

# 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 FA0208068 - BURGER BARN		Site Address 2485 FOREST AV, SAN JOSE, CA 95128		Inspection Date 05/02/2024	
Program PR0302981 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			Owner Name BURGER BARN RESTAURAN		Inspection Time 13:00 - 14:30
Inspected By FARHAD AMIR-EBRAHIMI	Inspection Type ROUTINE INSPECTION	Consent By MARIO A VALDESPINO	FSC Exempt		

Placard Color & Score
<b>GREEN</b>
<b>86</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						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	X	
K36 Equipment, utensils, linens: Proper storage and use		
K37 Vending machines		
K38 Adequate ventilation/lighting; designated areas, use		X
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		X
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

Facility FA0208068 - BURGER BARN	Site Address 2485 FOREST AV, SAN JOSE, CA 95128	Inspection Date 05/02/2024
Program PR0302981 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10	Owner Name BURGER BARN RESTAURANT INC	Inspection Time 13:00 - 14:30
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

K06 - 3 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

**Inspector Observations: A non-approved hand sink has been installed in the kitchen [CA] Submit plans for approval**

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

**Inspector Observations: Walk-in cooler at 47F [CA] Maintain coolers at 41F or colder - Maintenance man arrived during the inspection to service the unit**

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: 1. A non-NSF three compartment sink with double drain board has been installed each sink is 15" X 15" [CA] Submit plans to replace with an approved three-compartment sink**

**2. A non-NSF food prep sink has been installed without approval [CA] Submit plans to replace with an approved food prep sink**

**3. A utility/janitorial sink has been installed without approval [CA] [CA] Submit plans to replace with an approved curbed janitorial sink**

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

**Inspector Observations: Makeup air appears not to be working [CA] Check the makeup air for proper function**

**One hood filter is missing [CA] Provide the hood filter**

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

**Inspector Observations: Lack a probe thermometer [CA] Provide a probe thermometer.**

K44 - 2 Points - Premises not clean, not in good repair; No personal/chemical storage; inadequate vermin-proofing; 114067(j), 114123, 114143 (a,b), 114256, 114256.1, 114256.2, 114256.4, 114257, 114257.1, 114259, 114259.2, 114259.3, 114279, 114281, 114282

**Inspector Observations: Back door is left open with a net curtain to keep flies out [CA] Keep the door closed or install a rodent-proof screen door**

### Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

### Measured Observations

Item	Location	Measurement	Comments
Bread	Freezer	10.00 Fahrenheit	
Water	Kitchen hand sink	132.00 Fahrenheit	
Cheese	Walk-in cooler	47.00 Fahrenheit	
Water	3-comp sink	124.00 Fahrenheit	

### Overall Comments:

#### **Site Evaluation**

**BUSINESS NAME: SJ Burger Barn**

# OFFICIAL INSPECTION REPORT

Facility FA0208068 - BURGER BARN	Site Address 2485 FOREST AV, SAN JOSE, CA 95128	Inspection Date 05/02/2024
Program PR0302981 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10	Owner Name BURGER BARN RESTAURANT INC	Inspection Time 13:00 - 14:30

**OWNER: MARIO A VALDESPINO**

*The permit application has been completed for an Environmental Health Permit.*

*The permit category for this facility is FP10. An invoice for the permit fee in the amount of \$1,079.00 will be mailed to the billing address on the application. Payment must be submitted within 10 days of receipt of the invoice. The owner is responsible for contacting our department if an invoice is not received and remit payment within 30 days.*

*The Environmental Health Permit will be effective: 06/01/24 – 05/31/25. This report serves as a temporary permit. However, the permit will be deemed invalid if the permit fee is not paid in full within 30 days from the date of this report. Okay to Operate.*

*Permit condition: Submit plans to Department of Environmental Health correct structural deficiencies noted in the inspection report by 06/03/24. After approval of plans correct all deficiencies by 08/03/24.*

*An official permit will be mailed to the address on file and shall be posted in public view upon receipt.*

*\*Obtain food safety manager certificate within 60 days. All other food employees must have valid food handler cards within 30 days from hire date.*

---

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 **5/16/2024**. 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.

**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: MARIO A VALDESPINO

Signed On: May 02, 2024