

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 FA0275435 - 7319 - BURGERS + CHICKEN		Site Address 4900 MARIE P DEBARTOLO WY, SANTA CLARA, CA		Inspection Date 09/28/2025	
Program PR0416275 - FOOD PREP / FOOD SVC OP 26+ EMPLOYEES RC 2 - FP16			Owner Name LEVY PREMIUM FOODSERVI		Inspection Time 12:50 - 13:55
Inspected By THAO HA	Inspection Type ROUTINE INSPECTION		Consent By TOUSSAINT POTTER	FSC Laurena Johnson 08/25/2027	

Placard Color & Score
GREEN
87

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						
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						
K07 Proper hot and cold holding temperatures			X	X			
K08 Time as a public health control; procedures & records		X		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						
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	X	
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		
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

K08 - 8 Points - Improperly using time as a public health control procedures & records; 114000

Minor Violations

K07 - 3 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

Inspector Observations: Mayonnaise based burger sauce measured to be 44F in ice bath. Ice bath observed to only have ice at the bottom. [CA] Ensure PHFs at 41F and below. Ensure ice baths container enough ice and water to surround sides of cooler. [COS] Ice and was water added to ice bath.

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: Ice observed to have built up in upright freezer. [CA] Defrost freezer and maintain in good repair.

Performance-Based Inspection Questions

N/A

Measured Observations

Item	Location	Measurement	Comments
Pork	Upright warmer at end unit	154.00 Fahrenheit	
Brisket	Upright warmer	164.00 Fahrenheit	
Shredded cheese	Ice bath	38.00 Fahrenheit	
Shredded cheese	Walk in cooler right	40.00 Fahrenheit	
Rice	On griddle hot water bath	168.00 Fahrenheit	
Pico de gallo	Prep cooler	39.00 Fahrenheit	
Carne asada	Upright warmer at end unit	155.00 Fahrenheit	
Cut tomatoes	Walk in cooler right	39.00 Fahrenheit	
chicken	On griddle hot water bath	172.00 Fahrenheit	
Steak	2 door upright cooler by grill	39.00 Fahrenheit	
French fries	In fryer area at the end	137.00 Fahrenheit	
Hot dogs	Walk in cooler right	39.00 Fahrenheit	
Hamburger pattie raw	Drawer below grill	40.00 Fahrenheit	
Cheese	Steam table	144.00 Fahrenheit	
Brisket	Walk in left	38.00 Fahrenheit	
Sour cream	Prep cooler	39.00 Fahrenheit	
Cut tomatoes	Walk in left	39.00 Fahrenheit	
Burger sauce	Ice bath	44.00 Fahrenheit	
Rice	Walk in cooler right	40.00 Fahrenheit	
Pulled pork	Upright warmer	144.00 Fahrenheit	

Overall Comments:

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 **10/12/2025**. 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.

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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: Toussaint Potter
Area Chef

Signed On: September 28, 2025