

# 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> FA0279184 - VOLTAIRE COFFEE HOUSE		<b>Site Address</b> 360 S MARKET ST 80, SAN JOSE, CA 95113		<b>Inspection Date</b> 02/20/2024		<b>Placard Color &amp; Score</b> <div style="background-color: green; color: white; padding: 10px; text-align: center;"> <b>GREEN</b>  <b>59</b> </div>		
<b>Program</b> PR0421276 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 1 - FP09			<b>Owner Name</b> KIM, VIAN		<b>Inspection Time</b> 10:20 - 13:20			
<b>Inspected By</b> GABRIEL GONZALEZ		<b>Inspection Type</b> ROUTINE INSPECTION		<b>Consent By</b> VIAN KIM				<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						
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				
K07	Proper hot and cold holding temperatures		X					N
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				N
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	X	
K28	Fruits and vegetables washed		
K29	Toxic substances properly identified, stored, used		
K30	Food storage: food storage containers identified	X	
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	X	
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	X	
K45	Floor, walls, ceilings: built, maintained, clean	X	
K46	No unapproved private home/living/sleeping quarters		
K47	Signs posted; last inspection report available	X	

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K48	Plan review		X
K49	Permits available		
K58	Placard properly displayed/posted		X

## Comments and Observations

### Major Violations

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

#### Inspector Observations:

**1. Half and Half creamer is stored on the counter top for customers out of temperature control that measured 72F. Per staff it had been placed out for less than 1 hour.**

**[CA] PHFs shall be held at 41°F or below or at 135°F or above. Facility may use ice for temperature control or use time as a public health control instead.**

**[COS] Facility time marked the half and half for discard at time of the inspection.**

**2. Milk gallons, chai latte, and nondairy milks are stored in a frozen tub under the coffee bar prep area that measured above 41F.**

**[CA] PHFs shall be held at 41°F or below or at 135°F or above. Facility may use ice in the tub for temperature control or use time as a public health control instead.**

**[COS] Staff placed ice into the tub for temperature control. Items were used before a second measurement was able to be taken.**

#### \*REPEAT VIOLATION\*

**3. Cream cheese in its original container was placed into a cold holding insert and measured 55F on top and 39F at the bottom. Top half of cream cheese was well above the fill line of the cold holding inserts.**

**[CA] PHFs shall be held at 41°F or below or at 135°F or above. Ensure that foods held in cold holding inserts are placed only to the fill line inside containers and single containers are used (do not double stack).**

### Minor Violations

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

#### Inspector Observations:

**The hand washing sink in the back of house was being blocked by a movable storage rack. A second hand washing station is available around the corner in the front of house.**

**[CA] Hand washing stations must be accessible to employees at all times. Relocate the storage rack.**

**[COS] Staff moved the rack at time of the inspection.**

K09 - 3 Points - Improper cooling methods; 114002, 114002.1

#### Inspector Observations:

**A 1/6th plastic hotel pan covered in plastic wrap is used to cool hardboiled eggs which measured at 55F.**

**[CA] Cool foods using approved containers which facilitate heat transfer, such as metal, and maintain uncovered or loosely covered.**

**[COS] Eggs were uncovered and later remeasured at 47F to ensure proper cooling.**

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

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**Inspector Observations:**

**1. Chlorine sanitizer at the sanitizing basin of the three compartment sink was measured at 50 ppm. No active warewash.**

**2. Chlorine sanitizer in red sanitizer bucket was measured at 50 ppm.**

**[CA] When manual sanitizing is being done ensure the sanitizer concentration is at 100 ppm for Chlorine and 200 ppm for Quat sanitizers.**

**3. The upper plastic portions of the ice machine interior has an accumulation of mold-like substance.**

**[CA] Clean and sanitize the affected areas.**

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

**Inspector Observations:**

**\*REPEAT VIOLATION\***

**The prep sink and three compartment sink did not reach a minimum of 120F after being ran for several minutes.**

**NOTE: The mop sink reached a temperature of 130F and is located under the water heater.**

**[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:**

**A dead cockroach was found in one of the cabinets near the front hand washing sink. No other activity was found.**

**[CA] Clean and sanitize area of dead cockroaches.**

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:**

**Facility is using the intermediary room between the garbage enclosure and the facility back entrance as storage for prepackaged, non-potentially hazardous foods and food storage items. Garbage and recyclables (old egg cartons, etc), are also stored in the same room amongst each other.**

