

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 FA0263030 - THE CITY FISH		Site Address 30 E SANTA CLARA ST 140, SAN JOSE, CA 95113		Inspection Date 06/09/2026		Placard Color & Score YELLOW 49		
Program PR0387394 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			Owner Name ZUBIZARRETA, NESTOR		Inspection Time 15:50 - 17:40			
Inspected By ALEXANDER ALFARO		Inspection Type ROUTINE INSPECTION		Consent By - OWNER				FSC Not Available

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				N
K06	Adequate handwash facilities supplied, accessible		X		X			N
K07	Proper hot and cold holding temperatures		X		X			
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		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		
K31	Consumer self service does prevent contamination		
K32	Food properly labeled and honestly presented		
K33	Nonfood contact surfaces clean	X	
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	X	
K37	Vending machines		
K38	Adequate ventilation/lighting; designated areas, use	X	
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	X	
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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K48 Plan review		
K49 Permits available	X	
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:

Repeat Violation: Hand wash station in the back of the facility is missing paper towels inside of dispenser.

Follow-up By
06/16/2026

[CA] Hand wash station must be fully stocked and operational at all times.

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

Inspector Observations:

Clam chowder was found on the stove measuring between 100-130F as only the edge of the pot was on the pilot light. Per owner, it had been on the range for an hour.

Follow-up By
06/16/2026

[CA] PHFs shall be held at 41°F or below or at 135°F or above.

[COS] Clam chowder was reheated to 165F and left on low to maintain at 135F.

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:

Repeat Violation: Cutting knives are being stored in between prep tables at the time of inspection.

Follow-up By
06/16/2026

[CA] Discontinue placing knives within places that do not get cleaned regularly. Obtain knife holders or magnets to place cutting knives.

[COS] All knives were placed in the 3-compartment sink to be wash, rinse, sanitized.

2. Chlorine at the undercounter dishwasher measured at 0 ppm while actively warewashing.

[CA] Maintain chlorine in mechanical warewash machine at 50 PPM.

[COS] A chlorine solution was made in the three compartment sink to sanitize dishes.

Minor Violations

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

Inspector Observations:

1. Repeat Violation: Unable to provide a current food manager certification and food handler cards for the employees at the time of inspection.

[CA] Obtain new food manager certification within 60-days of taking ownership.

2. Some of the food handlers lacked food handler certificates upon request.

[CA] Each food handler shall maintain a valid food handler card for the duration of his or her employment as food handler. A valid food handler card shall be provided within 30 days of after the date of hire.

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

Inspector Observations:

Facility was using bare hands to shuck oysters meant to be consumed raw.

[CA] Gloves shall be worn to minimize bare hand and arm contact with nonprepackaged food that is in a ready-to-eat form.

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

Inspector Observations:

Clam chowder was found cooling in the prep sink with all the ice in the ice bath melted and not having been stirred. Interior middle temperature measured at 140F and the outer edges measured at 110F. Per cook, it had been cooling in the ice bath for an hour and was placed directly in from the stove. Also per PIC, their ice wand broke two days ago and is getting ordered.

[CA] When cooling PHF's, stir frequently to facilitate rapid cooling. Ensure to replace melted ice.

[COS] The melted ice was drained and a new ice bath was made to effectively and quickly cool the rest down.

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:

Raw shelled eggs were found stored above produce in the walk in cooler.

[CA] All food shall be separated and protected from cross-contamination. Store all raw meat or other raw products of animal origin below ready-to-eat food items.

K33 - 2 Points - Nonfood contact surfaces not clean; 114115(c)

Inspector Observations:

Repeat Violation: Mold like substance growing within the silicon around the 3-compartment sink.

[CA] Equipment food-contact surfaces and utensils shall be clean to sight and touch.

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. Facility has a non ANSI toaster oven.

2. Facility has a non ANSI ice machine.

[CA] New and/or replacement food equipment shall be certified or classified for sanitation by an American National Standards Institute (ANSI) accredited certification program (e.g. NSF, UL EPH, UL Sanitation, CSA Sanitation, or ETL Sanitation).

