

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 FA0289165 - HAPPY LEMON - GILROY		Site Address 8155 ARROYO CL 2, GILROY, CA 95020		Inspection Date 09/04/2025		Placard Color & Score YELLOW 69		
Program PR0433550 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 1 - FP09			Owner Name T ROCK INC		Inspection Time 14:45 - 15:45			
Inspected By GUILLERMO VAZQUEZ		Inspection Type ROUTINE INSPECTION		Consent By CHRISTIAN P.				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				S
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						
K08	Time as a public health control; procedures & records		X					N
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						S
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	X	
K34	Warewash facilities: installed/maintained; test strips		
K35	Equipment, utensils: Approved, in good repair, adequate capacity		
K36	Equipment, utensils, linens: Proper storage and use	X	
K37	Vending machines		
K38	Adequate ventilation/lighting; designated areas, use		
K39	Thermometers provided, accurate		X
K40	Wiping cloths: properly used, stored		X
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		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

K06 - 8 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

Inspector Observations: *All hand wash station within the prep area have issues at the time of inspection. Hand wash either blocked or missing paper towels/soap in dispensers.*

[CA] *Hand washing facility shall be clean, unobstructed, and accessible at all times.*

Follow-up By
09/09/2025

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

Inspector Observations: *TPHC procedures are not being followed at the time of inspection. No label noted at the time of inspection.*

[CA] *When time only, rather than time and temperature is used as a public health control, PHFs shall be time marked to indicate when item is removed from temperature control, discarded if not consumed or served within 4 hours, and written procedures shall be readily available for review.*

Follow-up By
09/09/2025

Minor Violations

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

Inspector Observations: *Unable to provide food handler cards and a food manger certification at the time of inspection.*

[CA] *Each food handler 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.*

REPEAT VIOLATION. *Failure to comply may result in enforcement action.*

Follow-up By
09/09/2025

K33 - 2 Points - Nonfood contact surfaces not clean; 114115(c)

Inspector Observations: *Silicon around the dump sink in front of store and around the walls has a mold like substance.*

[CA] *Nonfood-contact surfaces of equipment shall be kept free of an accumulation of dust, dirt, food residue, and other debris.*

K36 - 2 Points - Equipment, utensils, linens: Improper storage and use; 114074, 114081, 114119, 114121, 114161, 114178, 114179, 114083, 114185, 114185.2, 114185.3, 114185.4, 114185.5

Inspector Observations: *Scoops are directly inside of the bulk containers at the time of inspection.*

[CA] *Store scoop handle in such a way that the handle does not come in direct contact with food to prevent contamination.*

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

Inspector Observations: *Unable to provide a food probe thermometer at the time of inspection.*

[CA] *An accurate easily readable metal probe thermometer (accurate to +/- 2°F) that is designed to measure the temperature of thin masses shall be provided and readily available to accurately measure the temperatures of potentially hazardous foods.*

K40 - 2 Points - Wiping cloths: improperly used and stored; 114135, 114185.1 114185.3(d,e)

Inspector Observations: *Multiple wiping cloths out of sanitizer solution at the time of inspection.*

[CA] *Wiping towels shall be stored in sanitizing solution of an approved concentration when not in use (100 ppm - chlorine, 200 ppm - quaternary ammonium).*

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: *Drain pipe for the prep sink is inside of floor sink.*

[CA] *All equipment that discharges liquid waste shall be drained by means of indirect waste pipes, and all wastes drained by them shall discharge through an airgap into a floor sink or other approved type of receptor.*

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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: Heavy food debris noted around the waffle maker and portable deep fryer.

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

Performance-Based Inspection Questions

Needs Improvement - Time as a public health control; procedures & records.

Needs Improvement - Adequate handwash facilities: supplied or accessible.

Measured Observations

Item	Location	Measurement	Comments
Hot water	3-Compartment/prep/mop sinks	120.00 Fahrenheit	
Raw chicken	Reach in	38.00 Fahrenheit	
Warm water	Hand wash/restroom	100.00 Fahrenheit	
Milk	Reach in	39.00 Fahrenheit	
Ambient	Reach in freezer	5.00 Fahrenheit	
Jelly	Prep table	39.00 Fahrenheit	
Cut fruit	Prep table	39.00 Fahrenheit	

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 **9/18/2025**. 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: Christian P.
Supervisor

Signed On: September 04, 2025