

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 FA0286327 - QUEEN FRESH FRUIT		Site Address 1111 STORY RD #1029, SAN JOSE, CA 95122		Inspection Date 07/27/2023		Placard Color & Score YELLOW 72
Program PR0429358 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 1 - FP09			Owner Name LAM, LE		Inspection Time 14:10 - 15:10	
Inspected By HENRY LUU	Inspection Type ROUTINE INSPECTION	Consent By LAM TRAN	FSC Exempt			

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			N
K07 Proper hot and cold holding temperatures						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		X			N
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			

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		
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

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

Inspector Observations: The only hand wash station in the facility lacked paper towels and hand soap. [CA] Handwashing facilities shall be equipped with handwashing cleanser and single-use sanitary towels in dispensers. [COS] PIC provided both hand soap and paper towels.

Follow-up By
08/02/2023

K15 - 8 Points - Food not obtained from approved source; 113980, 113982, 114021-114031, 114041

Inspector Observations: Container of steamed sticky rice with mung bean and pork maintained out in ambient temperature. PIC stated that food items were provided by the previous owners of the facility who prepare the food at home.

Follow-up By
08/02/2023

[CA] Food must be from an approved source or properly documented. Discontinue sales of food item. Any food that is stored, prepared, packaged, served, vended, or otherwise provided for human consumption at the retail level must be handled in an approved food facility. [COS] PIC removed items from sales floor.

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

Inspector Observations: Dying cockroach observed on floor in front of upright refrigerator.

Follow-up By
08/02/2023

Dead cockroaches observed in the following areas:

- On floor underneath preparation tables.
- Inside plastic bag attached to the water heater holding the service manuals.
- On cobwebs underneath preparation tables.
- On sales floor.

Facility was serviced by pest control company on 7/23/2023. Pest control report was provided and reviewed during inspection.

[CA] Clean and sanitize area of dead cockroaches. 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. [COS] PIC abated dying cockroach.

Heavy presence of fruit flies underneath the food preparation sink.

[CA] Food facility shall be kept free of non-disease carrying insects, weevils, ants, gnats, and fruit flies.

Minor Violations

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

Inspector Observations: Heavy accumulation of debris and food residues observed on preparation tables and equipment.

[CA] Nonfood-contact surfaces of equipment shall be kept free of an accumulation of dust, dirt, food residue, and other debris. Equipment food-contact surfaces and utensils shall be clean to sight and touch.

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

Inspector Observations: Observed heavy accumulation of debris and sticky residue on floors throughout facility. [CA] Walls and/or floors in food preparation area shall be kept clean. Regularly clean under equipment to prevent accumulation of debris.

Performance-Based Inspection Questions

- Needs Improvement - Food obtained from approved source.
- Needs Improvement - Adequate handwash facilities: supplied or accessible.

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Measured Observations

Item	Location	Measurement	Comments
Hot water	Three-compartment sink	124.00 Fahrenheit	
Warm water	Hand wash sink	101.00 Fahrenheit	
Ambient	Merchandiser refrigerator	39.00 Fahrenheit	

Overall Comments:

- Two or more major violations were observed during the routine inspection.

- A follow-up inspection will be conducted to verify compliance of all major violations.

- Subsequent follow-up inspection after first follow-up shall be billed \$290/hour, minimum one hour, during normal business hours (Monday - Friday, 7:30 AM to 4:30 PM), and \$629/hour, minimum two hours, during non-business hours, and upon inspector availability.

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 **8/10/2023**. 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.

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: Phuong
PIC
Signed On: July 27, 2023