

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 FA0205515 - THE FAB		Site Address 110 PASEO DE SAN ANTONIO, SAN JOSE, CA 95111		Inspection Date 08/21/2025	
Program PR0305620 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name FIVE STAR RESTAURANTS L		Inspection Time 10:45 - 13:00
Inspected By ALEXANDER ALFARO	Inspection Type ROUTINE INSPECTION	Consent By MARVIN - COOK/ MARTIN - OWNER	FSC Martin Tapia 12/07/2026		

Placard Color & Score
YELLOW
51

RISK FACTORS AND INTERVENTIONS						OUT		COS/SA	N/O	N/A	PBI
						IN	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									S
K07	Proper hot and cold holding temperatures		X		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	X						
K12	Returned and reservice of food	X									
K13	Food in good condition, safe, unadulterated		X		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		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									X	
K27	Food separated and protected									X	
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										
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										
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	X
K49	Permits available	
K58	Placard properly displayed/posted	

Comments and Observations

Major Violations

K07 - 8 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

Inspector Observations:

Potentially Hazardous Foods (cut tomatoes, pizza[with cheese], guacamole, cheeses, and sauces) were measured between 46-49°F in the right prep cooler. Per staff and PIC, items are left in the prep cooler overnight.

Follow-up By
08/26/2025

[CA] PHFs shall be held at 41°F or below or at 135°F or above.

[COS] Items were discarded. See VC&D report.

K13 - 8 Points - Food not in good condition/unsafe/adulterated; 113967, 113976, 113980, 113988, 113990, 114035, 114041, 114254(c), 114254.3

Inspector Observations:

Two small flies were found inside a bottle of alcohol.

Follow-up By
08/26/2025

[CA] Food is adulterated if it bears or contains any poisonous or deleterious substance that may render it impure or injurious to health and shall be discarded immediately.

[COS] Items was discarded. See VC&D report.

K18 - 8 Points - Non-compliance with variance/ROP/HACCP Plan; 114057, 114057.1, 114417.6, 114419

Inspector Observations:

Numerous ribeye steaks were found to be vacuum sealed without labeling or an approved HACCP Plan from the California Department of Public Health. Per PIC, steaks have been packaged since Monday.

Follow-up By
08/26/2025

[CA] The food facility shall obtain a HACCP plan approval prior to packaging PHFs using a reduced-oxygen packaging method.

[COS] Items were VC&D. See VC&D report.

Minor Violations

K08 - 3 Points - Improperly using time as a public health control procedures & records; 114000

Inspector Observations:

Facility added breakfast sausages and bacon to TPHC without updating procedures or including in time keeping.

[CA] Provide written procedures and time marking for PHFs utilizing time as a public health control (TPHC).

K11 - 3 Points - Improper reheating procedures for hot holding; 114014, 114016

Inspector Observations:

Repeat Violation: Carnitas were found reheating in the steam table and measured at 80°F. Per cook, they placed the carnitas in the steam table about 30 minutes prior.

[CA] Reheating for hot holding shall be done rapidly, and the time the food is between 41°F and 165°F shall not exceed two hours.

[COS] Carnitas were reheated to 165°F using the flat top grill.

K19 - 3 Points - Non-compliance with consumer advisory for raw or undercooked foods; 114012, 114093

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Inspector Observations:

Repeat Violation: Facility does not indicate which foods the consumer advisory correlates to on the menu (ceviche, ribeye, steak, egg based caesar dressing, etc).

[CA] Provide consumer warning for the sale of raw or undercooked animal-derived foods.

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

Inspector Observations:

1. Water at the two restroom measured at a maximum of 80°F.

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

2. Water at the three compartment sinks and prep sink measured at a max of 117°F.

[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.

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

Inspector Observations:

Repeat Violation: Small flies were found near the bar area.

[CA] Ensure to maintain the facility free of animals, pests, and vermin.

K26 - 2 Points - Unapproved thawing methods used; frozen food; 114018, 114020, 114020.1

Inspector Observations:

A raw breakfast sausages were found stored on the counter near the deep fryer. Per cook, they were thawing them out and had been there for about 2 hours.

