

**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**

<b>Facility</b> FA0282723 - TEA VILLA		<b>Site Address</b> 150 S 1st ST 103, SAN JOSE, CA 95113		<b>Inspection Date</b> 06/26/2023	
<b>Program</b> PR0424088 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			<b>Owner Name</b> TEA VILLA LLC		<b>Inspection Time</b> 12:55 - 14:15
<b>Inspected By</b> JENNIFER RIOS	<b>Inspection Type</b> ROUTINE INSPECTION	<b>Consent By</b> JASON	<b>FSC</b> Not Available		

<b>Placard Color &amp; Score</b>
<b>RED</b>
<b>57</b>

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		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		X
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		X
K45 Floor, walls, ceilings: built, maintained, clean		
K46 No unapproved private home/living/sleeping quarters		
K47 Signs posted; last inspection report available	X	

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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: Front handwash sink was blocked by small ice machine and food equipment stored inside (pitcher). Hand soap was not provided. [CA] Ensure that hand soap is provided at hand wash sink at all times during operation and that handwash sink is easily accessible and not blocked.**

Follow-up By  
06/28/2023

**Back handwash sink did not have paper towels and soap provided. [CA] Soap and paper towels must also be provided at all times at handwash sink.**

**Facility must correct this violation prior to reopening for operation.**

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

**Inspector Observations: Milk, 1/2 and 1/2, and whipping cream measured 59F in cold holding unit in front preparation area. [CA] PHFs shall be held at 41°F or below or at 135°F or above. [COS] PIC VC&D PHF.**

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

**Inspector Observations: 1. Hot water was not provided at three compartment sink 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  
06/28/2023

**2. Hot water measured 114F at preparation sink 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.**

**3. Hot and cold water were not working at handwash station in back preparation area. [CA] Handwashing facilities shall be equipped to provide minimum 100°F water and cold water under pressure for a minimum of 15 seconds.**

**Violations 1 and 3 in this section must be corrected before reopening.**

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

**Inspector Observations: Observed dead cockroaches on the floor throughout facility. Observed dead cockroaches in handwash sink in back preparation area. Observed dead cockroaches on shelving and in the three compartment sink. Observed live cockroaches in varying stages of life under and around three compartment sink and floor drain by three compartment sink. [CA] 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 harborage have been resolved.**

Follow-up By  
06/28/2023

### Minor Violations

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

**Inspector Observations: Food safety certification was not available at 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.**

**Food handler card was not available at time of inspection. [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. Food handler card shall be available for review upon request.**

K34 - 2 Points - Warewashing facilities: not installed or maintained; no test strips; 114067(f,g), 114099, 114099.3, 114099.5, 114101(a), 114101.1, 114101.2, 114103, 114107, 114125

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**Inspector Observations: Chlorine test strips are not available at time of inspection. [CA] Testing equipment and materials shall be provided to adequately measure the applicable sanitization method used during manual or mechanical warewashing.**

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: Cold holding preparation unit in front preparation area is not maintaining PHF at 41F or below. Ambient air measured 60F and gaskets appear to be missing from around the door. [CA] Refrigeration must be capable of maintaining PHFs at 41°F or below. Do not use cold holding unit to store potentially hazardous foods (PHF) until it can maintain PHF at 41F or below.**

**Ice machine in back preparation area is not working. [CA] Repair, replace or remove ice machine.**

**Observed unapproved ice machine in front preparation area that is blocking handwash sink. [CA] Submit specification information for ice machine for approval to district inspector. Ice machine must not block handwash sink.**

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: Janitorial sink located in storage closet is blocked by boxes/equipment. [CA] Ensure that janitorial sink is cleared and available for use.**

K47 - 2 Points - Signs not posted; last inspection report not available; 113725.1, 113953.5, 113978, 114381(e)

**Inspector Observations: Current health permit is not posted in facility. [CA] The health permit issued by this department shall be posted in a conspicuous place in the food facility.**

## Performance-Based Inspection Questions

N/A

## Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
Warm water	Front handwash sink	100.00 Fahrenheit	
Ice cream	Freezer	26.00 Fahrenheit	
Milk	Back reach in fridge	41.00 Fahrenheit	
Milk	Cold holding prep unit - front	59.00 Fahrenheit	
Hot water	Prep sink	114.00 Fahrenheit	
Jellies	Cold holding prep unit - front	53.00 Fahrenheit	
Ambient air	Cold holding prep unit - front	60.00 Fahrenheit	

## Overall Comments:

**Clean and sanitize all food and nonfood contact surfaces. Remove all evidence of cockroaches from facility and ensure there is no evidence of vermin found at follow up inspection. If evidence is found, facility will be subject to further enforcement action.**

**Facility will remain closed at this time and will not reopen until a follow up inspection is conducted. Facility is to cease and desist all food sales and operations, including food preparation. Do not remove, cover-up, or relocate red placard. Failure to comply may result in enforcement actions. If a second follow-inspection is conducted, there will be a \$219/hr charge at a minimum one-hour.**

**Contact Jennifer Rios, 408-918-3480 for a follow up inspection**

**\*If professional pest control services are obtained during the closure, please provide the pest control report from service during re-inspection.**

**Weekend/After hours charges A charge of \$493 will be charged by the Department of Environmental Health for today's follow up inspection. For after hour inspections (after 4:30pm Monday through Friday and on weekends) there will be a \$493 charge/hour.**

**--48 HOUR NOTICE--**

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**Our records indicate this facility has a delinquent account and is operating without a valid permit.**

**Total account balance due is \$1292.25**

**Payment must be made within 48 hours (2 business days) to DEH at the address at the top of this report or via our website at [www.Ehinfo.org](http://www.Ehinfo.org)**

**Previous written notification of account balance was provided in a Delinquent Permit Letter.**

**The right to an administrative hearing was waived for failure to respond to the Delinquent Permit Letter. A re-inspection will not be conducted if your account is paid in full by 06/28/2023. The facility shall remain open and a new valid permit will be mailed after payment has been received. If your account has not been paid in full by 06/28/2023, a re-inspection will be performed and the facility owner may be billed at the current hourly rate per County Ordinance Code B 11-8. Non-payment of permit fees within 48 hours will result in additional legal actions up to and including facility closure.**

## 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 **7/10/2023**. 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



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**Received By:** Nikki Nguyen  
Employee  
**Signed On:** June 26, 2023