

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 FA0260189 - TEASOCIETY		Site Address 1658 E CAPITOL EX, SAN JOSE, CA 95121		Inspection Date 11/02/2022	
Program PR0381313 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			Owner Name PHU NGUYEN		Inspection Time 13:35 - 14:50
Inspected By HENRY LUU	Inspection Type ROUTINE INSPECTION		Consent By SARAH	FSC Not Available	

Placard Color & Score
RED
71

RISK FACTORS AND INTERVENTIONS	IN	OUT		COS/SA	N/O	N/A	PBI
		Major	Minor				
K01 Demonstration of knowledge; food safety certification			X				N
K02 Communicable disease; reporting/restriction/exclusion	X						S
K03 No discharge from eyes, nose, mouth	X						S
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		
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

K05 - 8 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

Inspector Observations: Kitchen employees observed washing hands with gloves still donned on. [CA] Ensure employees are properly washing hands as required. Properly wash hands with soap, warm water and dry using single use paper towels as required. Ensure gloves are removed prior to hand washing.

Follow-up By
11/04/2022

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

Inspector Observations: Numerous live cockroaches of various life stages observed in-between paper lining on shelf outside of the restroom used to store condiments and utensils.

Follow-up By
11/04/2022

Numerous live cockroach nymphs and juveniles observed in the gaskets and crawling into the crevice on the underside of food preparation refrigerator closes to the merchandiser.

One live cockroach observed inside electrical outlet behind smaller espresso machine.

One dead cockroach observed on floor by the cash registers.

10+ old rodent droppings observed inside cabinet where packaged straws are kept.

Heavy accumulation of cockroach feces observed inside wooden cabinets.

[CA] Clean and sanitize area of dead cockroaches or old droppings. The premises of each food facility shall be kept free of vermin. A food facility shall not operate when there is a vermin infestation that has resulted in the contamination of food contact surfaces, food packaging, utensils, food equipment, or adulteration of food(s). The food facility shall cease operation of the food facility immediately. The food facility shall remain closed until: there is no longer evidence of a vermin infestation; all contaminated surfaces have been cleaned and sanitized; and contributing factors such as cleaning, repairs, and the elimination of harborages have been resolved.

Minor Violations

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

Inspector Observations: Five-year Food Safety Certified (FSC) manager certificate unavailable for review. [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.

Follow-up By
12/02/2022

**** Repeat violation - 11/9/2020, 5/19/2021, 11/11/2021. Provide within 30 days.**

Employees' three-year food handler cards unavailable for review. [CA] Each food handler shall maintain a valid food handler card for the duration of his or her employment as food handler. A valid food handler card shall be provided within 30 days of after the date of hire.

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

Inspector Observations: Hand wash station at the back of the facility by the three-compartment sink lacks paper towels. [CA] Single-use sanitary towels shall be provided in dispensers.

Squeeze bottle hand soaps provided at hand wash stations. [CA] Provide pump style hand soap dispenser.

K21 - 3 Points - Hot and cold water not available; 113953(c), 114099.2(b), 114163(a), 114189, 114192, 114192.1, 11419

Inspector Observations: Hot water at the three-compartment sink measured at 116F. [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.

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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: Cardboard used to line shelves and refrigerators. [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.

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

Inspector Observations: Heavy accumulation of oil and dust observed on the ventilation hood filters. [CA] Clean mechanical exhaust hood and/or filters of grease and dust accumulation.

Performance-Based Inspection Questions

Needs Improvement - Demonstration of knowledge; food manager certification.

Measured Observations

Item	Location	Measurement	Comments
Milk	Food preparation refrigerator	40.00 Fahrenheit	
Flan	Food preparation refrigerator	36.00 Fahrenheit	
Raw shelled eggs	One-door merchandiser	43.00 Fahrenheit	
Sliced cheese	One-door merchandiser	41.00 Fahrenheit	
Milk tea	Two-door upright refrigerators	40.00 Fahrenheit	
Sliced tomato	One-door merchandiser	40.00 Fahrenheit	
Taro pudding	One-door merchandiser	41.00 Fahrenheit	

Overall Comments:

- Facility is hereby closed due to the presence of vermin.
- Facility is to remain closed until infestation has been completely abated.
- Contact district inspector once facility is ready for re-opening inspection.
- Subsequent follow-ups after the first will be chargeable at \$219 per hour, minimum one hour during regular business hours (Monday - Friday 8:00 AM to 4:30 PM), or \$493 per hour, during non-business hours and upon inspector availability.
 - Note - first follow-up during non-business hours will be charged after hours rate.
- The posted placard is property of the Santa Clara County Department of Environmental Health and shall not be removed, covered-up, relocated, tampered, or copied red placard. Failure to comply may result in enforcement actions per County Ordinance Code Section B11-55.

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 **11/16/2022**. 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



Received By: Khanh Dinh
PIC

Signed On: November 02, 2022