

County of Santa Clara

- No Signature



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 FA0201179 - O'HENRY'S DONUTS		Site Address 401 E 10TH ST, GILROY, CA 95020		Inspection Date 10/30/2020	
Program PR0302236 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			Owner Name HIN, VIMOL		Inspection Time 07:50 - 09:00
Inspected By DONALD COPELAND	Inspection Type ROUTINE INSPECTION		Consent By LIM	FSC Chhivhun Lim 5/16/2023	

Placard Color & Score
RED
72

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			
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		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		
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

Social Distancing Protocol

01 - Signage Violation

Inspector Observations: Updated "Visitor Information" sign not posted [CA] Submit social distance protocol at www.covid19prepared.org within 24 hours. Print the "Visitor Information" page and post at the entrance of the facility.

Updated "COVID-19 Prepared" sign not posted [CA] Submit social distance protocol at www.covid19prepared.org within 24 hours. Print the "COVID-19 Prepared" page and post at the entrance of the facility.

02 - Face Covering Violation

Compliance of this category has been verified.

03 - Social Distance Violation

Compliance of this category has been verified.

04 - Clean and Sanitize Violation

Compliance of this category has been verified.

05 - General Violation

Compliance of this category has been verified.

Major Violations

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

Inspector Observations: Front area handwash sink is blocked by trash can and utensil in sink basin, restroom handwash sink does not provide paper towels. [CA] All handwash sinks shall provide single use paper towels and be accessible at all times. [COS] PIC moved obstruction and replaced paper towels.

K07 - 8 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

Inspector Observations: Measured raw shell eggs on shelf in dry storage area at 67F, per PIC they were delivered one hour ago. [CA] Raw shell eggs shall be kept at 45F or below if being cold held. [COS] PIC moved eggs into cooler.

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

Inspector Observations: Three live cockroaches observed on floor under empty flour bags. Numerous dead cockroaches observed throughout facility including on floors, in cabinets with food/utensils, and on shelves and racks with open foods. [CA] Facility shall be kept free of cockroaches and other vermin that may contaminate food.

THIS VIOLATION CANNOT BE IMMEDIATELY CORRECTED, THEREFORE FACILITY SHALL CEASE ALL FOOD SALES AND CLOSE UNTIL THE FOLLOWING CONDITIONS ARE SATISFIED:

- 1) OBTAIN PROFESSIONAL PEST CONTROL WITH COPY OF REPORT**
- 2) THOROUGHLY CLEAN AND SANITIZE ALL AFFECTED AREAS, REMOVE ALL COCKROACHES AND DISCARD ANY CONTAMINATED FOOD**
- 3) SEAL GAPS, CRACKS, AND HOLES IN WALLS AND CEILINGS**
- 4) UPON RE-INSPECTION, NO EVIDENCE OF COCKROACHES MAY BE OBSERVED, DEAD OR ALIVE**

CONTACT DONNIE COPELAND OR MAIN LINE AT DEH WHEN READY TO RE-OPEN, 408-918-3451 OR 408-918-3400

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Minor Violations

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

Inspector Observations: Open bulk bags of flour and sugar are observed on floor. [CA] Bulk food bags, once opened, shall be transferred to an approved food storage container. All food shall be stored at least six inches above floor.

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

Performance-Based Inspection Questions

N/A

Measured Observations

Item	Location	Measurement	Comments
Raw shell eggs	Dry storage area	67.00 Fahrenheit	
Chocolate milk	Beverage cooler #2	40.00 Fahrenheit	
Milk	Beverage cooler	34.00 Fahrenheit	
Sausage	Upright freezer	14.00 Fahrenheit	
Warm water	handwash sink	100.00 Fahrenheit	
Hot water	Warewash sink	120.00 Fahrenheit	

Overall Comments:

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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 **11/13/2020**. 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.

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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