

# 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><br>FA0258556 - SIXTH STREET BURGER                              |  | <b>Site Address</b><br>235 E SANTA CLARA ST., SAN JOSE, CA 95113 |                                     | <b>Inspection Date</b><br>03/11/2025 |                                         | <b>Placard Color &amp; Score</b><br><div style="font-size: 2em; font-weight: bold; text-align: center;">GREEN</div> <div style="font-size: 3em; font-weight: bold; text-align: center;">90</div> |  |            |  |
| <b>Program</b><br>PR0378660 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10 |  |                                                                  | <b>Owner Name</b><br>ABRAM CHANDLER |                                      | <b>Inspection Time</b><br>16:40 - 17:45 |                                                                                                                                                                                                  |  |            |  |
| <b>Inspected By</b><br>ALEXANDER ALFARO                                         |  | <b>Inspection Type</b><br>ROUTINE INSPECTION                     |                                     | <b>Consent By</b><br>ABRAM CHANDLER  |                                         |                                                                                                                                                                                                  |  | <b>FSC</b> |  |
|                                                                                 |  |                                                                  |                                     |                                      |                                         |                                                                                                                                                                                                  |  |            |  |

  

| 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  |       |       |        |     |     | N   |
| 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  |       |       |        |     |     |     |
| 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                                        |     | X   |
| 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                          |     | X   |
| 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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|                                                                          |                                                          |                                  |
|--------------------------------------------------------------------------|----------------------------------------------------------|----------------------------------|
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| Program<br>PR0378660 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10 | Owner Name<br>ABRAM CHANDLER                             | Inspection Time<br>16:40 - 17:45 |
| 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

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

#### Inspector Observations:

*In the self service area, at the grab and go cooler, prepackaged salads were measured between 44-49. Inspector observed staff move the salads from the walk in cooler to the cooler about 30 minutes prior.*

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

*[COS] Salads were moved to the walk in cooler.*

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:

*Staff were observed drying wares with a cloth rag.*

*[CA] Equipment and utensils must be air dried or properly stored to facilitate drying after sanitizing.*

K32 - 2 Points - Food improperly labeled & not honestly presented: 114087, 114089, 114089.1(a, b), 114090, 114093.1

#### Inspector Observations:

*Facility prepackages salads for "grab n go" self service and lacks required labeling.*

*[CA] Food prepackaged in a food facility shall bear a label with the following:*

- 1) common name of the food,*
- 2) list of ingredients in descending order of predominance by weight,*
- 3) quantity of contents,*
- 4) name and place of business of the manufacturer, packer, or distributor.*

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

#### Inspector Observations:

*The restroom lacks a self closing device.*

*[CA] Toilet rooms shall be separated by well-fitted, self-closing doors that prevent the passage of flies, dust, or odors.*

### Performance-Based Inspection Questions

Needs Improvement - Communicable disease; reporting/restriction/exclusion.

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## Measured Observations

| Item                           | Location               | Measurement       | Comments |
|--------------------------------|------------------------|-------------------|----------|
| Ground Beef                    | Drawer Cooler          | 41.00 Fahrenheit  |          |
| Hot Dog                        | Walk in Cooler         | 40.00 Fahrenheit  |          |
| Water                          | Prep Sink              | 130.00 Fahrenheit |          |
| Ambient Air                    | Grab and Go Cooler     | 35.00 Fahrenheit  |          |
| Onion Rings                    | Upright Freezer        | 10.00 Fahrenheit  |          |
| Quaternary Ammonia - Sanitizer | Three Compartment Sink | 300.00 PPM        |          |
| Ice Cream                      | Ice Cream Top Freezer  | -5.00 Fahrenheit  |          |
| Burger Patty                   | Final Cook             | 170.00 Fahrenheit |          |
| Fries                          | Undercounter Freezer   | 10.00 Fahrenheit  |          |
| Sliced Tomatoes                | Prep Cooler            | 40.00 Fahrenheit  |          |
| Water                          | Hand Sinks - All       | 115.00 Fahrenheit |          |

## Overall Comments:

### Notes:

- Ensure to obtain A Food Safety Certificate within 60 days and Food Handler Cards for staff within 30 days from opening.
- Recommend moving the small prep table near the hand sink in the kitchen area to increase accessibility and encourage frequent hand washing.
- Ensure to display the Environmental Health permit in public view once obtained.
- Facility has added hot dogs, salads, and additional fried sides (onion rings and brussel sprouts) to the submitted and approved menu. Menu change approved.

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 3/25/2025. 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: Abram Chandler  
Owner  
Signed On: March 11, 2025