

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 FA0276941 - SWEET GELATO MINI MART		Site Address 979 STORY RD 7084, SAN JOSE, CA 95122		Inspection Date 05/22/2025	
Program PR0418511 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 1 - FP09			Owner Name SWEET GELATO MINI MART,		Inspection Time 15:55 - 16:50
Inspected By HENRY LUU	Inspection Type ROUTINE INSPECTION	Consent By QUANG	FSC Not Available		

Placard Color & Score
GREEN
73

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						
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		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				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	X	
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	X	
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		
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		X
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

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

Inspector Observations: Restroom hand wash station lacked paper towels.

[CA] Single-use sanitary towels shall be provided in dispensers; heated-air hand drying device may be substituted for single-use towels.

[COS] Employee provided paper towels.

Hand wash station at the front service area observed with heavy accumulation of grime and calcified scale.

Hand soap and paper towel dispensers observed obstructed with blender and syrup bottles.

[CA] Handwashing facility shall be clean, unobstructed, and accessible at all times.

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.

**** Repeat violation. Failure to comply will result in further enforcement action.**

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 food preparation sink measured at 115F. Hot water at the three-compartment sink measured at 113F.

[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.

**** Repeat violation.**

K23 - 3 Points - Observed rodents, insects, birds, or animals; 114259.1, 114259.4, 114259.5

Inspector Observations: Rodent droppings observed in the following areas:

- On floor along wall behind the two white freezers by the stairs to the attic.
- On floors throughout the attic.
- On boxes of documents in the attic.
- On floor next to boxes of syrups along the hallway to the restroom.

Employee was unsure of pest control services. No contamination of food or food contact surfaces observed.

[CA] Clean and sanitize area of old droppings.

Observed pet carrier maintained above gray freezer in the hallway towards the restroom.

[CA] No live animals may be allowed in a food facility, except in the following situations; decorative fish or shellfish in aquarium, animals intended for consumption if kept separated from other food and food contact surfaces, dogs under the control of on-duty uniformed law enforcement or private patrol, outdoor dining areas, and service animals.

K27 - 2 Points - Food not separated and unprotected; 113984(a-d,f), 113986, 114060, 114067(a,d,e,j), 114069(a,b), 114077, 114089.1(c), 114143(c)

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Inspector Observations: Cases of syrups maintained directly on floor.

[CA] Food shall be stored at least 6 inches above the floor to prevent contamination.

Observed numerous bottles of syrups maintained inside the three-compartment sink.

[CA] All food shall be separated and protected from possible contamination. Remove items kept inside the three-compartment sink with the exception of utensils intended to be washed.

**** Repeat violation.**

Observed employee steeping tea with containers placed directly on the floor.

[CA] Food preparation shall only occur in approved areas. Provide adequate food preparation space.

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

Inspector Observations: Heavy build up of grime observed in the following areas:

- Inside the three-door upright refrigerator.
- On the bottom of the portafilters for the espresso machine.
- Espresso machine itself.
- Surface of the three-door food preparation refrigerator
- Inside of the ice cream/gelato display freezers.

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

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

Inspector Observations: Heavy accumulation of grime observed on the three-compartment sink - backsplash, drain boards, basins.

[CA] Clean and maintain three-compartment 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: Three-door food preparation refrigerator observed not operating and used for the storage of utensils.

[CA] Storage room shall be free of litter and items that are unnecessary to the operation or maintenance of the facility, such as equipment that is nonfunctional or no longer used.

Observed mop stored inside mop bucket. Mop racks not available for use.

[CA] After use, mops shall be placed in a position that allows them to air-dry without soiling walls, equipment, or supplies.

K45 - 2 Points - Floor, walls, ceilings: not built, not maintained, not clean; 114143(d), 114266, 114268, 114268.1, 114271, 114272

Inspector Observations: Heavy accumulation of syrups, food residue, dust, and grime observed on floors and walls throughout the entire facility. Areas include:

- Floors in-between ice cream/gelato display freezers.
- Underneath preparation tables.
- Walls behind the preparation tables.
- Wall next to the three-compartment sink.

[CA] Walls and/or floors in food preparation area shall be kept clean. Regularly clean under equipment to prevent accumulation of debris.

Large hole on wall observed in the attic.

[CA] Repair holes in structure and maintain in good repair to prevent pest harborage.

Performance-Based Inspection Questions

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Needs Improvement - Demonstration of knowledge; food manager certification.
Needs Improvement - Hot and cold water available.

Measured Observations


Item	Location	Measurement	Comments
Half-n-half	Three-door upright refrigerator	41.00 Fahrenheit	
Warm water	Hand wash sink	103.00 Fahrenheit	
Gelato	Display freezers	15.00 Fahrenheit	
Milk	Three-door upright refrigerator	41.00 Fahrenheit	
Ambient	Upright freezers	10.00 Fahrenheit	

Overall Comments:

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 **6/5/2025**. 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.

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: Quang
Employee

Signed On: May 22, 2025