

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 FA0299358 - FIRE WINGS		Site Address 779 STORY RD 30, SAN JOSE, CA 95122		Inspection Date 02/03/2025		Placard Color & Score <div style="background-color: black; color: white; padding: 10px; text-align: center;"> RED 75 </div>			
Program PR0439313 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			Owner Name FIRE WINGS STORY RD LLC		Inspection Time 13:30 - 14:40				
Inspected By HENRY LUU		Inspection Type ROUTINE INSPECTION		Consent By SI				FSC Jose Cortez 02/02/2029	

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						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						S
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 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	X	
K34	Warewash facilities: installed/maintained; test strips		
K35	Equipment, utensils: Approved, in good repair, adequate capacity		
K36	Equipment, utensils, linens: Proper storage and use	X	
K37	Vending machines		
K38	Adequate ventilation/lighting; designated areas, use	X	
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	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

K23 - 8 Points - Observed rodents, insects, birds, or animals; 114259.1, 114259.4, 114259.5

Inspector Observations: Cockroach activity observed in the following areas:

Follow-up By
02/05/2025

- 3+ of various life cycles on monitoring trap below the three-door merchandiser refrigerator at the front service area.

- 3+ of various life cycles on monitoring trap below the dry storage rack.

- 3+ of various life cycles on monitoring trap between the used cooking oil tank across from the soda syrup rack.

- 2+ live observed around electrical outlet behind the two cooking oil tanks.

- One live observed between wall and wall mounted shelf above the three-compartment sink.

- Dead cockroaches observed in the following areas:

- On floors behind the cooking oil storage tanks.

- On floor underneath dry storage shelves.

- On floor underneath the three-compartment sink.

Per owner, facility is serviced monthly with the last treatment conducted on 1/15/2025. Pest control report was provided for review upon request.

[CA] The premises of each food facility shall be kept free of vermin. A food facility shall not operate when there is a vermin infestation that has resulted in the contamination of food contact surfaces, food packaging, utensils, food equipment, or adulteration of food(s). The food facility shall cease operation of the food facility immediately. The food facility shall remain closed until: there is no longer evidence of a vermin infestation; all contaminated surfaces have been cleaned and sanitized; and contributing factors such as cleaning, repairs, and the elimination of harborages have been resolved.

**** Please note that pest control treatments for rodents or insects may require a sufficient amount of contact time for these to be effective. Consult with pest control company for guidelines on eliminating harborage, entryways, and food/water sources.**

Minor Violations

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

Inspector Observations: Chili cheese maintained inside the food warmer measured between 134F to 138F.

[CA] Hot PHFs shall be held at 135°F or above. Frequently stir food items to maintain food temperatures.

K14 - 3 Points - Food contact surfaces unclean and unsanitized; 113984(e), 114097, 114099.1, 114099.4, 114099.6, 114101, 114105, 114109, 114111, 114113, 114115(a,b,d), 114117, 14125(b), 114141

Inspector Observations: Newly prepared sanitizer concentration at the cook line measured at 200 PPM chlorine bleach.

[CA] Maintain chemical solution at 100 ppm (1Tbs of bleach (5.25%)/gal of water) for chlorine and 200 ppm (1 tbs of quaternary ammonium (10%)/2 gal of water) for quaternary ammonium.

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

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Inspector Observations: Hot water at the three-compartment sink measured between 105F to 110F.

[CA] Hot water shall be supplied at a minimum temperature of at least 120°F measured from the faucet throughout facility except at handwash sinks.

Single hand wash sink inside the restroom measured at 69F. Hand wash sink on the right side outside of the restroom corridor measured at 64F.

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

K33 - 2 Points - Nonfood contact surfaces not clean; 114115(c)

Inspector Observations: Heavy accumulation of food debris and residues observed in the following areas:

- Handles of food preparation refrigerators.
- On hanging food warmer where chicken is tossed in sauce.
- On storage racks inside the walk-in refrigerator.
- Inside three-door upright freezers.

[CA] Nonfood-contact surfaces of equipment shall be kept free of an accumulation of dust, dirt, food residue, and other debris.

K36 - 2 Points - Equipment, utensils, linens: Improper storage and use; 114074, 114081, 114119, 114121, 114161, 114178, 114179, 114083, 114185, 114185.2, 114185.3, 114185.4, 114185.5

Inspector Observations: Handle of tongs used for coleslaw maintained inside the food preparation refrigerator observed in direct contact with food.

[CA] Store equipment in such a way that the handle does not come in direct contact with food to prevent contamination.

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

Inspector Observations: Heavy accumulation of grease observed on ventilation hood filters above the deep fryers.

[CA] Clean mechanical exhaust hood and/or filters of grease accumulation.

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

Inspector Observations: Heavy accumulation of food residues and debris observed on floor throughout the facility:

- Underneath the three-compartment sink.
- Around the cooking oil tanks.
- Underneath dry storage racks.
- Around the cook line/deep fryers.

