

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 FA0209971 - AGAVE SPORTS BAR & GRILL		Site Address 544 W ALMA ST, SAN JOSE, CA 95125		Inspection Date 01/31/2020	
Program PR0302822 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name CARAVES, GUSTAVO		Inspection Time 12:15 - 13:50
Inspected By ANJANI SIRCAR	Inspection Type ROUTINE INSPECTION		Consent By LINA BELEZ	FSC Rosa Yida Lopez 12/16/20	

Placard Color & Score
GREEN
86

RISK FACTORS AND INTERVENTIO	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						
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						
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 PRACTICE	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	X	
K39 Thermometers provided, accurate	X	
K40 Wiping cloths: properly used, stored	X	
K41 Plumbing approved, installed, in good repair; proper backflow devices		
K42 Garbage & refuse properly disposed; facilities maintained		
K43 Toilet facilities: properly constructed, supplied, cleaned		X
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		
K48 Plan review		
K49 Permits available		
K58 Placard properly displayed/posted		

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Comments and Observations

Major Violations

No major violations were observed during this inspection.

Minor Violations

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: Beverage tubing or cold-plate beverage cooling devices are installed in contact with ice intended to be used for food or drink. REPEAT VIOLATION. [CA]Ice used for the intended use of food or drink shall not come in direct contact with materials that may cause contamination.

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

Inspector Observations: Back hood light was lacking a shield. [CA] Light bulbs shall be shielded, coated or otherwise shatter-resistant in areas where there is unpackaged foods, clean equipment, utensils, linens, or unwrapped single use articles.

K39 - 2 Points - Thermometers missing or inaccurate; 114157, 114159

Inspector Observations: Cold holding units were lacking thermometers. [CA] A thermometer +/- 2°F shall be provided and correctly located in each hot and cold holding unit containing potentially hazardous foods.

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

Inspector Observations: Wiping cloth was observed to be stored on the prep surface in between use. [CA] Wiping towels shall be stored in sanitizing solution of an approved concentration when not in use (100 ppm - chlorine, 200 ppm - quaternary ammonium).

K43 - 2 Points - Toilet facilities: improperly constructed, supplied, cleaned; 114250, 114250.1, 114276

Inspector Observations: Toilet paper stored outside the dispenser in the restroom.[CA] Provide toilet paper installed in a permanently installed dispenser at all times.

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: Cell phone stored on the prep surface of the cold holding sandwich prep unit. [CA] No person shall store personal effects in any area used for the storage and preparation of food or food contact surfaces.

Mop stored inside the bucket when not in use. [CA] After use, mops shall be placed in a position that allows them to air-dry without soiling walls, equipment, or supplies.

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

Inspector Observations: Flooring material is not approved. Observed holes in walls. [CA] Install approved flooring material with cove base. Repair holes in wall.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

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Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
Chicken	Cooking temperature	218.00 Fahrenheit	
Hot Water	Restroom	100.00 Fahrenheit	
Cheese	Cold holding insert	38.00 Fahrenheit	
Egg	Tall two door reach in	38.00 Fahrenheit	
Hot Water	Ware wash sink- bar	122.00 Fahrenheit	
Tomatoes	Walk in refrigerator	37.00 Fahrenheit	
Hot Water	Hand wash sink	100.00 Fahrenheit	
Tomatoes	Cold holding insert	38.00 Fahrenheit	
Milk	Tall two door reach in	38.00 Fahrenheit	
Chlorine	Mechanical dishwasher	50.00 PPM	
Sour cream	Cold holding insert	38.00 Fahrenheit	
Cheese	Walk in refrigerator	36.00 Fahrenheit	
Salsa	Counter top single door reach in	37.00 Fahrenheit	
Meat	Tall two door reach in	39.00 Fahrenheit	
Lettuce	Cold holding insert	39.00 Fahrenheit	
Hot Water	Ware wash sink	120.00 Fahrenheit	
Hot holding	Hot holding	154.00 Fahrenheit	
Chicken	Tall two door reach in	39.00 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 2/14/2020. 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: Lina Belez
PIC

Signed On: January 31, 2020