

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 FA0283902 - THE HABIT BURGER GRILL #195		Site Address 1078 E BROKAW RD 60, SAN JOSE, CA 95131		Inspection Date 09/24/2025		Placard Color & Score GREEN 89		
Program PR0425799 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 2 - FP13			Owner Name THE HABIT RESTAURANTS L		Inspection Time 14:55 - 16:00			
Inspected By MINDY NGUYEN		Inspection Type ROUTINE INSPECTION		Consent By LOURDES				FSC LOURDES ESPINO 09/22/2028

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						
K06	Adequate handwash facilities supplied, accessible		X		X			
K07	Proper hot and cold holding temperatures	X						S
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						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						
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

K06 - 8 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

Inspector Observations: At the front beverage prep area's handsink, observed:

- A stack of plastic trays was obstructing the handsink
- The paper towel dispenser was empty
- There was no soap dispenser

PIC stated they do not use this handsink.

[CA] Handsinks must be unobstructed and stocked with paper towels and soap at all times. Handsinks must be available to make handwashing not only possible, but likely.

[COS] The trays were removed. PIC placed a pump soap dispenser at the sink and refilled the paper towel dispenser.

2nd repeat violation

Minor Violations

K23 - 3 Points - Observed rodents, insects, birds, or animals; 114259.1, 114259.4, 114259.5

Inspector Observations: Observed 5-10 small flies in the rear kitchen/warewashing area.

[CA] Keep facility clear of flies.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
RAW CHICKEN, RAW BEEF PATTIES	REFRIGERATOR DRAWERS UNDER COOKTOP	41.00 Fahrenheit	
QUATERNARY AMMONIA	SANITIZING BUCKETS, 3-COMPARTMENT SINK	200.00 PPM	
HOT WATER	3-COMPARTMENT SINK	120.00 Fahrenheit	
CUT ONIONS, SAUCES	REACH-DOWN REFRIGERATOR, PREP AREA	41.00 Fahrenheit	
WARM WATER	HANDSINKS, KITCHEN AND RESTROOM	100.00 Fahrenheit	
BEEF PATTIES, SLICED TOMATOES	WALK-IN REFRIGERATOR	41.00 Fahrenheit	
SLICED TOMATOES, COLESLAW, PICKLED ONIONS	PREP INSERTS	41.00 Fahrenheit	

Overall Comments:

Repeat violations may result in enforcement actions, including office hearings.

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 **10/8/2025**. 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



Received By: Lourdes Espino
General Manager

Signed On: September 24, 2025