

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 FA0255278 - ARCO AMPM #7037		Site Address 2375 QUIMBY RD, SAN JOSE, CA 95122		Inspection Date 07/10/2024	
Program PR0372768 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 1 - FP09			Owner Name BP PRODUCTS NORTH AME		Inspection Time 13:40 - 14:20
Inspected By HENRY LUU	Inspection Type ROUTINE INSPECTION	Consent By VERONICA C.	FSC Veronica Cortes 07/12/2028		

Placard Color & Score
GREEN
91

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						
K03 No discharge from eyes, nose, mouth	X						S
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						S
K09 Proper cooling methods						X	
K10 Proper cooking time & temperatures						X	
K11 Proper reheating procedures for hot holding					X		S
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

K06 - 3 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

Inspector Observations: Warm water at the hand wash station next to the toaster and Alto Sham slowly reaches above 108F.

[CA] Adjust temperature of the water. Ensure water provided at the hand wash station when temperature is not readily adjustable does not exceed 108F.

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

Inspector Observations: Cheese sauce and chili maintained inside the Gehl's dispenser measured at 130F.

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

Pico de gallo and salsa maintained at the cold holding condiments bar measured at 45F. Manager stated that items are discarded after 24 hours as indicated on the labels.

[CA] PHFs held for dispensing in serving lines and salad bars may be maintained above 41°F, but not above 45°F, during periods not to exceed 12 hours in any 24-hour period only if the unused portions are disposed of at or before the end of this 24-hour period.

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

Inspector Observations: Hand wash stations in the restroom and outside of the restroom lacked warm water. Water measured at 75F.

[CA] Handwashing facilities shall be equipped to provide minimum 100°F water under pressure for a minimum of 15 seconds.

[CA] Handwashing facilities equipped with a mixing valve that is not readily adjustable at the faucet, shall provide warm water at least 100°F, but not greater than 108°F.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
Prepackaged pico de gallo	Two-door reach-in refrigerator	40.00 Fahrenheit	
Quaternary ammonia	Three-compartment sink	200.00 PPM	
Creamer	International Delight creamer dispenser	34.00 Fahrenheit	
Sliced cheese	Two-door reach-in refrigerator	41.00 Fahrenheit	
Chicken taquito	Two-door upright refrigerator	40.00 Fahrenheit	
Protein egg kit	Two-door upright refrigerator	37.00 Fahrenheit	
Hot dogs	Two-door upright refrigerator	26.00 Fahrenheit	
Ambient	Walk-in refrigerator	41.00 Fahrenheit	
Turkey cheddar sandwich	Opened face display	35.00 Fahrenheit	
Egg bacon cheese burrito	Opened face display	28.00 Fahrenheit	
Hot water	Three-compartment sink	125.00 Fahrenheit	

Overall Comments:

OWNERSHIP CHANGE INFORMATION

NEW FACILITY NAME: ARCO AMPM 7037

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NEW OWNER: **BP Products North America, Inc.**

The applicant has completed the facility evaluation application process for an Environmental Health Permit.

The permit category for this facility is FP12. An invoice for the permit fee in the amount of \$896.00 will be mailed to the billing address on the application. Payment must be submitted within 10 days of receipt of the invoice. The owner is responsible for contacting our department if an invoice is not received and remit payment within 30 days.

The Environmental Health Permit will be effective: 08/01/2024 - 07/31/2025 This report serves as a temporary permit. However, the permit will be deemed invalid if the permit fee is not paid in full within 30 days from the date of this report. Okay to Operate.

An official permit will be mailed to the address on file and shall be posted in public view upon receipt.

**Structural Review inspection conducted on 07/10/2024*

**Permit condition: Approval of the Alto Sham multi-cook oven operation without ventilation hood system is conditional for baked goods like cookies or bread and prepackaged food only. If there is a future change in menu or operation, or the use of this equipment causes any sanitation, ventilation, or safety problem, the exhaust hood exemption may be revoked and an approved mechanical exhaust system must be installed or the unit removed. Ventilation problems include, but are not limited to, excess heat in the facility that results in uncomfortable work conditions for employees. The exemption shall not be deemed to supersede any local building and fire code requirements. In the event that a future change of ownership occurs, the new owner shall be made aware of these conditions.*

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 **7/24/2024**. 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: Veronica C.
Manager
Signed On: July 10, 2024