

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 FA0261950 - LA LUNE SUCREE		Site Address 116 PASEO DE SAN ANTONIO, SAN JOSE, CA 95111		Inspection Date 12/11/2024		Placard Color & Score RED 71		
Program PR0384160 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			Owner Name CHEZ V CORPORATION		Inspection Time 12:50 - 14:20			
Inspected By ALEXANDER ALFARO		Inspection Type ROUTINE INSPECTION		Consent By ANDY				FSC Warren Pedronan 12/06/2028

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	X			N
K06	Adequate handwash facilities supplied, accessible	X						N
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		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					N
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		
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		X
K43	Toilet facilities: properly constructed, supplied, cleaned		X
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	X
K49	Permits available	
K58	Placard properly displayed/posted	

Comments and Observations

Major Violations

K14 - 8 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:

Staff were observed washing dishes in the front area dump sink and skipping the sanitizing step.

[CA] Manual warewashing shall be accomplished by using a three-compartment sink where the utensils are first precleaned, washed with hot soapy water, rinsed with hot water, sanitized with an approved method, and air dried. Use 1 TBS of bleach (5.25%) per 1 gal. of water for chlorine solution (100 PPM). Use 1 tbs of quaternary ammonium (10%) per 2 gal. of water for quaternary ammonium (200 PPM).

[COS] Staff sanitized dishes in the undercounter dishwasher.

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

Inspector Observations:

1. Major Violation: Facility lacks hot water in the facility. Water was measured at 73°F at all plumbing fixtures.

[CA] An approved, adequate, protected, pressurized, potable supply of hot water and cold water shall be provided. Facility is hereby closed until water supply is restored.

2. Water was measured at a peak of 81°F in the employee restroom.

Note: Restroom is located in the hallway connecting neighboring facilities. Per staff the restroom is shared with Philz Coffee and The Fab. Staff are unaware of who cleans and maintains the restroom.

[CA] Handwashing facilities shall be equipped to provide minimum 100°F water under pressure for a minimum of 15 seconds.

Minor Violations

K05 - 3 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

Inspector Observations:

Staff were observed donning gloves without properly washing hands first.

[CA] Properly wash hands with soap, warm water and dry using single use paper towels as required prior to putting on gloves.

[COS] Inspector instructed staff to properly wash their hands.

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. The two door undercounter cooler near the coffee bar area is in disrepair and not working.

[CA] Refrigeration must be capable of maintaining PHFs at 41°F or below. service, repair, replace, or remove the unit.

2. The microwave in the kitchen area is not ANSI certified.

[CA] New and/or replacement food 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).

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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:

1. The faucet at the three compartment sink does not turn off.

2. REPEAT VIOLATION: The cold water handle at the three compartment sink faucet has a leak.

[CA] Ensure to maintain plumbing fixtures in good repair.

K42 - 2 Points - Garbage and refuse improperly disposed; 114244, 114245, 114245.1, 114245.2, 114245.3, 114245.4, 114245.5, 114245.6, 114245.7, 114245.8

Inspector Observations:

The enclosed garbage enclosure is not maintained secured and has an offensive odor.

[CA] Refuse enclosure not kept clean of debris to prevent buildup of soil and attractants for vermin.

K43 - 2 Points - Toilet facilities: improperly constructed, supplied, cleaned; 114250, 114250.1, 114276

Inspector Observations:

Facility offers indoor and outdoor seating but does not have restrooms for customers.

Note: Facility has a sign stating "No Public Restrooms"

[CA] A permanent food facility shall provide clean toilet facilities in good repair for consumers, guests, or invitees when there is onsite consumption of foods or when the food facility was constructed after July 1, 1984, and has more than 20,000 square feet of floor space.

K48 - 2 Points - Plan review unapproved; 114380

Inspector Observations:

Facility has replaced the water heater without going through plan check. The water heater installed is a residential water heater and is undersized for the facility.

Water Heater Specifications:

Bradford White: 50 Gallon Electric Water Heater 3.5-6.0 kW

Model Number: RE350S6 - 1NCWW

[CA] A person proposing to build or remodel a food facility shall submit plans and specifications for review and shall receive plan approval prior to starting any new construction or remodeling. Contact DEH at 408-918-3400 or at www.ehinfo.org to obtain plan check requirements.

Performance-Based Inspection Questions

Needs Improvement - Adequate handwash facilities: supplied or accessible.

Needs Improvement - Hands clean/properly washed/gloves used properly.

Needs Improvement - Hot and cold water available.

Measured Observations

Item	Location	Measurement	Comments
Bread	Upright Freezer	22.00 Fahrenheit	
Water	Hand Sink - Restroom	88.00 Fahrenheit	
Water	Three Compartment Sink/Dump Sink/Mop Sink	73.00 Fahrenheit	
Water	Hand Sink - Front of House	73.00 Fahrenheit	
Chlorine - Sanitizer	Undercounter Dishwasher	50.00 PPM	
Tomatoes	Prep Cooler	41.00 Fahrenheit	
Bacon	Upright Freezer	6.00 Fahrenheit	

Overall Comments:

Notes:

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- **Contact District Specialist to schedule follow up inspection. The first follow up inspection is free of charge. Any and all subsequent follow up inspections shall be charged at the approved hourly rate of \$298.00/hr, minimum of one hour, during normal business hours: Monday through Friday 7:30am to 4:30pm or \$645/hour minimum two hour during non business hours, and upon inspector availability.**

- **Per staff there is a water shut off tomorrow (12/12/24) and they will be self-closed.**

- **Facility has the following plumbing fixtures:**

- **1x Hand Sink**
- **1x Dump Sink**
- **1x Three Compartment Sink**
- **1x Undercounter Dishwasher**
- **1x Janitorial Sink**

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 **12/25/2024**. 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: Christina Len
Worker
Signed On: December 11, 2024