

County of Santa Clara

Department of Environmental Health

Consumer Protection Division

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Phone (408) 918-3400 www.ehinfo.org



OFFICIAL INSPECTION REPORT

Facility FA0273981 - LOVING HUT VALLEY FAIR		Site Address 2855 STEVENS CREEK BL 2459, SANTA CLARA, CA		Inspection Date 07/27/2022	
Program PR0414376 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name VEGAN EXPRESS CORPORA		Inspection Time 13:55 - 15:15
Inspected By MELISSA GONZALEZ	Inspection Type ROUTINE INSPECTION		Consent By ANDY NGUYEN	FSC Not Available	

Placard Color & Score

YELLOW

69

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	X			S
K07 Proper hot and cold holding temperatures		X		X			N
K08 Time as a public health control; procedures & records		X		X			N
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		
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	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	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		

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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: MAJOR: Measured shrimp-shape tofu at 52F in cold prep unit insert across from stove. Ambient temperature of cold prep unit measured at 50F.

MINOR: Measured vegetable samosa at 44F stored above cold prep inserts in rear food prep.

[CA] Maintain cold PHFs at or below 41F at all times. [COS/SA- MAJOR] Operator adjusted unit which lowered to 46F, however not able to hold PHFs below 41F. PHFs relocated to adjacent working cold prep unit.

Follow-up By
08/01/2022

K08 - 8 Points - Improperly using time as a public health control procedures & records; 114000

Inspector Observations: Foods on TPHC, such as vegetable egg roll, samosas, cold noodles and cooked vegetables stored at room temperature were not time-marked or otherwise identified to indicate time removed from temperature control at front service line. Per PIC, foods were placed out 2 hours prior and current timer only goes up to 1 hour. PIC also stated other time with "hour" settings broke. TPHC written procedures are not available for review upon request.

[CA] If time only, rather than time in conjunction with temperature, is used as the public health control for a working supply of potentially hazardous food before cooking or for ready-to-eat potentially hazardous food that is displayed or held for service for immediate consumption, the following shall occur:

(1) The food shall be marked or otherwise identified to indicate the time that is four hours past the point in time when the food is removed from temperature control.

(2) The food shall be cooked and served, served if ready-to-eat, or discarded within four hours from the point in time when the food is removed from temperature control.

(3) The food in unmarked containers or packages or marked to exceed a four-hour limit shall be discarded.

(4) Written procedures shall be maintained in the food facility and made available to the enforcement agency upon request, that ensure compliance with this section and Section 114002, for food that is prepared, cooked, and refrigerated before time is used as a public health control.

[COS] PIC time marked foods with existing timer. TPHC handout provided to operator to complete and return to specialist at follow-up inspection. Maintain SOP's available upon request for review.

Follow-up By
08/01/2022

Minor Violations

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

Inspector Observations: Food safety certificate is expired. [CA] Food facilities that prepare, handle, or serve non-prepackaged potentially hazard foods shall have a valid Food Safety Certificate for at least one person and food handler cards for the remaining employees available for review at all times. Maintain record of food safety certificate on file within facility and readily available upon request.

Lack of food handler cards available within facility. [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. Maintain record of food handler cards on file within facility and readily available upon request

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

Inspector Observations: Container of lettuce stored at handsink. Handsink at front is unobstructed and easily accessible for use. [CA] Maintain handsinks unobstructed and easily accessible at all times. [COS] PIC relocated lettuce to prep table.

K23 - 3 Points - Observed rodents, insects, birds, or animals; 114259.1, 114259.4, 114259.5

Inspector Observations: Fruit flies observed in dry storage area. [CA] Food facility shall be kept free of non-disease carrying insects, weevils, ants, gnats, and fruit flies. Remove fruit flies through an approved manner and contact licensed pest control if activity persists.

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

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Inspector Observations: Containers and boxes of food stored on floor in walk in cooler and walk in freezer. Also, bag of carrots stored on floor in prep area and boxes of oil on floor in storage area. [CA] Food shall be stored at least 6 inches above the floor on approved shelving to prevent contamination.

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: 1.) Plastic to go bags used as food storage for produce and cooked noodles. [CA] Discard and discontinue use of unapproved plastic bags. Use only NSF/ANSI approved containers of food grade storage bags for storing foods.

2.) Cold prep unit in front food prep area is not maintaining PHFs at or below 41F. Ambient temperature of unit measured at 50F. PIC attempted to lower temperature however ambient temperature was still measuring above 41F.

[CA] Refrigeration must be capable of maintaining PHFs at 41°F or below. Repair/ replace unit and maintain equipment in good repair.

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: Water leaking from draining equipment of wok station. [CA] Repair leak and maintain pipes in good repair.

Performance-Based Inspection Questions

Needs Improvement - Proper hot and cold holding temperatures.
Needs Improvement - Time as a public health control; procedures & records.

Measured Observations

Item	Location	Measurement	Comments
cooked noodles	walk in cooler	38.00 Fahrenheit	
hot water	food prep sink	120.00 Fahrenheit	
cooked noodles	counter @ room temp	80.00 Fahrenheit	cooling for less than 2 hours
cooked tofu	container @ room temp	138.00 Fahrenheit	actively cooling
cooked noodles	walk in cooler	41.00 Fahrenheit	
cooked tofu, shrimp-shape	sliding glass door	40.00 Fahrenheit	
cooked tofu, shrimp-shape	cold prep unit 2 - insert	52.00 Fahrenheit	
samosas	above cold prep unit @ room temp	43.00 Fahrenheit	
cooked eggplant tofu	hot hold steam line	149.00 Fahrenheit	
cooked tofu	cold prep unit 1 - insert	40.00 Fahrenheit	
samosas	walk in freezer	14.00 Fahrenheit	
cooked tofu	sliding glass door	0.00 Fahrenheit	
bean sprouts	cold prep unit 3 - inserts	41.00 Fahrenheit	
cooked tofu curry	hot hold steam line	150.00 Fahrenheit	
cooked tofu	cold prep unit 3 - door	40.00 Fahrenheit	
cooked rice	hot hold steam line	148.00 Fahrenheit	
hot water	handsink - front	100.00 Fahrenheit	
hot water	3 comp warewash sink	120.00 Fahrenheit	
cooked chick peas marsala	hot hold steam line	151.00 Fahrenheit	
cooked tofu	cold prep unit 1 - door	40.00 Fahrenheit	
hot water	handsink - rear	100.00 Fahrenheit	
cooked noodles	cold prep unit 2 - inserts	66.00 Fahrenheit	cooling for less than 2 hours

Overall Comments:

Follow-up inspection will be conducted within 3 business days to follow up on major violations. Ensure major violations are corrected and kept in compliance. Failure to comply will result in second re-inspection charged at \$219/hr for a minimum 1 hour charge, billed to facility. Do not remove, discard, cover-up or tamper with yellow placard. Failure to comply will result in enforcement actions. Contact district specialist at (408) 712-8802 to schedule follow-up inspection.

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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 **8/10/2022**. 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: ANDY NGUYEN
PIC

Signed On: July 27, 2022