

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 FA0253932 - PURA VITAMINA		Site Address 1678 STORY RD, SAN JOSE, CA 95122		Inspection Date 01/25/2023	
Program PR0370006 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 2 - FP13			Owner Name ERICA CONTERAS		Inspection Time 11:45 - 13:10
Inspected By HENRY LUU	Inspection Type ROUTINE INSPECTION		Consent By CECILIA	FSC Armando Gonzalez 02/28/2027	

Placard Color & Score
RED
75

RISK FACTORS AND INTERVENTIONS	IN	OUT		COS/SA	N/O	N/A	PBI
		Major	Minor				
K01 Demonstration of knowledge; food safety certification	X						S
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				
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	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		
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		
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	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

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

Inspector Observations: Numerous PHF maintained inside the walk-in refrigerator measured as follows:

Follow-up By 01/27/2023

- Zip-lock bag of cooked rice measured at 49F.
- Small container of cooked beans measured at 49F.
- 4-5 gallon plastic container of birria broth measured at 50F.
- 4-5 gallon plastic container of seafood broth measured at 50F.

Ambient temperature of the walk-in measured at 50F via probe and between 47F to 49F via IR. Per employee, all items were maintained inside the walk-in refrigerator since the night before.

Small container of cooked rice, used for sushi, maintained out in ambient temperature, at the sushi preparation refrigerator measured at 63F. Per cook, sushi rice was removed from the walk-in refrigerator approximately one to two hours prior. Sushi rice is maintained out for less than four hours and is then discarded. Facility does not have an approved time as public health procedure approved and/or any time markings on PHF.

[CA] PHFs shall be held at 41°F or below or at 135°F or above.

[COS] PHF items inside the walk-in refrigerator mentioned above were VC&D due to improper holding temperature. PHF items (raw seafoods, raw proteins, items thawed in the morning and placed inside the walk-in refrigerator) were relocated to food preparation refrigerators to immediately cool and/or maintain cold. Sushi rice was VC&D.

See attached VC&D letter.

Time as public health control written procedures were provided and reviewed with cook.

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

Inspector Observations: Cockroach activity observed in the following areas:

Follow-up By 01/27/2023

- Live adult observed in-between crack of the wall-mounted shelf above the three-compartment sink.
- Live adult carrying egg sac observed below the control panel box of the mechanical dish washer.
- Dead adult cockroach observed on the side of the center food preparation refrigerator next to the top cover.

Facility has pest control servicing facility once per month. Facility was serviced on 1/23/2023. Pest control report was provided and reviewed.

[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 harborages have been resolved.

Minor Violations

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

Inspector Observations: Paper towel dispenser at the only hand washing station in the kitchen is inoperable. Paper towel roll was maintained outside at the bar several feet away. [CA] Single-use sanitary towels shall be provided in dispensers. Paper towels shall be stored inside the dispenser to prevent potential contamination. Investigate cause for inoperable paper towel dispenser.

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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)

Inspector Observations: Raw shrimp thawing inside the middle compartment of the three-compartment sink with soiled dishes maintained on the left side basin. Food preparation sink was currently in use thawing raw fish. [CA] All food shall be separated and protected from possible contamination. All food preparation shall be conducted at the food preparation sink.

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: Ambient temperature of the walk-in measured at 50F via probe and between 47F to 49F via IR. [CA] Refrigeration must be capable of maintaining PHFs at 41°F or below.

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 food debris observed on floors below equipment. Heavy accumulation of dust observed on walls and ceiling throughout kitchen. [CA] Regularly clean under cooking equipment to prevent accumulation of debris. Walls, ceilings, and/or floors in food preparation area shall be kept clean.

Numerous holes observed on ceiling panels observed throughout kitchen. [CA] Ceilings of all rooms where nonprepackaged food is handled shall be smooth, of durable construction, and of nonabsorbent material that is easily cleanable.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
Cooked mussels	Food preparation refrigerator	34.00 Fahrenheit	Top insert
Imitation crab	Food preparation refrigerator	35.00 Fahrenheit	Top insert
Cooked meat	Food preparation refrigerator	36.00 Fahrenheit	Top insert
Chlorine sanitizer	Mechanical dish machine	100.00 PPM	
Raw shelled oysters on ice	Walk-in refrigerator	39.00 Fahrenheit	
Raw shrimp	Walk-in refrigerator	49.00 Fahrenheit	Prepared in the morning
Cooked shrimp	Food preparation refrigerator	39.00 Fahrenheit	Top insert
Beans	Food preparation refrigerator	35.00 Fahrenheit	Top insert
Birria	Walk-in refrigerator	47.00 Fahrenheit	Thawed in the morning
Cooked octopus	Food preparation refrigerator	39.00 Fahrenheit	Top insert
Hot water	Three-compartment sink	122.00 Fahrenheit	

Overall Comments:

- Facility is hereby closed due to the presence of vermin.
- Facility is to remain closed until infestation has been completely abated.
- Provide pest control report upon follow-up inspection.
- Subsequent follow-up inspections shall be billed at \$219/hour during normal business hours, Monday - Friday 7:30 AM to 5:00 PM, or \$493/hour during non-business hours, and upon inspector availability.
- The posted placard is property of Santa Clara County of Department of Environmental Health and shall not be removed, covered-up, relocated, tampered, or copied. Failure to comply may result in enforcement actions per County Ordinance Code Section B11-55.
- Contact district inspector for re-opening inspection once vermin infestation has been completely abated.

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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 2/8/2023. 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



Received By: Leo Cabrera
Owner

Signed On: January 25, 2023