3. Facility is using an upright cooler approved for non-PHF's to store PHF's.

[CA] The refrigerator that is approved only for prepackaged food items shall not be used to store unpackaged potentially hazardous foods, per manufacturer specifications.

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

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Inspector Observations:

1. The ice handle was in direct contact with ice in the ice bin.

[CA] Handle to ice scoop shall be stored so that it is not in direct contact with ice.

2. The scooper handle for the cole slaw was in direct contact with the cole slaw.

[CA] Store scoop handle in such a way that the handle does not come in direct contact with food to prevent contamination.

3. Facility was using a bowl to scoop calamari.

[CA] Use approved utensils such as scoops or spoons with handles to ensure hands do not come in direct contact with food.

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

Inspector Observations:

1. The ceiling tiles near the fryers have an accumulation of grease.

[CA] Ensure mechanical ventilation is used as intended to prevent the accumulation of grease.

2. The fryers are sticking out more than 6" inches from the hood.

[CA] There shall be a minimum of 6 inches overhang of ventilation hood over cooking equipment.

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 handwash sink near the fryers is draining slowly and has a leak at the cold water handle.

[CA] Repair plumbing fixture and maintain in clean and good repair. Investigate and repair slow draining.

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

Inspector Observations:

Repeat Violation: The door of the restroom is missing the self-closing device.

[CA] Toilet rooms shall be separated by well-fitted, self-closing doors that prevent the passage of flies, dust, or odors.

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

Inspector Observations:

1. There are holes on the bottom of the walls near the prep sink and three compartment sink.

2. Floor tiles around the grease trap are missing or in disrepair.

3. Floor tiles under the grease collection are in disrepair.

[CA] Ensure to maintain the floors, walls, and ceilings of the facility clean and in good repair. Repair affected items with like for like finishes.

K49 - 2 Points - Permits not available; 114067(b,c), 114381(a), 114387

Inspector Observations:

Facility has gone through a change of ownership without submitting for a change of ownership/facility evaluation.

Follow-up By
06/11/2026

[CA] The Environmental Health permit is non-transferable. Submit within 48 hours for a Facility Evaluation with this department. Failure to submit will result in facility closure.

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Performance-Based Inspection Questions

Needs Improvement - Adequate handwash facilities: supplied or accessible.

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

Measured Observations

Item	Location	Measurement	Comments
Clam Chowder	Range	100.00 Fahrenheit	
Water	Handwash Sink	100.00 Fahrenheit	
Fried Fish	Final Cook	183.00 Fahrenheit	
Rice	Walk in Cooler	40.00 Fahrenheit	
Water	Three Compartment Sink	120.00 Fahrenheit	
Chlorine - Sanitizer	Undercounter Dishwasher	0.00 PPM	
Chlorine - Sanitizer	Three Compartment Sink	100.00 PPM	
Mussels	Walk in Freezer	-3.00 Fahrenheit	IR
Calamari	Ice Bath	40.00 Fahrenheit	
Tartar sauce	Upright cooler - non PHF only	40.00 Fahrenheit	
Clam Chowder	Prep Sink - Ice bath	140.00 Fahrenheit	Cooling ~1 hour
Cod	Ice Bath	41.00 Fahrenheit	
Mussels	Upright Freezer	6.00 Fahrenheit	IR

Overall Comments:

Notes:

- A follow up inspection will be conducted within 5 business days to verify compliance with major violations noted. The first follow up inspection is free of charge. Any and all subsequent follow up inspections shall be charged at the approved hourly rate of \$282.00/hr, minimum of one hour, during normal business hours: Monday through Friday 7:30 AM to 4:30 PM, and \$645 for a minimum of two hours, during non-business hours, and upon inspector availability.

- Facility has gone through a change of ownership. Submit within 48 hours for a Facility Evaluation with this department. Please visit our office during regular business hours, Monday - Friday from 7:30 am - 4:00pm to obtain the applications and submit. You can also visit our website at ehinfo.org and submit completed applications to dehweb@deh.sccgov.org.

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 **6/23/2026**. 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

Apolonio Alvarez

Received By: Apolonio
Owner
Signed On: June 09, 2026