

**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 FA0257293 - JONTY'S		Site Address 17300 DEPOT ST, MORGAN HILL, CA 95037	Inspection Date 12/14/2023
Program PR0376155 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10		Owner Name NGUYEN, PAUL	Inspection Time 16:00 - 17:00
Inspected By GINA STIEHR	Inspection Type FOLLOW-UP INSPECTION	Consent By KIM	

Placard Color & Score <b>RED</b> <b>N/A</b>
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**Comments and Observations**

**Major Violations**

Cited On: 12/06/2023

K05 - 8 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

**This violation found not in compliance on 12/14/2023. See details below.**

Cited On: 12/06/2023

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

**This violation found not in compliance on 12/14/2023. See details below.**

Cited On: 12/14/2023

K14 - 8 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: Employee was washing containers in food preparation sink without sanitizing equipment and utensils. Observed 3 compartment sink was blocked by cutting board.**

**[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. Manual ware wash shall be done in 3 compartment sink. Food preparation sink is for food preparation.**

Cited On: 12/14/2023

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

**Inspector Observations: 15+ flies in facility observed. Flies landed on food preparation table, food racks, employee, inspectors, wiping clothes and open food containers**

**[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.**

**Minor Violations**

Cited On: 12/14/2023

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: 2 containers of lettuce, 1 container of raw meat were stored at the back area outside the facility.**

**Per operator, food will not be stored outdoor overnight. All the food will move back to food facility at the end of the day.**

**[CA] Food preparation shall be conducted within an approved fully enclosed food facility. Food or food related equipment shall be stored in an approved fully enclosed food facility.**

Cited On: 12/06/2023

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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**This violation found not in compliance on 12/14/2023. See details below.**

Cited On: 12/14/2023

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: Pass through window was bigger than 216 sq. inches and back screen door was opened at the time of inspection.**

**[CA]Passthrough window service openings shall be limited to 216 square inches each. The service openings shall not be closer together than 18 inches. Each opening shall be provided with a solid or screened window, equipped with a self-closing device. Screening shall be at least 16 mesh per square inch. Passthrough windows of up to 432 square inches are APPROVED if equipped with an air curtain device. The counter surface of the service openings shall be SMOOTH and EASILY CLEANABLE.**

**Maintain screen door close to prevent vermin entry.**

## Measured Observations

Item	Location	Measurement	Comments
Shrimp roll	Fridge	56.00 Fahrenheit	time stamp at 3pm. Current time at 4pm. Per operator, facility will be closed at 5:30 and any leftover will be discarded.
Cooked pork	On top of oven	138.00 Fahrenheit	Cooling

## Overall Comments:

**Follow up inspection:**

**Joint inspection by Gina Stiehr and Emily Ip. The inspection report written by Emily Ip.**

**Facility is closed by this office due to flies infestation. Cease and desist all food preparation. Contact this office for re-inspection when ALL violations dated on 12/06/2023 and today are corrected.**

**Next follow up shall be billed \$290/hr during business hours and \$629/hr during non business hours upon availability. Failure to comply may result in enforcement action.**

## 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 **12/28/2023**. 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



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**Received By:** kim hoang  
Manager

**Signed On:** December 14, 2023