

# 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><br>FA0282638 - SIMPLETEA                                        |                                              | <b>Site Address</b><br>2520 BERRYESSA RD, SAN JOSE, CA 95132 |                                          | <b>Inspection Date</b><br>01/22/2025 |                                         | <b>Placard Color &amp; Score</b><br><div style="background-color: green; color: black; padding: 10px; text-align: center;"> <b>GREEN</b><br/> <b>85</b> </div> |  |  |
| <b>Program</b><br>PR0423982 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10 |                                              |                                                              | <b>Owner Name</b><br>THONG, JUDY         |                                      | <b>Inspection Time</b><br>14:05 - 15:30 |                                                                                                                                                                |  |  |
| <b>Inspected By</b><br>YUEN IP                                                  | <b>Inspection Type</b><br>ROUTINE INSPECTION | <b>Consent By</b><br>TIEN/ JUDY (PHONE)                      | <b>FSC</b> Antany Khamphay<br>01/24/2028 |                                      |                                         |                                                                                                                                                                |  |  |

  

| 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  |       |       |        |     |     |     |
| 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     | 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                                  | X   |     |
| K30                   | Food storage: food storage containers identified                                    | X   |     |
| 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                    |     |     |
| 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 |     |     |
| 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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| Program<br>PR0423982 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10 | Owner Name<br>THONG, JUDY                             | Inspection Time<br>14:05 - 15:30 |
| K48                                                                      | Plan review                                           |                                  |
| K49                                                                      | Permits available                                     |                                  |
| K58                                                                      | Placard properly displayed/posted                     |                                  |

## Comments and Observations

### Major Violations

No major violations were observed during this inspection.

### Minor Violations

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

**Inspector Observations: Paper towel dispenser in kitchen hand wash sink cannot dispense paper towel.**

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

**[SA] A roll of paper towel nearby available.**

K08 - 3 Points - Improperly using time as a public health control procedures & records; 114000

**Inspector Observations: PIC stated that boba and calamari are on TPHC and time is not labeled.**

**[CA] When time only, rather than time and temperature is used as a public health control, PHFs shall be time marked to indicate when item is removed from temperature control, discarded if not consumed or served within 4 hours, and written procedures shall be readily available for review.**

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

**Inspector Observations: No hot water supply in restroom. Cold water supply measured at 63F.**

**[CA] Handwashing facilities equipped with a mixing valve that is not readily adjustable at the faucet, shall provide warm water at least 100°F, but not greater than 108°F.**

K29 - 2 Points - Toxic substances improperly identified, stored, used; 114254, 114254.1, 114254.2

**Inspector Observations: Chlorine sanitizer spray measured at 200ppm.**

**[CA] Provide 100ppm of sanitizer.**

K30 - 2 Points - Food storage containers are not identified; 114047, 114049, 114051, 114053, 114055, 114067(h), 114069 (b)

**Inspector Observations: Container of onion store on the floor in kitchen.**

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

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: Missing test strip to test sanitizer concentration.**

**[CA] Testing equipment and materials shall be provided to adequately measure the applicable sanitization method used during manual or mechanical warewashing.**

### Performance-Based Inspection Questions

N/A

### Measured Observations

| Item              | Location                  | Measurement       | Comments |
|-------------------|---------------------------|-------------------|----------|
| Chlorine          | Sanitizer spray           | 200.00 PPM        |          |
| Calamari          | Under heat lamp           | 82.00 Fahrenheit  |          |
| Chlorine          | 3rd compartment sanitizer | 100.00 PPM        |          |
| Water             | 3 compartment sink        | 120.00 Fahrenheit |          |
| Raw chicken       | Open top fridge           | 41.00 Fahrenheit  |          |
| Vietnamese coffee | Counter fridge front      | 38.00 Fahrenheit  |          |
| Water             | Hand wash sink            | 100.00 Fahrenheit |          |
| Water             | Hand wash sink restroom   | 62.00 Fahrenheit  |          |
| Water             | 1 compartment sink        | 125.00 Fahrenheit |          |
| Calamari          | Warmer                    | 142.00 Fahrenheit |          |
| Boba              | Container on counter      | 41.00 Fahrenheit  |          |

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## Overall Comments:

*Explained to owner on phone that drying food by deep frying may require HACCP (Hazardous analysis critical control point) plan from the state. Therefore, calamari in facility is considered as potentially hazardous food until plan is approved.*

*For detail about obtaining a HACCP plan, please visit:*

*<https://www.cdph.ca.gov/Programs/CEH/DFDCS/Pages/FDBPrograms/FoodSafetyProgram.aspx>*

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 2/5/2025. 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 |



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Received By: Tien  
PIC  
Signed On: January 22, 2025