

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 FA0285417 - ROOSTER & RICE | | Site Address 1078 E BROKAW RD 40, SAN JOSE, CA 95131 | | Inspection Date 08/17/2023 | | Placard Color & Score <div style="background-color: green; color: black; padding: 10px; text-align: center;"> GREEN 82 </div> | | |
| Program PR0427890 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14 | | | Owner Name ROOSTER & RICE BROKAW, | | Inspection Time 14:00 - 15:40 | | | |
| Inspected By MANDEEP JHAJJ | | Inspection Type ROUTINE INSPECTION | | Consent By GASPER ORTIZ | | | | FSC PABLO ESCOBAR 4/9/27 |

| RISK FACTORS AND INTERVENTIONS | | IN | OUT | | COS/SA | N/O | N/A | PBI |
|--------------------------------|---|----|-------|-------|--------|-----|-----|-----|
| | | | Major | Minor | | | | |
| K01 | Demonstration of knowledge; food safety certification | X | | | | | | N |
| K02 | Communicable disease; reporting/restriction/exclusion | X | | | | | | |
| 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 | | | | N |
| K07 | Proper hot and cold holding temperatures | | | X | | | | N |
| K08 | Time as a public health control; procedures & records | | X | | 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 | | |
| 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 | |
| K49 | Permits available | |
| K58 | Placard properly displayed/posted | |

Comments and Observations

Major Violations

K08 - 8 Points - Improperly using time as a public health control procedures & records; 114000

Inspector Observations: *Poached eggs (around 7-8 left) and cooked chicken near cooking area lacks time marking. As per PIC, He forgot to put time stickers on these 2 containers but they are subject to 4 hour discard time like rest of the chicken containers. Cooked chicken in cooking area is just cooked 15 mins ago.*
[CA] *Provide written procedures and time marking for PHFs utilizing time as a public health control (TPHC).*
[COS] *PIC posted time markings on these foods. Told PIC to always write start time first on containers once food is ready/cooked/prepared.*

Minor Violations

K06 - 3 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

Inspector Observations: *Paper towel dispenser in front service areas paper inside dispenser. Loose paper towels available in basket near by.*
[CA] *Single-use sanitary towels shall be provided in dispensers; heated-air hand drying device may be substituted for single-use towels.*

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

Inspector Observations: *2 Raw chicken boxes inside walk-in cooler measured at 45F. As per PIC, the walk-in cooler is in use and this might lead to high temperature. Employee claims that it was working good this morning.*
[CA] *PHFs shall be held at 41°F or below or at 135°F or above.*
Told manager to remove chicken boxes to reach-in cooler. Monitor the walk-in cooler temperature and after 30 mins if it is not 41F, call for repair.
*This walk-in cooler also hold non phf like whole produce.*

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: *Walk-in cooler measured at 45F.*
[CA] *Refrigeration must be capable of maintaining PHFs at 41°F or below.*

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: *Prep sink faucet still leaks. Repeat violation.*
[CA] *All plumbing and plumbing fixtures shall be installed in compliance with applicable local plumbing ordinances, shall be maintained so as to prevent any contamination, and shall be kept clean, fully operative, and in good repair.*

Performance-Based Inspection Questions

Needs Improvement - Demonstration of knowledge; food manager certification.

Needs Improvement - Adequate handwash facilities: supplied or accessible.

Needs Improvement - Proper hot and cold holding temperatures.

Measured Observations

| Item | Location | Measurement | Comments |
|-------------------|------------------------|-------------------|----------|
| WHOLE CHICKEN | WALK-IN COOLER | 45.00 Fahrenheit | |
| FRIED CHICKEN | AFTER COOKING | 182.00 Fahrenheit | |
| WHITE RICE | WARMER | 142.00 Fahrenheit | |
| WALK-IN COOLER | KITCHEN | 45.00 Fahrenheit | |
| RAW EGGS | REACH-IN COOLER | 40.00 Fahrenheit | |
| MARINATED CHICKEN | REACH-IN COOLER | 40.00 Fahrenheit | |
| CHLORINE | DISHWASHER | 50.00 PPM | |
| HOT WATER | 3 COMP SINK, PREP SINK | 120.00 Fahrenheit | |
| WARM WATER | HAND SINK | 100.00 Fahrenheit | |

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Overall Comments:

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 8/31/2023. 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:

| | |
|--------|---------------------------------|
| [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: gasper ortiz
chef
Signed On: August 17, 2023