

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 FA0206997 - KICKIN CRAB		Site Address 1735 E CAPITOL EX, SAN JOSE, CA 95121		Inspection Date 01/09/2025		Placard Color & Score YELLOW 72		
Program PR0305549 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name VIET SONOMA INC		Inspection Time 15:40 - 17:00			
Inspected By MARCELA MASRI		Inspection Type ROUTINE INSPECTION		Consent By FERNANDO LOPEZ				FSC Phuong Le 07/20/2026

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					S
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						S
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	X	
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	X	
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		
K42	Garbage & refuse properly disposed; facilities maintained		
K43	Toilet facilities: properly constructed, supplied, cleaned	X	
K44	Premises clean, in good repair; Personal/chemical storage; Adequate vermin-proofing	X	
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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K48	Plan review	
K49	Permits available	
K58	Placard properly displayed/posted	

Comments and Observations

Major Violations

K06 - 8 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

Inspector Observations: *Observed soap dispenser at the handwash sink (nearby the cook line and 3-compartment sink) was broken and unable to dispense soap. [CA] Handwash sink shall be supplied with soap and paper towels at all times. [COS] PIC repaired dispenser at the time of inspection. Soap dispenser is now properly functioning.*

K07 - 8 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

Inspector Observations: *In the 2-door refrigeration unit at the front counter, measured opened jar of mayonnaise at 51F. Per PIC, mayonnaise has been stored in unit overnight. The ambient temperature of refrigeration unit measured at 55F. [CA] Potentially Hazardous Foods (PHFs) shall be held at 41F or below and 135F or above. [COS] PIC voluntarily discarded the mayonnaise. See VC&D form. Refrigeration unit will only be used to store non-PHFs until able to maintain temperatures at 41F or below.*

Minor Violations

K27 - 2 Points - Food not separated and unprotected; 113984(a-d,f), 113986, 114060, 114067(a,d,e,j), 114069(a,b), 114077, 114089.1(c), 114143(c)

Inspector Observations: *In the walk-in cooler, observed raw chicken stored over hot links. [CA] Raw foods of animal origin shall be stored below ready-to-eat foods to prevent contamination.*

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

Inspector Observations: *Observed bulk dry foods (seasoning powders) being stored in an enclosed utility room outside of the building. The room is not accessible through the kitchen. [CA] All food shall be stored within the approved food facility.*

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: *At the front handwash sink, observed pitcher placed directly underneath the soap dispenser. Observed plastic cups stored directly adjacent to the sink. [CA] Store equipment and utensils away from the handwash sink to prevent splash and contamination.*

K43 - 2 Points - Toilet facilities: improperly constructed, supplied, cleaned; 114250, 114250.1, 114276

Inspector Observations: *In the restrooms, observed accumulation of grime and dirt on the handles of the stall. [CA] Routinely clean door handles and restrooms.*

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: *Observed unused cooking equipment (refrigerators, fryers, hot holding units) stored outside in the back of the building. [CA] Equipment not in use shall be removed from the premises to prevent pest harborage.*

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

Inspector Observations: *Observed broken tiles and uneven surfaces throughout the kitchen area. [CA] Floors shall be kept clean and maintained in good repair.*

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

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Measured Observations

Item	Location	Measurement	Comments
water	3-compartment sink	120.00 Fahrenheit	
soup	cook line	140.00 Fahrenheit	final cooking temp
potato	cook line	170.00 Fahrenheit	final cooking temp
sanitizer (quaternary ammonia)	bucket	400.00 PPM	
cooked rice	rice cooker	160.00 Fahrenheit	
fried fish	preparation table insert	41.00 Fahrenheit	
crab	cook line	160.00 Fahrenheit	final cooking temp
fries	2-door under counter	20.00 Fahrenheit	
mussels	walk-in cooler (2)	30.00 Fahrenheit	
raw chicken	walk-in cooler (1)	41.00 Fahrenheit	
mussels	6-door under counter	30.00 Fahrenheit	
water	handwash sink	100.00 Fahrenheit	
mayonnaise	2-door cooler (front)	54.00 Fahrenheit	VC&D
milk	2-door under counter	38.00 Fahrenheit	
hot links	walk-in cooler (1)	41.00 Fahrenheit	
lobster	6-door under counter	38.00 Fahrenheit	

Overall Comments:

A follow-up inspection will be conducted on 1/10/2025. Subsequent follow-up inspections after the first follow-up shall be billed at \$298/hour during normal business hours (Monday - Friday, 7:30 AM to 4:30 PM), and \$645/hour, during non-business hours, and upon inspector availability.

Joint inspection with Kathy Vo. Report written by Kathy Vo.

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 **1/23/2025**. 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

Fernando Lopez T

Received By: Fernando Lopez
Head Chef

Signed On: January 09, 2025