

**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> FA0284008 - EBAY CAFE		<b>Site Address</b> 2065 E HAMILTON AV, SAN JOSE, CA 95125		<b>Inspection Date</b> 08/12/2024	
<b>Program</b> PR0425971 - FOOD PREP / FOOD SVC OP 26+ EMPLOYEES RC 3 - FP17			<b>Owner Name</b> BON APPETIT MANAGEMEN		<b>Inspection Time</b> 15:15 - 16:30
<b>Inspected By</b> HELEN DINH	<b>Inspection Type</b> ROUTINE INSPECTION	<b>Consent By</b> BOB, JESSI (M), DAN, PETE, LORI		<b>FSC Exempt</b>	

**Placard Color & Score**  
**GREEN**  
**87**

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						S
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		
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		
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		
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: Major:**

1. Measured container of shredded cheese holding at 65F in 4 door under drawer at pizza station.
2. Measured container of sliced boiled eggs holding at 52F and a container of cooked vegetables holding at 50F in walk-in-cooler.

Per operator, PHFs placed in unit less than 4 hours.

[CA] Maintain all PHFs cold held at or below 41F. [COS] Operator voluntarily discarded shredded cheese and directed to continue cool PHFs in walk-in-cooler.

**Minor:**

1. Measured container of blue cheese holding at 45F in 4 door under drawer at pizza station.
2. Measured the following PHFs holding between 45F - 49F in 4 door under drawer near middle cooks line: diced ham, diced tofu and boiled hard eggs.

Per operator, PHFs placed in unit less than 4 hours. [CA] Maintain all cold PHFs held at or below 41F.

### Minor Violations

K09 - 3 Points - Improper cooling methods; 114002, 114002.1

**Inspector Observations: Found a container of sliced chicken breast cooling in 2 door under drawer at salad bar. Observed plastic wrap used to cover container of food. [CA] When cooling PHF's, food may be left uncovered or loosely covered to allow rapid cooling.**

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: Found a leaking faucet at warewash sink (left faucet). [CA] Secure leak.**

### Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

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## Measured Observations

Item	Location	Measurement	Comments
sliced chicken	2 door under drawer (salad)	67.00 Fahrenheit	process of cooling
cooked vegetables	walk-in	49.00 Fahrenheit	
diced ham	4 door under drawer (middle cooks line)	47.00 Fahrenheit	
diced tofu	4 door under drawer (middle cooks line)	45.00 Fahrenheit	
boiled hard eggs	4 door under drawer (middle cooks line)	49.00 Fahrenheit	
blue cheese	4 door under drawer (pizza)	45.00 Fahrenheit	
sliced tomato	2 door under drawer (salad)	40.00 Fahrenheit	
beverage	2 door upright	41.00 Fahrenheit	
quat	sani bucket	200.00 PPM	
eggs	2 door under drawer (salad)	41.00 Fahrenheit	
ambient	1 door upright freezer	1.90 Fahrenheit	
hot water	high temp dish machine	163.50 Fahrenheit	in back kitchen, another high temp dish machine in dish room, however not in use at time of inspection.
shredded cheese	4 door under drawer (pizza)	65.00 Fahrenheit	for less than 4 hours. COS- VC&D
ambient	walk-in	40.00 Fahrenheit	
beverage	2 door upright	40.00 Fahrenheit	
fries	1 door reach in freezer	8.40 Fahrenheit	
boiled sliced eggs	walk-in	52.00 Fahrenheit	
hot water	warewash/2-comp/(2x) 1-comp	120.00 Fahrenheit	
diced ham	walk-in	49.00 Fahrenheit	
warm water	handsink (2RR, middle) sensor system	104.00 Fahrenheit	between 104F - 108F
ambient	walk-in	41.00 Fahrenheit	
ambient	3 door reach in	41.00 Fahrenheit	
ambient	2 door upright	41.00 Fahrenheit	
hummus	counter	160.00 Fahrenheit	process of cooling
ambient	2 door under drawer	40.00 Fahrenheit	
warm water	handsink (pizza station, cater, salad, middle, back warewash, dish room)	100.00 Fahrenheit	

## Overall Comments:

**NEW FACILITY NAME: eBay - eBay Cafe**

**NEW OWNER: Bon Appetit Management Co**

**The applicant has completed the application for an Environmental Health Permit**

**The permit category for this facility is FP17. An invoice for the permit fee in the amount of \$2,011.00 will be mailed to the billing address on the application. Payment must be submitted within 10 days of receipt of the invoice. The owner is responsible for contacting our department if an invoice is not received and remit payment within 30 days.**

**The Environmental Health Permit will be effective: 9/1/24 - 8/31/25.**

**This report serves as a temporary permit. However, the permit will be deemed invalid if the permit fee is not paid in full within 30 days from the date of this report.**

**Okay to Operate.**

**An official permit will be mailed to the address on file and shall be posted in public view upon receipt.**

**\*Structural Review inspection conducted on 8/12/24.\***

**Plan check consultation is available Monday - Friday from 7:30am - 10:00am in person or by phone at 408/918-3400.**

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***\*Obtain food safety manager certificate within 60 days. All other food employees must have valid food handler cards within 30 days from hire date.***

***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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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 **8/26/2024**. 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.

**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:** Robert Hart  
District Manager

**Signed On:** August 12, 2024