[CA] Frozen potentially hazardous food shall only be thawed in one of the following ways: 1) under refrigeration that maintains the food temperature at 41°F or below, 2) completely submerged under potable running water for a period not to exceed two hours at a water temperature of 70°F or below, and with sufficient water velocity to agitate and flush off loose particles into the sink drain, 3) in a microwave oven if immediately followed by immediate preparation, 4) as part of a cooking process.

[COS] Sausages measured at 39°F and were moved to a working prep cooler.

K27 - 2 Points - Food not separated and unprotected; 113984(a-d,f), 113986, 114060, 114067(a,d,e,j), 114069(a,b), 114077, 114089.1(c), 114143(c)

Inspector Observations:

Raw shelled eggs were stored above produce and cooked items in the walk in cooler.

[CA] All food shall be separated and protected from cross-contamination. Store all raw meat or other raw products of animal origin below ready-to-eat food items. Proper organization sticker provided.

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

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Inspector Observations:

1. The right prep cooler is not maintaining PHFs at 41°F or below.

[CA] Refrigeration must be capable of maintaining PHFs at 41°F or below.

2. The vacuum sealing device the facility is using is not ANSI accredited.

[CA] New and/or replacement food equipment shall be certified or classified for sanitation by an American National Standards Institute (ANSI) accredited certification program (e.g. NSF, UL EPH, UL Sanitation, CSA Sanitation, or ETL Sanitation).

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:

The cold water faucet at the three compartment sink has a leak.

[CA] Repair plumbing fixture and maintain in clean and good repair.

K48 - 2 Points - Plan review unapproved; 114380

Inspector Observations:

Facility is cooking PHFs under a type II hood with a flat grill, electric burner range, deep fryer, and oven. Addition of the cooking equipment was not approved through plan check prior to Change of Ownership in 2021. Additionally, ceiling tiles near type II hood have grease accumulation and there is also heavy grease accumulation in the light bulb above the deep fryer. There is no Ansul system present, but did observe two water sprinklers within the hood area.

Follow-up By
09/21/2025

Note: CaptiveAire Systems - Model Number 6024 VHB is currently installed.

[CA] Provide approved exhaust hood ventilation over all cooking equipment as required to effectively remove cooking odors, smoke, steam, grease, heat, and vapors or remove equipment and edit menu.

A person proposing to build or remodel a food facility shall submit plans and specifications for review and shall receive plan approval prior to starting any new construction or remodeling. Contact DEH at 408-918-3400 or at www.ehinfo.org to obtain plan check requirements. Submit plans within 1 month.

Failure to comply with plan check submission deadline will result in further enforcement from this department including impoundments of equipment.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
Steak	Chest Freezer	2.00 Fahrenheit	
Water	Three Compartment Sink	117.00 Fahrenheit	
Beer	Walk in Cooler	38.00 Fahrenheit	
Water	Prep Sink	117.00 Fahrenheit	
Chicken	Steam Table	140.00 Fahrenheit	
Water	Handwash Sink - Kitchen	117.00 Fahrenheit	
Chlorine - Sanitizer	Dishwasher	50.00 PPM	
Beans	Steam Table	140.00 Fahrenheit	
Breakfast Sausage	Counter	39.00 Fahrenheit	
Chorizo	Prep Cooler	40.00 Fahrenheit	
Quaternary Ammonia - Sanitizer	Three Compartment Sink	200.00 PPM	

Overall Comments:

Notes:

- Please contact district specialist, Alexander Alfaro (alexander.alfaro@deh.sccgov.org), or DEH main line at (408)918-3400 to

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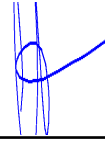
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schedule a follow up inspection. The first follow up inspection is free of charge. Any and all subsequent follow up inspections shall be charged at the approved hourly rate of \$298.00/hr, minimum of one hour, during normal business hours: Monday through Friday 7:30am to 4:30pm or \$645/hour minimum two hour during non business hours, and upon inspector availability.

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 **9/4/2025**. 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.

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: Martin Tapia
Owner

Signed On: August 21, 2025