Heavy accumulation of food residues on wall:

- Next to deep fryers.
- Behind hanging food warmer where chicken is tossed in sauce.

[CA] Walls and/or floors in food preparation area shall be kept clean. Regularly clean under equipment to prevent accumulation of debris.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

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Measured Observations

Item	Location	Measurement	Comments
Caesar dressing	Merchandiser refrigerator	41.00 Fahrenheit	Front service area
Cooked chicken tenders	Hot holding	157.00 Fahrenheit	
Cut tomato	Food preparation refrigerator	38.00 Fahrenheit	
Ranch dressing	Food preparation refrigerator	39.00 Fahrenheit	Front service area
Raw chicken	Drawer refrigerator	40.00 Fahrenheit	
Raw chicken tenders	Walk-in refrigerator	40.00 Fahrenheit	
Coleslaw	Food preparation refrigerator	39.00 Fahrenheit	
Hot water	Food preparation sink	121.00 Fahrenheit	
Chlorine sanitizer	Mechanical dish machine	50.00 PPM	
Chili cheese	Walk-in refrigerator	41.00 Fahrenheit	
Fried chicken wings	Deep fryer	201.00 Fahrenheit	
Breaded raw chicken wings	Food preparation refrigerator	38.00 Fahrenheit	
Shredded cheese	Food preparation refrigerator	41.00 Fahrenheit	
Raw breaded chicken	Walk-in refrigerator	39.00 Fahrenheit	
Raw marinated chicken tenders	Food preparation refrigerator	39.00 Fahrenheit	
Raw chicken	Walk-in refrigerator	37.00 Fahrenheit	

Overall Comments:

- **On-site for facility evaluation for a change of ownership.**
 - **New owners have not taken over ownership.**
- **Facility is hereby closed due to the presence of a vermin infestation.**
- **Facility is to immediately cease and desist all operations.**
 - **Facility is prohibited from all food service activities which include, but not limited to: preparation, service, handling, distribution, and sale.**
 - **Facility shall remain closed until vermin infestation is completely abated and authorization is provided by this Division.**
- **Facility shall:**
 - **Provide pest control report from a licensed pest control company that indicates the type of control measures taken and that the facility has been treated.**
 - **Eradicate all live and dead rodents and insects from the facility.**
 - **Clean and sanitize the affected area(s) and equipment.**
 - **Dispose of all food items that have been adulterated/contaminated.**
 - **Seal holes (e.g. in walls and ceilings, repair coved base), and entryways (e.g. weather-stripping around doors); keep exterior doors closed; screen openable windows.**
 - **Eliminate harborage inside and outside of the facility - remove unused/cast-off equipment, contributory vegetation, etc.)**
 - **Eliminate food and water sources inside and outside the facility.**
 - **Properly store items (e.g. at least 6 inches above floor in sealed rodent-proof/insect-proof containers; organize overly packed and disorganized storage areas).**
 - **Properly store and dispose of garbage and other waste (e.g. bagged wastes, keep dumpster lids closed, frequent removal).**
- **Subsequent follow-up inspection after first follow-up shall be billed \$298/hour, minimum one hour, during normal business hours (Monday - Friday, 7:30 AM to 4:30 PM), and \$645/hour, minimum two hours, during non-business hours, and upon inspector availability.**
- **The posted placard is property of the Santa Clara County Department of Environmental Health and shall not be removed, covered-up, relocated, tampered, or copied. Failure to comply may result in enforcement actions per County Ordinance Code Section B11-55.**
- **A facility found to be in continued operation without a permit may incur a penalty of three (3) times the operating permit fee, and fee(s) for re-inspection(s) charged at the current hourly rate approved by the Santa Clara County Board of Supervisors. Penalties and fees incurred due to enforcement activities must be paid in full prior to the issuance of an operating permit.**

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CLOSURE / PERMIT SUSPENSION NOTICE

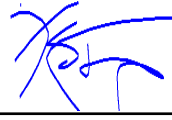
When required to determine compliance, a single reinspection will be conducted without additional charge. If subsequent reinspections are required, an hourly fee (minimum one hour) at the current rate approved by the Board of Supervisors will be assessed for each and every reinspection until the necessary changes or corrections are made. Unless otherwise noted by the inspector, all violations are to be corrected no later than 2/17/2025. 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.

This notice is to inform you that as of this date the Environmental Health Permit for the above mentioned food facility is hereby suspended and all operations therewith are ordered to cease. This action is taken in accordance with Section 114409 of the California Health and Safety Code which states 'If any imminent health hazard is found, unless the hazard is immediately corrected, an enforcement officer may temporarily suspend the permit and order the food facility or cottage food operation immediately closed.'

You have the right to make a written request for a hearing within 15 days after receipt of this notice to show just cause why the permit suspension is not warranted. Failure to request such a hearing within the 15-day period shall be deemed a waiver of the right to a hearing. After these violations have been corrected, you must call the Department of Environmental Health for a reinspection to reinstate the permit to operate. Phone #: (408)918-3400.

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: Si D.
Owner
Signed On: February 03, 2025