

**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**

<b>Facility</b> FA0274888 - THE CITY FISH		<b>Site Address</b> 16125 MONTEREY RD, MORGAN HILL, CA 95037		<b>Inspection Date</b> 09/07/2023	
<b>Program</b> PR0415500 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			<b>Owner Name</b> ALVAREZ, ALBERTO		<b>Inspection Time</b> 12:15 - 15:15
<b>Inspected By</b> GINA STIEHR	<b>Inspection Type</b> ROUTINE INSPECTION	<b>Consent By</b> ALBERTO ALVAREZ	<b>FSC</b> Alberto Alavarez 08/22/2020		

<b>Placard Color &amp; Score</b> <b>GREEN</b> <b>86</b>
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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		
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						S
K14 Food contact surfaces clean, sanitized	X						
K15 Food obtained from approved source	X						
K16 Compliance with shell stock tags, condition, display	X						S
K17 Compliance with Gulf Oyster Regulations						X	S
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	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	X	
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	X	
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		
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

K09 - 3 Points - Improper cooling methods; 114002, 114002.1

**Inspector Observations: Observed a potentially hazardous food (clam chowder) in an ice bath inside food preparation sink. According to PIC chowder has been cooling for one hour. [CA] Properly cool PHF's using shallow containers, using no more than 2 inches for solid foods and no more than 4 inches for liquids.[COS] PIC moved the chowder to smaller containers in smaller batches in an ice bath.**

**Discussed cooling parameters: Cool from 135F to 70F within 2 hours and from 70F to 41F within 4 hours. Use rapid cooling techniques such as frequent stirring, smaller portions, flat pans, ice paddles, ice baths, ice as an ingredient and/or blast chiller.**

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

**Inspector Observations: Measured temperature at the hand washing sink above 120F, making the hand washing sink unusable. Observed another hand washing sink was available in close proximity. [CA] Hand washing sinks shall be equipped to provide warm water (100F) under pressure for a minimum of 15 sec through a mixing valve or combination faucet. [COS] PIC fixed the cold water faucet during time of inspection.**

K30 - 2 Points - Food storage containers are not identified; 114047, 114049, 114051, 114053, 114055, 114067(h), 114069 (b)

**Inspector Observations: Observed food (bag of bread, boxes of french fries and a pan of hard boiled eggs) stored directly on the floor.[CA] Food shall be stored at least 6 inches above the floor to prevent contamination.**

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: Observed an evaporator pan full of liquid discharged from the reach in refrigerator. [CA] Repair the refrigerator so that it is self-contained and working properly OR have it plumbed to drain into a floor sink or other approved receptacle.**

K41 - 2 Points - Plumbing unapproved, not installed, not in good repair; improper backflow devices; 114171, 114189.1, 114190, 114192, 114193, 114193.1, 114199, 114201, 114269

**Inspector Observations: Observed the drain pipe from the food prep sink directly inside the floor sink with no gap. [CA] All equipment that discharges liquid waste shall be drained by means of indirect waste pipes, and all wastes drained by them shall discharge through at least a 1 inch airgap into a floor sink or other approved type of receptor.**

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 keys stored above small bags of flour in the dry storage area. [CA] Employee's personal belongings shall be stored in employee lockers or other designated areas for employee storage away from food preparation and food storage areas.**

### 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>
Noodles	Reach in	60.00 Fahrenheit	Cooling
Garlic in oil	Food prep cold holding	41.00 Fahrenheit	
MAshed potatoes	Reach in	32.00 Fahrenheit	
Tomatoes	Food prep cold holding	38.00 Fahrenheit	
Deep fried fish	Cookline	160.00 Fahrenheit	
Chowder	Food prep sink	79.00 Fahrenheit	In ice bath cooling for 1 hour
Hot water	Warewash sink	120.00 Fahrenheit	
Shrimp	Chest freezer	22.00 Fahrenheit	
Sanitizer	Sanitizer bucket	100.00 PPM	
Onion rings	Chest freezer	31.00 Fahrenheit	
Sanitizer	Warwash	50.00 PPM	
Hot water	Hand sink	100.00 Fahrenheit	
Horsradish	Reach in	41.00 Fahrenheit	
Fries	Chest freezer	5.00 Fahrenheit	
Chowder	Cookline	137.00 Fahrenheit	Hot holding
Tartar sauce	Reach in	39.00 Fahrenheit	

## Overall Comments:

**Facility is subject to upgrade in permit category.**

**Joint inspection by Gina Stiehr and Kaya Alassfar. Report written by Kaya Alssfar.**

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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 **9/21/2023**. 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:

<b>[CA]</b>	Corrective Action
<b>[COS]</b>	Corrected on Site
<b>[N]</b>	Needs Improvement
<b>[NA]</b>	Not Applicable
<b>[NO]</b>	Not Observed
<b>[PBI]</b>	Performance-based Inspection
<b>[PHF]</b>	Potentially Hazardous Food
<b>[PIC]</b>	Person in Charge
<b>[PPM]</b>	Part per Million
<b>[S]</b>	Satisfactory
<b>[SA]</b>	Suitable Alternative
<b>[TPHC]</b>	Time as a Public Health Control




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**Received By:** Alberto Alvarez  
Owner

**Signed On:** September 07, 2023