

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 FA0208022 - LUV CAFE	Site Address 2444 ALVIN AV B, SAN JOSE, CA 95121	Inspection Date 01/02/2024
Program PR0301815 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 1 - FP09	Owner Name NGUYEN, TRAN	Inspection Time 15:10 - 16:00
Inspected By HENRY LUU	Inspection Type FOLLOW-UP INSPECTION	Consent By KATHY

Placard Color & Score GREEN N/A

Comments and Observations

Major Violations

Cited On: 12/28/2023

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

Compliance of this violation has been verified on: 01/02/2024

Cited On: 12/28/2023

K15 - 8 Points - Food not obtained from approved source; 113980, 113982, 114021-114031, 114041

Compliance of this violation has been verified on: 01/02/2024

Cited On: 01/02/2024

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

Inspector Observations: One dead mouse observed on floor below the storage shelf in the dry storage room.

Rodent droppings observed in the following areas:

- On floor below shelves inside the dry storage room.
- On floor in-between cases of beer in the far right side of the facility by the upright refrigerators.
- On floor under shelf and in-between boxes in the hallway leading to the restrooms.

Manager on site provided pest control report for review. Last service was conducted on 12/28/2023. Per report, company is only servicing for cockroaches. This Division recommends increasing scope of service to include rodents.

[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.

Clean and sanitize all affected areas.

[COS] Instructed kitchen employee to remove dead rodent and sanitize affected area.

Minor Violations

Cited On: 01/02/2024

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: Sanitizing solution at the three-compartment sink measured at 25 ppm chlorine. [CA] Manual sanitization shall be accomplished in the final sanitizing rinse by contacting a chlorine solution of 100 PPM concentration for at least 30 seconds or by contacting a quaternary ammonium solution of 200 PPM concentration for at least 60 seconds. [COS] Instructed kitchen employee to increase concentration of sanitizer. Solution measured at 100 PPM after COS.

Cited On: 12/28/2023

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

Inspector Observations: Large hole in dry wall at the far right side of the facility underneath labor law posters and where cases of alcoholic beverages are stored. [CA] Repair holes in structure and maintain in good repair to prevent pest harborage.

Measured Observations

Item	Location	Measurement	Comments
Warm water	Hand wash sink	100.00 Fahrenheit	
Milk	Three-door merchandiser	41.00 Fahrenheit	
Raw shelled eggs	Three-door reach-in refrigerator	42.00 Fahrenheit	
Precut sandwich meats	Three-door reach-in refrigerator	40.00 Fahrenheit	
Hot water	Three-compartment sink	130.00 Fahrenheit	

Overall Comments:

- On-site for follow-up inspection after facility earned a conditional pass during a routine inspection on 12/28/2023.
- Facility has corrected the following:
 - K07M - Improper hot and cold holding temperatures:
 - PHF items measured at 41F or below. See measured observations.
 - K15M - Food not obtained from approved source:
 - Facility has discontinued cooking food and only offering sandwiches with items that are already precooked and prewashed.
 - K35m - Equipment, utensils - unapproved:
 - Butane burners and deep fryer has been removed from the facility.
- Continue to address all violations noted on inspection reports.
- Discussed with manager on-site:
 - Obtaining Food Safety Certified (FSC) manager certificate - 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.
 - Only one FSC is required per facility. All other food handlers shall maintain a valid food handler card for the duration of his or her employment as food handler. A valid food handler card shall be provided within 30 days of after the date of hire.

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 **1/16/2024**. 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.

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: Kathy L.
Manager

Signed On: January 02, 2024