

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 FA0200288 - KIRK'S STEAKBURGER		Site Address 2509 S BASCOM AV, CAMPBELL, CA 95008		Inspection Date 11/22/2024		Placard Color & Score GREEN 73		
Program PR0300112 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 2 - FP13			Owner Name APEX FARMA LLC		Inspection Time 10:55 - 12:40			
Inspected By PRINCESS LAGANA		Inspection Type ROUTINE INSPECTION		Consent By JULIE				FSC Beatriz V. Gallegos 11/18/2028

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	X			N
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		
K10	Proper cooking time & temperatures	X						N
K11	Proper reheating procedures for hot holding		X		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	N
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	X	
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	X	X
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	
K58	Placard properly displayed/posted	

Comments and Observations

Major Violations

K11 - 8 Points - Improper reheating procedures for hot holding; 114014, 114016

Inspector Observations: *In the warmer, Chili measured at 91F, grilled onion measured at 92F, cooked mushroom measured at 92F, marinara sauce measured at 84F, and cheese measured at 75F. Per Staff, food items were being reheated in the warmer and were placed in the warmer approximately 1 hour prior to measurement. Water temperature of warmer measured at 119.*

[CA]: *Potentially hazardous foods that were cooked, cooled, and subsequently reheated for hot holding or serving shall be brought to a temperature of at least 165°F for 15 seconds prior to hot holding food at 135F and above.*

[COS]: *All food items were reheated on the stove top and Specialist measured reheated items at temperatures between 172F - 180F. Water temperature in warmer measured at 140F.*

Minor Violations

K01 - 3 Points - Inadequate demonstration of knowledge; food manager certification

Inspector Observations: *Food handler training not provided for most employees.*

[CA]: *All employees that handle open food or food contact surfaces shall obtain valid Food Handler Cards within 30 days of employment. Food Handler Cards shall be maintained on site and available for review at all times.*

K05 - 3 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

Inspector Observations: *Cook handled raw burger patty with gloves on, removed gloves, and grabbed new gloves to be donned on without washing hands prior.*

[CA]: *Employees shall properly wash hands when changing gloves, when changing tasks, prior to handling food, utensils or equipment, after touching body parts, and when contamination occurs or as required. Employees shall use designated hand sink, soap and disposable paper towels to wash hands.*

[COS]: *Specialist instructed Cook to wash hands.*

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

Inspector Observations: *At the bar, roll of single use towels are not stored in an approved dispenser.*

[CA]: *Single use towels shall be stored in an approved dispenser.*

K21 - 3 Points - Hot and cold water not available; 113953(c), 114099.2(b), 114163(a), 114189, 114192, 114192.1, 11419

Inspector Observations: *At the bar, the left hand sink station was not providing cold water. Bar has another available hand sink station.*

[CA]: *Hand sink stations shall have warm and cold water at all times.*

K22 - 3 Points - Sewage and wastewater improperly disposed; 114197

Inspector Observations: *Floor sink underneath prep sink is draining slowly.*

[CA]: *Repair/assess floor sink and ensure it is draining wastewater adequately.*

K30 - 2 Points - Food storage containers are not identified; 114047, 114049, 114051, 114053, 114055, 114067(h), 114069 (b)

Inspector Observations: *1. Multiple open bags of food stored at the dry storage rack.*

[CA]: *Ensure all open bags of dry food are transferred to food grade containers or stored in food grade containers and covered with a fitted lid.*

2. Containers of food stored directly on the floor in the walk in cooler.

[CA]: *Food containers shall be stored elevated and 6 inches off the floor.*

K40 - 2 Points - Wiping cloths: improperly used and stored; 114135, 114185.1 114185.3(d,e)

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Inspector Observations: Sanitizer buckets at the cook line had 0 ppm of sanitizer.

[CA]: Wiping cloths used for sanitizing work surfaces must be stored inside their sanitizer buckets containing at least 100ppm chlorine or 200ppm Quat sanitizer. Solution must be changed as frequently as needed.

[COS]: Solution in the sanitizer bucket was re-made and Specialist observed 200 ppm of Quat sanitizer solution.

Performance-Based Inspection Questions

Needs Improvement - Hands clean/properly washed/gloves used properly.

Needs Improvement - Proper cooking time & temperatures.

Needs Improvement - Consumer advisory for raw or undercooked foods.

Measured Observations

Item	Location	Measurement	Comments
burger	final cooking temp	159.00 Fahrenheit	
vanilla soft serve	undercounter cooler	39.00 Fahrenheit	
water	prep sink	120.00 Fahrenheit	
water	3 comp sink	134.00 Fahrenheit	
cut tomatoes, mayonnaise	prep line cooler 2	39.00 Fahrenheit	
water	hand sink at cook line	110.00 Fahrenheit	adjustable valves
ambient temp	bar cooler 1	37.00 Fahrenheit	
Chlorine sanitizer	dish machine	50.00 PPM	
cut tomatoes, raw beef patty	prep line cooler 1	40.00 Fahrenheit	40F - 41F
Quat sanitizer	3 comp sink	200.00 PPM	
ambient temp	bar cooler 2	44.00 Fahrenheit	not used for PHF's
Chlorine sanitizer	dish machine bar	50.00 PPM	
ranch, sour cream, milk	walk in cooler	38.00 Fahrenheit	

Overall Comments:

-Facility has a soft serve machine used for milk shake beverages. No California Department of Food and Agriculture (CDFA) license provided for soft serve machine. Specialist to contact Manager/Permit Owner if further actions are required.

-Facility has an open Plan Check status for ice machine (Cornelius IceBev machine) and has not obtained a final plan check approval. Specialist observed a different ice machine: Koolaire (model # S570, serial #: 030720199). Ice machine placed on top of wooden planks. Wastewater drains indirectly to a floor sink. Specialist to contact Manager/Permit Owner for further actions regarding ice machine final plan check approval.

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 **12/6/2024**. 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

Beatriz Villegas

Received By: Beatrice V Gallegos
Manager

Signed On: November 22, 2024