

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 - COUNTER, THE		Site Address 3055 OLIN AV 13040, SAN JOSE, CA 95128		Inspection Date 10/22/2019	
Program PR0382543 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name THE COUNTER SANTANA RC		Inspection Time 16:00 - 17:30
Inspected By JASLEEN PURI	Inspection Type ROUTINE INSPECTION	Consent By MIKE MORENO	FSC Not Available		

Placard Color & Score
GREEN
90

RISK FACTORS AND INTERVENTIO	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		
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 PRACTICE	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		
K36 Equipment, utensils, linens: Proper storage and use	X	
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	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		
K46 No unapproved private home/living/sleeping quarters		
K47 Signs posted; last inspection report available		
K48 Plan review		
K49 Permits available		
K58 Placard properly displayed/posted		

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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: Observed expired food safety manager certificate. [CA] Ensure owner or PIC has a valid food safety manager certificate and keep certificate on file in facility for review by specialist.

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

Inspector Observations: Measured the internal temperature of soft serve mix containing milk ranging 44-46F in machine. Per PIC, mix was put in machine at 1pm today. [CA] Maintain pHF for cold holding at 41F or less. [COS] Employees used ice to bring down temperature of mix.

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: Observed packages of single use articles (cups, lids) stored on shelf outside. [CA] Discontinue storing single use articles outside. Store single use articles inside permitted kitchen.

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: Pipe from back ice machine is inside floor sink. [CA] Provide a minimum one inch air gap between back ice machine drain pipe and flood level rim of floor sink.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
cut tomatoes	walk-in-cooler	40.00 Fahrenheit	
cheese	upright cooler	41.00 Fahrenheit	
turkey chilli	walk-in-cooler	39.00 Fahrenheit	
fries	walk-in-freezer	4.00 Fahrenheit	
hot water	high temp dishwashing machine	160.00 Fahrenheit	thermolabel
hot water	3-comp-sinks - kitchen & bar /prep sink	120.00 Fahrenheit	
milk	reach down cooler	40.00 Fahrenheit	
ice cream	walk-in-freezer	5.00 Fahrenheit	
cut tomatoes	cold holding prep	40.00 Fahrenheit	
cheese	cold holding prep	40.00 Fahrenheit	
raw beef	cold drawer	39.00 Fahrenheit	
chicken	reach in cooler	40.00 Fahrenheit	
raw chicken	walk-in-cooler	40.00 Fahrenheit	
hot water	handsinks - kitchen, bar, restrooms	100.00 Fahrenheit	
quat	3-comp-sink - kitchen & bar	200.00 PPM	

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 **11/5/2019**. 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.

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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



Received By: Mike Moreno
Manager

Signed On: October 22, 2019