methods                                                      |    |       | X     | 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                                                     |     |     |
| 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                                    |     | X   |
| K46                   | No unapproved private home/living/sleeping quarters                                 |     |     |
| K47                   | Signs posted; last inspection report available                                      |     |     |

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|                                                                           |                                                     |                                  |
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| Program<br>PR0305373 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14 | Owner Name<br>THE PATIO @ RUDY'S LLC                | Inspection Time<br>12:45 - 14:10 |
| 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

K04 - 3 Points - Improper eating, tasting, drinking or tobacco use in food preparation area; 113977

**Inspector Observations: Employee eating a meal in the kitchen at the food preparation table adjacent to the 2 compartment sink.**

**[CA] No employee shall eat or drink in the food prep, food contact storage, or food storage areas, use designated area.**

K07 - 3 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

**Inspector Observations: Measured PHF's within the under grill drawer refrigerator at 43 F to 48 F. Inner ambient air temperature measured at 40 F.**

**[CA] PHFs shall be held at 41°F or below or at 135°F or above. Adjust drawer so that it fully closes and seals when closed.**

K09 - 3 Points - Improper cooling methods; 114002, 114002.1

**Inspector Observations: Measured cooked chicken wings at 52 F within stacked deep containers within the walk in refrigerator.**

**[CA] Properly cool PHF's using shallow containers, using no more than 2 inches for solid foods and no more than 3 inches for liquids.**

**[COS] Chicken wings placed on sheet pans to allow for rapid cooling**

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: The cold water faucet handle is non-functional at the inside bar, left side 3 compartment sink.**

**[CA] Repair plumbing fixture and maintain in clean and good repair.**

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

**Inspector Observations: Broken cove base and floor tiles adjacent to the warewashing machine.**

**[CA] Replace broken floor tiles with a smooth and of durable construction and nonabsorbent material that is easily cleanable.**

### Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

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## Measured Observations

| Item                 | Location                                                       | Measurement       | Comments |
|----------------------|----------------------------------------------------------------|-------------------|----------|
| ambient temp         | outside bar walk in fridge                                     | 40.00 Fahrenheit  |          |
| chlorine             | warewashing machine                                            | 100.00 PPM        |          |
| raw hamburger        | under grill fridge                                             | 48.00 Fahrenheit  |          |
| white sauce          | stove top                                                      | 157.00 Fahrenheit |          |
| pork                 | steak table                                                    | 136.00 Fahrenheit |          |
| cooked chicken wings | walk in fridge                                                 | 52.00 Fahrenheit  |          |
| beans                | steam table                                                    | 135.00 Fahrenheit |          |
| raw shrimp           | 2 door prep fridge                                             | 39.00 Fahrenheit  |          |
| meat balls           | under grill fridge                                             | 48.00 Fahrenheit  |          |
| pico de gallo        | walk in fridge                                                 | 39.00 Fahrenheit  |          |
| warm water           | hand wash sink                                                 | 100.00 Fahrenheit |          |
| hot water            | inside bar 3 comp, kitchen 3<br>comp, outside bar 3 comp sinks | 120.00 Fahrenheit |          |
| whipped cream        | bar reach in fridge                                            | 39.00 Fahrenheit  |          |
| raw chicken          | under grill fridge                                             | 43.00 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 **6/23/2025**. 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: Erin O'Sullivan  
pic  
Signed On: June 09, 2025