

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 FA0209833 - BURGER KING #9645		Site Address 5154 MOORPARK AV 40, SAN JOSE, CA 95129		Inspection Date 12/21/2023		Placard Color & Score <div style="background-color: green; color: white; padding: 10px; text-align: center;"> GREEN 90 </div>		
Program PR0307548 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 2 - FP13			Owner Name CHAUS GLOBAL INC.		Inspection Time 15:00 - 16:30			
Inspected By MAMAYE KEBEDE		Inspection Type ROUTINE INSPECTION		Consent By ISREAL ORTIS				FSC Isreal Ortis 10/20/2026

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						S
K06	Adequate handwash facilities supplied, accessible	X						
K07	Proper hot and cold holding temperatures	X						S
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	
K12	Returned and reservice of food					X		
K13	Food in good condition, safe, unadulterated	X						
K14	Food contact surfaces clean, sanitized	X						S
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				S
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		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	
K58	Placard properly displayed/posted	

Comments and Observations

Major Violations

No major violations were observed during this inspection.

Minor Violations

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

Inspector Observations: Only Hand washing in the kitchen and only working hand washing sink in the restroom did not have cold water.

[CA] Adjust setting hot water heater setting to provide hot running water between 100F to 105F.

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

Inspector Observations: Observed drain pipe from the food prep table is draining slow.

[CA] Repair the slow drainage problem.

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: Observed unused old equipments in the back area of the kitchen and in the garbage area.

[CA] Discard unused equipment and repair broken equipment from the premises.

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

Inspector Observations: Observed broken tiles near the hand washing sink area n the kitchen.

[CA] Replace broken tiles to maintain.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
Chicken Strip	Hot holding	160.00 Fahrenheit	
Hot water	Handwashing restroom	120.00 Fahrenheit	
Beef Pattie	Hot holding	165.00 Fahrenheit	
Hot water	Handwashing kitchen	120.00 Fahrenheit	
Beef Patties	Frezeer walk in unit	8.00 Fahrenheit	
Quaternary Ammonia	3-comp sink	200.00 PPM	
Hot water	3-comp sink	120.00 PPM	

Overall Comments:

Note: 1. This is a joint inspection with Mamaye Kebede and Hina Wyne. Inspection Report written by Hina Wyne.

2. Food safety manager certificate: Isreal Ortis - 10/20/2026

3. Facility is redoing leaking roof inside one restroom. Electric and pluming may be modified. Plan might be submitted to our office and city building office.

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 **1/4/2024**. 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.

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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

Isreal O

Received By: Isreal Ortis
Manager
Signed On: December 21, 2023