

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 11/17/2024	
Program PR0416275 - FOOD PREP / FOOD SVC OP 26+ EMPLOYEES RC 2 - FP16			Owner Name LEVY PREMIUM FOODSERVI		Inspection Time 15:15 - 16:15
Inspected By THAO HA	Inspection Type ROUTINE INSPECTION	Consent By LAURENA JOHNSON	FSC Laurena Johnson 08/25/2027		

Placard Color & Score
GREEN
97

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						
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		
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

No major violations were observed during this inspection.

Minor Violations

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

Inspector Observations: Mayos and aioli measured to be 45F at Mesquite BBQ. Sauces are in squeeze bottles with shallow ice baths. [CA] Keep PHFs at 41F and below. Ensure all ice baths sufficiently cover container of PHFs. [COS] Ice bath was refilled.

Performance-Based Inspection Questions

N/A

Measured Observations

Item	Location	Measurement	Comments
Spicy mayo	2 door cooler	40.00 Fahrenheit	
Quat ammonia	sanitizer bucket	200.00 Fahrenheit	
Hot dog	Upright warmer back	137.00 Fahrenheit	
Hot dog	walk in cooler right	39.00 Fahrenheit	
Warm water	handwash sink	100.00 Fahrenheit	
Hamburger	Upright warmer back	141.00 Fahrenheit	
Lumpia	upright freezer	10.00 Fahrenheit	
Brisket	Upright warmer back	151.00 Fahrenheit	
Cheese	Prep cooler	10.00 Fahrenheit	
Raw hamburger	drawers under griddle	41.00 Fahrenheit	
Quat ammonia	3-comp sink	200.00 Fahrenheit	
Hot water	3-comp sink	120.00 Fahrenheit	
Aioli sauce	Ice bath	44.00 Fahrenheit	
Spicy mayo	Ice bath	44.00 Fahrenheit	

Overall Comments:

NOTE: Facility houses Mesquite BBQ + Hula + Franks

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 **12/1/2024**. 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



Received By: Toussaint Potter
Levy-Manager

Signed On: November 17, 2024