

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

- No Signature



OFFICIAL INSPECTION REPORT

Facility FA0208382 - PEANUTS CAFE		Site Address 275 E SAN FERNANDO ST, SAN JOSE, CA 95112		Inspection Date 10/10/2024		Placard Color & Score <div style="background-color: red; color: white; padding: 10px; text-align: center; font-size: 24px; font-weight: bold;">RED</div> <div style="background-color: black; color: white; padding: 10px; text-align: center; font-size: 36px; font-weight: bold;">74</div>		
Program PR0301012 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name HUH, JOSEPH		Inspection Time 15:00 - 16:10			
Inspected By ALEXANDER ALFARO		Inspection Type ROUTINE INSPECTION		Consent By JOSEPH HUH				FSC Not Available

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						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		
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		
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

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

Inspector Observations:

Sliced tomatoes were found at 67 in the two door prep cooler at around 3:00 pm. Per Joseph they had the tomatoes placed in the cooler at about 1:30 pm.

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

[COS] Plc agreed to place the tomatoes on time and set to discard at 5:30 pm.

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

Inspector Observations:

1. Live and dead bodies of all life stages were found throughout the facility. They were found on walls and concentrated behind openings in the coved bases of the facility particularly behind the cook line and near the two door upright cooler.

[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. Contact District Specialist to schedule a follow up inspection.

2. Flies were found throughout the facility.

[CA] Ensure to maintain the facility free of animals, pests, and vermin. Provide approved pest control as necessary.

Minor Violations

K01 - 3 Points - Inadequate demonstration of knowledge; food manager certification

Inspector Observations:

There is no Food Safety Certificate available upon request. Per Joseph, the previous food safety manager left three weeks ago.

[CA] Food facilities that prepare, handle, or serve non-prepackaged potentially hazard foods shall have a valid Food Safety Certificate available for review at all times.

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

Inspector Observations:

1. In the ware washing area, at the two compartment ware wash sink, the hot water handle is taped closed. Per Joseph, the handle doesn't close all the way unless taped down.

2. In the ware washinh area, at the prep sink, the cold water handle is taped closed. Per Joseph, the handle has the same issue as the ware wash sink.

[CA] An approved, adequate, protected, pressurized, potable supply of hot water and cold water shall be 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:

REPEAT VIOLATION: The two door prep cooler is not maintaining food at 41°F or below.

[CA] Refrigeration must be capable of maintaining PHFs at 41°F or below. Failure to comply may result in further enforcement from this department.

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

Inspector Observations:

1. In the kitchen area, behind the cook line, coving has gaps.

[CA] Repair holes in structure and maintain in good repair to prevent pest harborage.

2. REPEAT VIOLATION: The floor in front of the walk in cooler is in disrepair.

[CA] Ensure to maintain the floors, walls, and ceilings of the facility clean and in good repair.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
Chicken Wings	Upright Freezer	6.00 Fahrenheit	
Tomatoes	Prep Cooler	67.00 Fahrenheit	TPHC
Beverages	Two Door Sliding Cooler	32.00 Fahrenheit	
Sausages	Two Door Undercounter Cooler	40.00 Fahrenheit	
Water	Hand Washing Sink	100.00 Fahrenheit	
Beer	Beer Tap Cooler	31.00 Fahrenheit	
Water	Prep Sink	120.00 Fahrenheit	
Chorizo	Two Door Undercounter Cooler	39.00 Fahrenheit	
Chlorine - Sanitizer	Dishwasher Machine	50.00 PPM	

Overall Comments:

Please contact district specialist, Alexander Alfaro (alexander.alfaro@deh.sccgov.org), or DEH main line at (408)918-3400 once issue has been resolved for re-opening. 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.

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 **10/24/2024**. 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.

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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