

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 FA0230743 - KENNY'S CAFE		Site Address 2315 DE LA CRUZ BL, SANTA CLARA, CA 95050		Inspection Date 02/21/2023	
Program PR0330836 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			Owner Name MISS LEE COFFEE USA INC		Inspection Time 11:10 - 13:00
Inspected By TRAVIS KETCHU	Inspection Type ROUTINE INSPECTION	Consent By KENNY KIM	FSC Not Available		

Placard Color & Score
RED
74

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						
K06 Adequate handwash facilities supplied, accessible			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						S
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	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	X	
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

Major Violations

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

Inspector Observations: Measured cooked potatoes at 78 F, steak at 120 F and hamburger at 85 F within pans on a non-functional grill at the cook line. PIC stated that the items were removed from cooking one hour prior and are held at room temperature throughout service.

[CA] PHFs shall be held at 41°F or below or at 135°F or above.

[COS] Items were relocated to the refrigerator to be cooled to and held at 41 F or below.

Consider using time as a public health control for PHF's held at room temperature.

Follow-up By 02/23/2023

K22 - 8 Points - Sewage and wastewater improperly disposed; 114197

Inspector Observations: Observed standing water within all three compartments of the three compartment sink due to a blocked pipe not allowing water flow. Waste water observed dripping onto the floor below the three compartment sink. Observed the food preparation floor sink drain to be slow draining and the hand washing sink drain free flowing.

[CA] Food facility shall not operate if there is sewage overflowing or backing up in the food facility. The food facility, or impacted areas, shall remain closed until all plumbing problems have been corrected and all contaminated surfaces have been cleaned and sanitized.

Facility is closed due to sewage back-up at the three compartment sink.

Follow-up By 02/24/2023

Minor Violations

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

Inspector Observations: Food safety certificate not available at the time of inspection.

[CA] Food facilities that prepare, handle, or serve non-prepackaged potentially hazard foods shall have a valid Food Safety Certificate available for review at all times.

***Obtain food safety certificate by 5/21/2023.**

Follow-up By 05/21/2023

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

Inspector Observations: Observed paper towel stored outside of a dispenser at the kitchen hand wash sink

[CA] Paper towels shall be stored inside the dispenser to prevent potential contamination.

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

Inspector Observations: Observed the build-up of grease and debris on equipment and on the floor behind equipment throughout the kitchen.

[CA] Nonfood-contact surfaces of equipment and floors shall be kept free of an accumulation of dust, dirt, food residue, and other debris.

K38 - 2 Points - Inadequate ventilation and lighting in designated area; 114149, 114149.1, 114149.2, 114149.3, 114252, 114252.1

Inspector Observations: Observed the use of a counter top deep fryer outside of the ventilation hood on the preparation table.

[CA] Discontinue the use of the deep fryer outside of the ventilation hood. Provide approved exhaust hood ventilation over all cooking equipment as required to effectively remove cooking odors, smoke, steam, grease, heat, and vapors.

Follow-up By 02/23/2023

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

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Measured Observations

Item	Location	Measurement	Comments
warm water	hand wash sink	100.00 Fahrenheit	
french fries	fridge/freezer	10.00 Fahrenheit	
steak	grill	120.00 Fahrenheit	
beef	upright fridge	40.00 Fahrenheit	
hot dog	open top prep fridge	39.00 Fahrenheit	
hamburger	grill	85.00 Fahrenheit	
juice	one door reach in fridge	39.00 Fahrenheit	
potatoes	grill	78.00 Fahrenheit	
shredded cheese	open top prep fridge	40.00 Fahrenheit	
hot water	prep sink	120.00 Fahrenheit	

Overall Comments:

Facility is closed and shall cease operation due to sewage back-up.

When facilities plumbing has been repaired, contact Travis Ketchu at (408)- 918-3469 for a follow-up inspection.

A follow up inspection will be conducted. The first follow-up inspection is free of charge. Subsequent follow up inspections after first follow up shall be billed \$219/hr during business hours and \$493/hr during non business hours upon availability. Failure to comply may result in enforcement action.

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 3/7/2023. 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

Kenny Kim

Received By: Kenny Kim
PIC

Signed On: February 21, 2023