

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 FA0261721 - BURGERIM		Site Address 1751 N 1ST ST 10, SAN JOSE, CA 95112		Inspection Date 03/10/2021	
Program PR0383827 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			Owner Name FAB LLC		Inspection Time 11:25 - 12:30
Inspected By OBDULIA DUQUE-TURCIOS	Inspection Type ROUTINE INSPECTION		Consent By NATHAN KUMAR	FSC Not Available	

Placard Color & Score
GREEN
63

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						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						S
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		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				N
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	X	
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	X	
K39 Thermometers provided, accurate		
K40 Wiping cloths: properly used, stored	X	
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	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	X	
K58 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: Sanitizer solution measured 0.0ppm on the 3-compartment sink. A bottle with scent chemical was connected to the sanitizer dispenser. Several readings were taken with different test strips to verify type of sanitizer without success. [CA] A food facility that prepares food shall not be operating if there is no method to properly wash and sanitize equipment and utensil. Provide and maintain chlorine sanitizing solution at 100ppm, and/or Quaternary ammonium solution at 200ppm. at all times.[COS] Person in charge provide Chlorine sanitizing solution at 100ppm.

Minor Violations

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

Inspector Observations: Food safety certificate is not available in the food facility upon request by the enforcement officer during the time of the inspection. [CA] Any food facility that prepares potentially hazardous foods (PHFs) must have an employee who has successfully passed an approved and accredited Food Safety Certification Examination. Comply by 05/10/2021.

Follow-up By
05/10/2021

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

Inspector Observations: Hot water temperature reading measured 117F on the 3-compartment sink in the service area. [CA] Hot and cold running water through a mixing valve shall always be provided in the food facility. Hot water temperature must be at least 120F, and hot water temperature once it reaches maximum, must REMAIN at the required temperature.

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

Inspector Observations: Floor is observed with soiled raining water from the ceiling above the kitchen area. [CA] Seal/repair the leaking.

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 cold holding drawer, raw chicken container is observed behind the ground beef container during the time of the inspection. [CA] To prevent cross-contamination from raw chicken to raw ground beef, ensure to store raw meat, fish, and poultry below and away from ready-to-eat foods. When storing food, keep in mind to follow the final cooking temperature. Store raw chicken first, then raw beef.

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

Inspector Observations: Several food boxes are stored on the floor in the walk-in freezer. [CA] Food must be stored at least six inches (6") above the floor to prevent food contamination or adulteration.

K34 - 2 Points - Warewashing facilities: not installed or maintained; no test strips; 114067(f,g), 114099, 114099.3, 114099.5, 114101(a), 114101.1, 114101.2, 114103, 114107, 114125

Inspector Observations: Test strips to check sanitizing solution concentration are not available in the food facility. [CA] Test strips accurately measure the concentration in part per million (mg/L) of the sanitizing solution and shall be available to record the proper mixing and strength of sanitizer solutions. Provide test strips to check Chlorine sanitizing solution in the 3-compartment sink and wiping bucket. Concentration must be at 100ppm, and Quaternary ammonium at 200ppm always.

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: Small CO2 cylinder is observed unchained in the dry storage area. [CA] CO2 cylinders empty or full must all be chained to the wall or a rigid structure.

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

Inspector Observations: *Ventilation hood filters above the cooking equipment, and the stainless steel wall behind the cooking equipment are observed with grease accumulation. [CA] Remove all grease accumulation from filters and wall, and ensure to maintain regularly to prevent build-up.*

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

Inspector Observations: *Wiping towels are observed stored improperly on the preparation table and counter in the preparation area, and service area. [CA] When not in use, wiping towels must be stored inside an approved sanitizing solution such as Chlorine at 100ppm and/or Quaternary ammonium at 200ppm at all times. This method helps in killing the bacteria that contributes to foodborne illness outbreaks.*

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: *Water heater is observed leaking in the warewashing area. [CA] Repair the leaking.*

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: *Two doors reach-in freezer is observed not in operation in the dry storage area. [CA] The premises of a food facility shall be free of litter and items that are unnecessary to the operation or maintenance of the facility, such as equipment that is nonfunctional or no longer used. Repair or remove no later than 04/10/2021.*

Follow-up By
04/10/2021

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

Inspector Observations: *Two large gaps are observed on the ceiling about the cooking equipment in the preparation/kitchen area. [CA] Seal the ceiling as soon as possible to prevent overhead contamination.*

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

Inspector Observations: *Environmental health permit is observed expired during the time of the inspection. [CA] A food facility shall not be open for business without a VALID permit. Permit shall always be posted in plain public view in the food facility.*

Performance-Based Inspection Questions

Needs Improvement - Hot and cold water available.

Needs Improvement - Food contact surfaces clean, sanitized.

Measured Observations

Item	Location	Measurement	Comments
grilled hamburger patty	grilled during the time of the inspection	160.00 Fahrenheit	
slice tomatoes	cold holding unit	40.00 Fahrenheit	
cheese	cold holding drawer	39.00 Fahrenheit	
Chlorine sanitizing solution	3-compartment sink	100.00 PPM	
warm water temperature	handwashing facility	103.00 Fahrenheit	
raw ground chicken patties	cold holding drawer	40.00 Fahrenheit	
raw hamburger patties	cold holding drawer	40.00 Fahrenheit	
grilled onion	cold holding drawer	39.00 Fahrenheit	
raw shell eggs	cold holding drawer	40.00 Fahrenheit	
fried chicken	fried during the time of the inspection	190.00 Fahrenheit	
hot water temperature	3-compartment sink	125.00 Fahrenheit	

Overall Comments:

Report emailed to burgerimsanjoseca@gmail.com HANNAH.SIM210@GMAIL.COM FABLLCWA@GMAIL.COM sreenithin11@gmail.com

A re-inspection will take place Friday 12, 2021 to ensure compliance with all violations noted in this report.

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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 **3/24/2021**. 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: Nathan Kumar
Person in Charge

Signed On: March 10, 2021

Comment: Report emailed to person in charge.