

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

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| Facility FA0210915 - WILLOW DEN | Site Address 803 LINCOLN AV, SAN JOSE, CA 95126 | Inspection Date 04/16/2021 |
| Program PR0306423 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 1 - FP09 | Owner Name BAT CAVE ENTERPRISES LL | Inspection Time 15:30 - 16:50 |
| Inspected By KANE BETHEA | Inspection Type HEALTH ORDER INVESTIGATION | Consent By NO ONE PRESENT |

Placard Color

RED

Overall Comments:

THE PURPOSE OF THIS VISIT IS TO FOLLOW UP ON THE PERMIT SUSPENSION THAT BEGAN 4/15/21 AND MUST REMAIN IN EFFECT THROUGH 4/19/21. THE PERMIT SUSPENSION IS THE RESULT OF THE ADMINISTRATIVE HEARING THAT WAS HELD ON 4/6/21. THE 4/8/21 NOTICE OF FINDINGS - SUSPENSION OR REVOCATION OF THE PERMIT TO OPERATE. YOU MAY NOT SELL OPERATE OR PREPARE ANY FOOD DURING THE PERIOD OF CLOSURE.

OBSERVATIONS: RED CLOSURE PLACARD WAS REMOVED FROM THE FRONT OF THE BUILDING WHERE IT WAS PLACED YESTERDAY 4/15/21. OBSERVED 5 VEHICLES IN PARKING LOT BEHIND FACILITY. KNOCKED AT FRONT DOOR TWICE BUT THERE WAS NO ANSWER. THE FACILITY PHONE NUMBER WAS UNREACHABLE AND VOICE MAIL WAS NOT ACCEPTING MESSAGES AT THIS TIME. RECEIVED A TEXT MESSAGE FROM FACILITY PHONE NUMBER THAT SAID "PLEASE TEXT ME." I RESPONDED TO INTRODUCE MYSELF AND ASKED THE QUESTION "IS ANYONE AT WILLOW DEN AT THIS TIME?" RECEIVED NO REPLY AFTER TEXT AT 4:25PM.

ISSUED A SECOND RED CLOSURE PLACARD TODAY AND PLACED AT THE FRONT OF THE BUILDING NEXT TO THE FRONT DOOR. THE PLACARD MAY NOT BE REMOVED OR TAMPERED WITH.

Notice of Permit Suspension Immediate Closure Required

Pursuant to County Ordinance Code section B11-34 and California Health and Safety Code sections 113715 and 114409, the permit to operate your food facility is hereby suspended. **You are ordered to immediately cease operation of the food facility at 803 LINCOLN AV, SAN JOSE, CA 95126 and prevent public access to the facility.** Operation of your food facility constitutes an imminent hazard to public health because of the risk of COVID-19 transmission associated with the violations of the public health orders, as described above in this Official Inspection Report.

If you fail to immediately suspend operation of your food facility, the County may:

1. Charge you any costs the County incurs to correct the violations and public nuisance, including staff costs and attorneys' fees;
2. Initiate civil action or criminal prosecution;
3. Revoke your food facility permit; or
4. Take any other action appropriate under the law.

In order to reinstate your permit, you must contact the Department of Environmental Health at 408-918-3460 or DEHCovid19@cep.sccgov.org to schedule an inspection with a Department of Environmental Health inspector so that the inspector can verify that your food facility has abated all violations and is in full compliance with the public health orders and any other applicable laws. The Department of Environmental Health will schedule a verification inspection within three business days (not including weekends or holidays) of your request for reinspection. The initial reinspection to verify compliance will be conducted without 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.

If you disagree that the violations exist, you may appeal the suspension by filing a written request addressed to Michael Balliet, Department of Environmental Health Director, for an appeal hearing to present any supporting evidence. Your written request for an appeal hearing must be filed within 15 calendar days of this notice and must be submitted either (1) by email to DEHAppeal@cep.sccgov.org or (2) by postal mail or in person to 1555 Berger Drive, Suite 300, San Jose CA, 95112. An appeal hearing will be conducted within fifteen (15) calendar days of receipt of your written appeal. **You must suspend operation of your food facility pending this appeal hearing.**

Continuing or future violations of the public health orders may lead to further permit suspension or revocation.