**[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. Provide storage racks or other solution to identify food and food packaging from refuse.**

K30 - 2 Points - Food storage containers are not identified; 114047, 114049, 114051, 114053, 114055, 114067(h), 114069 (b)

**Inspector Observations:**

**Two containers of roasted coffee beans were stored on the floor behind the cashier station.**

**[CA] Food shall be stored at least 6 inches above the floor to prevent contamination.**

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\***

**Facility is using a residential egg steamer to cook hardboiled eggs.**

**[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).**

K39 - 2 Points - Thermometers missing or inaccurate; 114157, 114159

**Inspector Observations:**

**Thermometers in reach in cooler units are placed in the back of the units.**

**[CA] The thermometer in the reach-in refrigerator shall be placed where it is easily visible while checking refrigerator temperature and be placed in the warmest area of the unit.**

K44 - 2 Points - Premises not clean, not in good repair; No personal/chemical storage; inadequate vermin-proofing; 114067(j), 114123, 114143 (a,b), 114256, 114256.1, 114256.2, 114256.4, 114257, 114257.1, 114259, 114259.2, 114259.3, 114279, 114281, 114282

**Inspector Observations:**

**Facility has several equipment that is not used for their operation I.E. Food Saver (vacuum sealer) and shaved ice machine.**

**[CA] The premises of a food facility shall be free of litter and items that are unnecessary to the operation or maintenance of the facility, such as equipment that is nonfunctional or no longer used.**

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

**Inspector Observations:**

**1. The ceiling above the mop sink where the water heater is installed has open crevices leading to the upper portion of the building.**

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

**2. The floor in the coffee bean roasting area has an accumulation of whole coffee beans and roasted coffee bean debris.**

**[CA] Walls and/or floors in food preparation area shall be kept clean.**

K47 - 2 Points - Signs not posted; last inspection report not available; 113725.1, 113953.5, 113978, 114381(e)

**Inspector Observations:**

**The environmental health permit is not posted within the publics view. Per PIC the permit was stolen in a robbery.**

**[CA] The health permit issued by this department shall be posted in a conspicuous place in the food facility.**

K48 - 2 Points - Plan review unapproved; 114380

**Inspector Observations:**

**The facility is cooking eggs with a NSF convection oven.**

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

K58 - 2 Points - Placard not properly displayed/posted

**Inspector Observations:**

**The placard is not posted in the facility. Per PIC the placard was stolen in a robbery.**

**[CA] The placard shall be posted and clearly visible to the general public and patrons entering the food establishment.**

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## Performance-Based Inspection Questions

Needs Improvement - Food contact surfaces clean, sanitized.  
Needs Improvement - Proper hot and cold holding temperatures.

## Measured Observations

Item	Location	Measurement	Comments
Baked Eggs	Cooling Rack	72.00 Fahrenheit	Actively Cooling (less than 2 hours).
Boiled Eggs	Prep Cooler (bottom)	55.00 Fahrenheit	Actively cooling.
Water	Prep Sink	113.00 Fahrenheit	
Water	Three Compartment Sink	111.00 Fahrenheit	
Water	Hand Washing Sink - BOH, FOH, Restroom	100.00 Fahrenheit	
Cream Cheese	Cooler (insert)	55.00 Fahrenheit	Remeasured to 41F.
Sliced tomatoes	Prep Cooler (insert)	36.00 Fahrenheit	
Half and Half	Counter Top	72.00 Fahrenheit	Marked for discard
Precooked Bacon	Single Door Reach in Freezer	22.00 Fahrenheit	IR
Chai Latte	Frozen Tub	48.00 Fahrenheit	Item was placed in ice bath
Half and Half	Under Counter Refrigeration Unit	36.00 Fahrenheit	
Water	Mop Sink	130.00 Fahrenheit	
Milk	Frozen Tub	43.00 Fahrenheit	Item was placed in ice bath
Chlorine	Sanitizer Bucket and Three Compartment Sink	50.00 PPM	Adjusted to 100 ppm.

## Overall Comments:

**Facility is preparing raw eggs by baking and steaming/boiling. Facility will be evaluated for a permit category change to FP10, which may require plan check, unless food preparation is ceased.**

**Joint inspection with Alex Alfaro.**

**Report was written by Alex.**

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 **3/5/2024**. 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: Vian Kim  
Owner  
Signed On: February 20, 2024