

# 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<br>FA0307419 - CHICK-FIL-A GILROY AT 10TH                       |                                       | Site Address<br>7060 CHESTNUT ST, GILROY, CA 95020 |                                     | Inspection Date<br>10/08/2024 |                                  |
| Program<br>PR0450928 - FOOD PREP / FOOD SVC OP 26+ EMPLOYEES RC 2 - FP16 |                                       |  | Owner Name<br>WHY NOT YOUR BEST LLC |                               | Inspection Time<br>15:00 - 16:30 |
| Inspected By<br>GUILLERMO VAZQUEZ  | Inspection Type<br>ROUTINE INSPECTION | Consent By<br>JONATHAN BOHNENBERGER                | FSC Jonathan Bohnenberger<br>4/7/29 |                               |                                  |

|                       |
|-----------------------|
| Placard Color & Score |
| <b>GREEN</b>          |
| <b>88</b>             |

| RISK FACTORS AND INTERVENTIONS  | IN | OUT   |       | COS/SA | N/O | N/A | PBI |
|---|----|-------|-------|--------|-----|-----|-----|
|   |    | Major | Minor |        |     |     |     |
| K01 Demonstration of knowledge; food safety certification                       | X  |       |       |        |     |     | S   |
| K02 Communicable disease; reporting/restriction/exclusion                       | X  |       |       |        |     |     |     |
| 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  |       |       |        |     |     |     |
| K08 Time as a public health control; procedures & records                       |    |       |       |        |     | X   |     |
| K09 Proper cooling methods  | X  |       |       |        |     |     | S   |
| 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     |       | X      |     |     | N   |
| 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                                 |     | X   |
| K47 Signs posted; last inspection report available                                      |     |     |

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| <b>Program</b><br>PR0450928 - FOOD PREP / FOOD SVC OP 26+ EMPLOYEES RC 2 - FP16 | <b>Owner Name</b><br>WHY NOT YOUR BEST LLC                | <b>Inspection Time</b><br>15:00 - 16:30 |
| <b>K48</b> Plan review  |   |   |
| <b>K49</b> Permits available  |   |   |
| <b>K58</b> Placard properly displayed/posted                                    |   |   |

## Comments and Observations

### Major Violations

K14 - 8 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: Employee on site was seen washing cutting knives and did not sanitize equipment at final step. Knives were being taken to the prep area.**

**[CA] Manual ware-washing shall be accomplished by using a three-compartment sink where the utensils are first precleaned, washed with hot soapy water, rinsed with hot water, sanitized with an approved method, and air dried. Use 1 TBS of bleach (5.25%) per 1 gal. of water for chlorine solution (100 PPM). Use 1 tbs of quaternary ammonium (10%) per 2 gal. of water for quaternary ammonium (200 PPM).**

**[SA] Employee placed knives on the dirty dish rack so it could be washed, rinsed, sanitized later.**

### Minor Violations

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: Mister lines in the back of the facility are leaking at the time of inspection.**

**[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: Food debris noted around the kitchen area and under equipment at the time of inspection.**

**[CA] Regularly clean under cooking equipment to prevent accumulation of debris.**

**[COS] Employees cleaned the floors of all food debris.**

### Performance-Based Inspection Questions

Needs Improvement - Food contact surfaces clean, sanitized.

### Measured Observations

| Item                   | Location                       | Measurement       | Comments                    |
|------------------------|--------------------------------|-------------------|-----------------------------|
| Cooked chicken nuggets | Cook line                      | 198.00 Fahrenheit | Final cook temperature.     |
| Whip cream             | Under counter refrigeration #2 | 39.00 Fahrenheit  |                             |
| Hot water              | 3-Compartment/prep/mop sinks   | 120.00 Fahrenheit |                             |
| Sanitizer (High temp.) | Dish washer                    | 160.00 Fahrenheit |                             |
| Prep cooked chicken    | Prep table (salad station)     | 39.00 Fahrenheit  |                             |
| Chicken salad          | Under counter refrigeration #3 | 40.00 Fahrenheit  |                             |
| Cheese                 | Walk in                        | 38.00 Fahrenheit  |                             |
| Cooked chicken         | Metal tray                     | 102.00 Fahrenheit | Cooling. Less then 15-mins. |
| Boiled eggs            | Walk in                        | 38.00 Fahrenheit  |                             |
| Grilled chicken        | Hot holding (warmer)           | 147.00 Fahrenheit |                             |
| Cut tomato             | Prep table                     | 40.00 Fahrenheit  |                             |
| Raw chicken            | Reach in (3x)                  | 5.00 Fahrenheit   |                             |
| Ambient                | Walk in freezer                | 5.00 Fahrenheit   |                             |
| Raw chicken            | Prep table (breeding station)  | 39.00 Fahrenheit  |                             |
| Corn                   | Prep table (salad station)     | 39.00 Fahrenheit  |                             |
| Milk                   | Under counter refrigeration    | 39.00 Fahrenheit  |                             |
| Sanitizer (Quats)      | 3-Compartment                  | 200.00 PPM        |                             |
| Warm water             | Hand wash/restroom             | 100.00 Fahrenheit |                             |
| Batter                 | Prep table (breeding station)  | 39.00 Fahrenheit  |                             |

### Overall Comments:

***This is the first routine inspection for the facility. On site to verify that no changes have been made since the final inspection (8/13/24) under SR0870062.***

***- Only one additional warmer has been installed into the facility. Submit specification sheets to specialist for review.***

***- All other equipment is on site per plans.***

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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 **10/22/2024**. 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



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**Received By:** Jonathan Bohnenberger  
Owner

**Signed On:** October 08, 2024