

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 FA0274810 - CITY COFFEE		Site Address 999 STORY RD 9012, SAN JOSE, CA 95122		Inspection Date 03/10/2023	
Program PR0415400 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			Owner Name NGHIA NGUYEN		Inspection Time 11:30 - 12:30
Inspected By HENRY LUU	Inspection Type ROUTINE INSPECTION	Consent By NGHIA NGUYEN	FSC Provide by 5/10/2023		

Placard Color & Score
RED
65

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					
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						
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		
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		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		
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
K45 Floor, walls, ceilings: built, maintained, clean		X
K46 No unapproved private home/living/sleeping quarters		X
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: Men's restroom on the left side of the facility lacked hand soap. Paper towels were maintained outside of towel dispenser.

Follow-up By
03/14/2023

Shared restroom on the right side of the facility lacked hand soap. Hand soap and paper towel dispenser was not provided inside restroom. Paper towels maintained outside on sink.

Restroom upstairs in the office space lacked paper towels and hand soap.

[CA] Handwashing facilities shall be equipped with handwashing cleanser and single-use sanitary towels in dispensers. Paper towels shall be stored inside the dispenser to prevent potential contamination. Install hand soap and paper towel dispensers in the right side restroom.

K21 - 8 Points - Hot and cold water not available; 113953(c), 114099.2(b), 114163(a), 114189, 114192, 114192.1, 11419

Inspector Observations: Facility lacked hot water at time of inspection. [CA] Hot water shall be supplied at a minimum temperature of at least 120°F measured from the faucet throughout facility except at handwash sinks.

Follow-up By
03/14/2023

Minor Violations

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

Inspector Observations: Numerous PHF items, fancy pork, ham, and pate, maintained inside the food preparation refrigerator measured between 43F to 44F. Ambient temperature of the refrigerator measured at 44F.

[CA] PHFs shall be held at 41°F or below or at 135°F or above. Relocate PHF items to merchandiser refrigerator to immediately cool to 41F.

K14 - 3 Points - Food contact surfaces unclean and unsanitized; 113984(e), 114097, 114099.1, 114099.4, 114099.6, 114101, 114105, 114109, 114111, 114113, 114115(a,b,d), 114117, 14125(b), 114141

Inspector Observations: Build up of pink growth matter on the plastic white baffle inside the ice machine. Soiled surface was not in contact with consumable ice. [CA] Clean, sanitize, and maintain ice machine.

K19 - 3 Points - Non-compliance with consumer advisory for raw or undercooked foods; 114012, 114093

Inspector Observations: Per PIC, facility prepares their own mayonnaise with raw shelled eggs as well as offer beverages with raw-shelled eggs.

[CA] Provide consumer advisory and written disclosure for use of raw shell eggs in uncooked foods. Advisory and disclosure will not be necessary if facility is to use pasteurized eggs.

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, 114166, 114167, 114169, 114175, 114177, 114180, 114182

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Inspector Observations: *Observed propane burner in use in facility. Facility does not have any type of ventilation hood installed.*

Numerous non-commercial equipment, blenders, microwave, toaster oven, in use.

[CA] *All utensils and equipment shall be certified or classified for sanitation by an American National Standards Institute (ANSI) accredited certification program (e.g. NSF, UL EPH, UL Sanitation, CSA Sanitation, or ETL Sanitation). Remove propane burner.*

Ambient temperature of the True food preparation refrigerator measured at 44F. [CA] Refrigeration must be capable of maintaining PHFs at 41°F or below.

Cardboard used to line shelves. [CA] Discontinue the use of cardboard boxes to line shelves/flooring, use approved equipment made of materials that is easily cleanable, durable, smooth, and nonabsorbent.

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: *Ice scoop maintained inside ice machine with handle in direct contact with consumable ice. [CA] Store scoop handle in such a way that the handle does not come in direct contact with food to prevent contamination.*

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: *Pizza ovens maintained inside facility. PIC stated that pizza ovens are from the previous facility and will be listed for sale. [CA] The premises of a food facility shall be free of litter and items that are unnecessary to the operation or maintenance of the facility, such as equipment that is nonfunctional or no longer used.*

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

Inspector Observations: *Restroom facilities lacked cove basing. [CA] The juncture of the floor and wall shall be coved with a 3/8-inch minimum radius coving and shall extend up the wall at least 4 inches.*

K46 - 2 Points - Unapproved private home/living/sleeping quarters; 114285, 114286

Inspector Observations: *Sofa maintained upstairs in facility. Per PIC, sofa bed is kept for employees to rest if and when they are tired. [CA] No sleeping accommodations shall be maintained or kept in any room where food is prepared, stored, or sold.*

Performance-Based Inspection Questions

N/A

Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
Raw shelled eggs	True merchandiser	39.00 Fahrenheit	
Chlorine sanitizer	Three-compartment sink	100.00 PPM	
Milk	True merchandiser	36.00 Fahrenheit	

Overall Comments:

- **Prohibit patrons from smoking inside facility.**

- **Per San Jose Municipal Code - 9.44.030: Smoking is prohibited in the following places within the City of San Jose...**

- **A. Buildings: All enclosed areas of buildings which are open to the public or which are places of employment.**

New Facility name: Citi Coffee

New owner: Nghia Nguyen

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- **Facility currently lacks hot water.**
- **Facility is hereby closed and is to immediately cease and desist operations until hot water at minimum 120F at all critical sinks is restored.**
- **If new hot water heater is to be installed, ensure water heater is like for like - same model and capacity, otherwise, permit will not be issued and application will be referred to plan check.**

- **Change of ownership not complete.**
- **Health Permit not issued at time of inspection.**

- **Contact district inspector once hot water is stored.**

CLOSURE / PERMIT SUSPENSION NOTICE

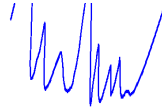
When required to determine compliance, a single reinspection will be conducted without additional charge. If subsequent reinspections are required, an hourly fee (minimum one hour) at the current rate approved by the Board of Supervisors will be assessed for each and every reinspection until the necessary changes or corrections are made. Unless otherwise noted by the inspector, all violations are to be corrected no later than **3/24/2023**. 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.

This notice is to inform you that as of this date the Environmental Health Permit for the above mentioned food facility is hereby suspended and all operations therewith are ordered to cease. This action is taken in accordance with Section 114409 of the California Health and Safety Code which states 'If any imminent health hazard is found, unless the hazard is immediately corrected, an enforcement officer may temporarily suspend the permit and order the food facility or cottage food operation immediately closed.'

You have the right to make a written request for a hearing within 15 days after receipt of this notice to show just cause why the permit suspension is not warranted. Failure to request such a hearing within the 15-day period shall be deemed a waiver of the right to a hearing. After these violations have been corrected, you must call the Department of Environmental Health for a reinspection to reinstate the permit to operate. Phone #: (408)918-3400.

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: Nghia N.
Owner

Signed On: March 10, 2023