

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 FA0260937 - THE COUNTER		Site Address 3055 OLIN AV 1035, SAN JOSE, CA 95128		Inspection Date 06/24/2026		Placard Color & Score GREEN 81		
Program PR0382543 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name MUKESH KUMAR		Inspection Time 14:05 - 15:20			
Inspected By HINA WYNE		Inspection Type ROUTINE INSPECTION		Consent By EAIN BO BO TUN				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				
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	X			
K07	Proper hot and cold holding temperatures			X	X			
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						
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	X	
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		
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	X	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	X	X
K45	Floor, walls, ceilings: built, maintained, clean		
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

No major violations were observed during this inspection.

Minor Violations

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

Inspector Observations: Lack Food Safety Certification.

[CA] 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.

Lack Food handlers cards, except for one employees had a e-copy.

[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.

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

Inspector Observations: One handwashing sink out of two had empty soap dispenser.

[CA] Provide handwashing cleanser in dispenser at handwash stations at all times.

[COS] PIC refilled the soap dispenser.

K07 - 3 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

Inspector Observations: Right side of the hot holding unit was measured 125F.

[CA] PHFs shall be held at 41°F or below or at 135°F or above.

[COS] PIC adjusted the temperature setting and it reached 135F in 30 minutes.

K29 - 2 Points - Toxic substances improperly identified, stored, used; 114254, 114254.1, 114254.2

Inspector Observations: Lack common name for the sanitizer spray bottle

[CA] Chemicals once removed from original container shall be labeled with common name.

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

Inspector Observations:

Lack label for the larger container.

[CA] Working containers holding food or food ingredients that are removed from their original packages shall be identified with the common name of the food if not easily recognizable.

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

Inspector Observations: Dirty wiping cloth was left on the prep cooler cutting board.

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

[COS] Wiping cloth was left in a laundry basket.

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: Janitorial sink faucet was leaking.

[CA] Fix/repair leaking faucet.

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: After use, mop was left on floor.

[CA] After use, mops shall be placed in a position that allows them to air-dry without soiling walls, equipment, or supplies.

[COS] PIC hanged the mop.

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Performance-Based Inspection Questions

N/A

Measured Observations

Item	Location	Measurement	Comments
CORN	COLD HOLDING	40.00 Fahrenheit	
HOT WATER	3-COMP SINK	120.00 Fahrenheit	
BEEF PATTIE	DRAWER REFRIGERATION	40.00 Fahrenheit	
GROUND BEEF	HOT HOLDING	155.00 Fahrenheit	
TOMATOES	COLD HOLDING	40.00 Fahrenheit	
CHLORINE SANITIZER	DISHWASHER	100.00 PPM	
HOT WATER	HAND WASHING	100.00 Fahrenheit	
MILK	REFRIGERATION	40.00 Fahrenheit	
TOMATO PASTE	WALKIN COOLER - COOLING	70.00 Fahrenheit	
QA SANITIZER	BAR SINK	200.00 PPM	
HOT WATER	HANDWASHING RESTROOM	100.00 Fahrenheit	
CHICKEN WINGS	WALK IN COOLER	40.00 Fahrenheit	
GUCAMOLIE	COLD HOLDING	40.00 Fahrenheit	
HOT WATER	FOOD PREP SINK	120.00 Fahrenheit	
BACONS	HOT HOLDING	125.00 Fahrenheit	
MUSHROOMS	HOT HOLDING	127.00 Fahrenheit	
GLAZED ONIONS	HOT HOLDING	125.00 Fahrenheit	
TOMATO PASTE	HOT HOLDING	136.00 Fahrenheit	
CHICKEN	DRAWER REFRIGERATION	40.00 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 **7/8/2026**. 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: Eaint Bo Bo Tun
PIC
Signed On: June 24, 2026