

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 FA0202114 - LOS GATOS CAFE		Site Address 340 N SANTA CRUZ AV, LOS GATOS, CA 95030		Inspection Date 01/08/2024	
Program PR0301059 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name MORCATE, ROBERT& RENO		Inspection Time 13:30 - 15:50
Inspected By FRANK LEONG	Inspection Type ROUTINE INSPECTION	Consent By ROBERT MORCATE	FSC SHEILA RENO 03/01/2027		

Placard Color & Score
RED
72

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		X			N
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		X			N

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: *In the kitchen area, to the left of the cookline, on the counter-top, measured whipped eggs at 90F and raw shelled eggs at 75F. In the kitchen area, on a container rack above the prep unit, measured cooked sausages at 65F. Per operator, whipped eggs stored on the counter for 25 minutes, raw shelled eggs stored on the counter for 30 minutes, and cooked sausages stored on the container rack for 30 minutes. [CA] Ensure potentially hazardous foods are held cold at 41F and below or held hot at 135F and above to prevent bacterial growth. [SA] Operator discarded whipped eggs and cooked sausages at the end of lunch service within an hour. Operator moved raw shelled eggs to nearby refrigeration to facilitate proper holding temperatures.*

Follow-up By
01/11/2024

K09 - 8 Points - Improper cooling methods; 114002, 114002.1

Inspector Observations: *In the kitchen area, in the walk-in refrigerator, measured three large covered containers of chopped cooked potatoes at 72F, 85F, and 65F. Per operator, potatoes were prepared at 9:00am. [CA] Ensure potentially hazardous foods are RAPIDLY cooled from 135F to 70F within 2 hours, and then from 70F to 41F within 4 hours. Cooling shall be facilitated by one or more of the following methods: using an ice bath; by adding ice/cold water directly to food; using shallow containers; separating food into smaller portions; and/or using rapid cooling technology. [COS] Operator VC&D three large containers of cooked potatoes due to improper cooling.*

Follow-up By
01/11/2024

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

Inspector Observations: *In the kitchen area, on the shelving above the wooden prep counter-top, between the shelf and the wall, observed 4 live cockroaches of various life stages. In the same area, at the corner shelving, observed a single live adult cockroach between the shelf and the wall. In the kitchen area, across from the cookline, above the 2 door prep unit, on the stainless steel shelving, observed a live adult cockroach on the left edge and a medium cockroach on the right edge. [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). Operation shall cease within the food facility immediately. Clean and sanitize all areas with activity. Seal all cracks and crevices to prevent further harborage. Contact pest control to provide service for facility. During follow-up inspection, no live activity shall be observed, or facility will continue to remain closed. Any subsequent follow-up inspection after the first will be charged at an hourly rate of \$290.00. All after-hours and weekend inspections will be charged \$629.00 (2 hour minimum). Contact district inspector at 408-918-1955 to schedule follow-up inspection.*

Follow-up By
01/11/2024

Minor Violations

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: *Observed the installation of wooden shelving and particle board shelving in the kitchen area. Observed heavy wear on shelving and accumulation of debris. [CA] Ensure all installed shelving within the facility is smooth, durable, and easily cleanable. Discontinue use of unapproved shelving materials to prevent possible harborage of vermin.*

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

Inspector Observations: *On the floors below and walls behind the cookline and prep counters, observed accumulation of food debris. In the prep area, on the ceiling by the make-up air unit, observed accumulation of dust and debris. [CA] Ensure facility floors and walls are regularly cleaned and maintained to prevent harborage of vermin. Clean and maintain ceilings to prevent possible contamination.*

In the kitchen area, on wall shelving installed in the area, observed cracks and crevices between and behind shelving. [CA] Ensure all cracks and crevices are properly sealed to prevent harborage of vermin.

Performance-Based Inspection Questions

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Needs Improvement - No rodents, insects, birds, or animals.
Needs Improvement - Proper cooling methods.

Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
cooked sausages	undercounter drawer unit	41.00 Fahrenheit	
raw shelled eggs	walk-in refrigerator	37.00 Fahrenheit	
raw hamburger patty	undercounter drawer unit	41.00 Fahrenheit	
hot water	spray sink	120.00 Fahrenheit	
cut tomatoes	2 door prep unit	40.00 Fahrenheit	
cooked mushrooms	undercounter drawer unit	41.00 Fahrenheit	
cooked sausages	undercounter drawer unit	41.00 Fahrenheit	
warm water	handwash sink	100.00 Fahrenheit	
salsa	walk-in refrigerator	38.00 Fahrenheit	
chlorine sanitizer	warewash machine	50.00 PPM	
raw shelled eggs	counter-top	75.00 Fahrenheit	
sliced pastrami	2 door prep unit	41.00 Fahrenheit	
whipped eggs	counter-top	90.00 Fahrenheit	
orange juice	2 door undercounter refrigerator	41.00 Fahrenheit	
whipped cream	2 door undercounter refrigerator	41.00 Fahrenheit	
cooked potatoes	walk-in refrigerator	85.00 Fahrenheit	
sliced ham	2 door prep unit	41.00 Fahrenheit	

Overall Comments:

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 **1/22/2024**. 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.

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: ROBERT MORCATE
MANAGER

Signed On: January 08, 2024