

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 FA0275830 - BLUE MONKEY CAFE & RESTAURANT		Site Address 989 STORY RD 8054, SAN JOSE, CA 95122		Inspection Date 01/07/2025	
Program PR0416921 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name BLUE MONKEY CORPORATI		Inspection Time 12:30 - 14:05
Inspected By HENRY LUU	Inspection Type ROUTINE INSPECTION	Consent By PHUONG	FSC Helen Cuu 01/11/2029		

Placard Color & Score YELLOW 66
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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						S
K04 Proper eating, tasting, drinking, tobacco use			X				N
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		X			N
K08 Time as a public health control; procedures & records					X		N
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	X	
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	X	
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		

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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: The only hand washing station in the kitchen at the time lacked hand soap.
[CA] Provide handwashing cleanser in dispenser at handwash stations at all times. Warm water, hand soap, and paper towels shall be easily accessible and readily available at all times.
[COS] Manual pump bottle of hand soap was refilled and provided at the hand wash station.

Follow-up By
01/09/2025

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

Inspector Observations: Two colanders of vermicelli maintained at the rolling rack next to the three-compartment food preparation sink measured between 65F to 72F. Employee stated that vermicelli was prepared less than two hours prior and is usually finished in less than four hours.

Follow-up By
01/09/2025

Plastic container of bean sprouts in water maintained out in ambient temperature measured at 55F. Employee stated that sprouts were just refilled and is usually kept on ice.

Plastic bucket of sea snails maintained inside the three-compartment food preparation sink measured at 63F. Employee stated that snails were just taken out of the refrigerator to prepare orders.

Bucket of raw oysters maintained out in ambient temperature on the floor next to the cook line measured at 66F. Employee stated that oysters were just taken out less than 30 minutes to prepare an hour.

Large container of portioned chicken feet maintained out in ambient temperature on top of the reach-in refrigerator across from the deep fryer, measured at 59F. Employee stated that chicken feet was taken out from the refrigerator less than an hour prior to prepare an order.

Metal container of raw shelled eggs maintained below the rolling cart holding the hot holding unit for garnishes for noodles measured at 78F. Employee stated that eggs were taken out approximately 2 hours prior. On the same cart, metal container of raw clams was also maintained out in ambient temperature measuring at 53F.

Numerous portioned plates of herbs and bean sprouts maintained on the rolling cart across from the mechanical dish machine measured at 60F. Rolling cart was covered with a plastic zip-up cover that completely encloses the cart. A large tub of ice was maintained at the bottom of the cart. Employee stated that items were prepared approximately 2 hours prior and is usually served quickly.

Fried egg rolls and portioned purple sticky rice maintained inside the standing hot holding unit to maintained bowls warm measured at 120F. Employee stated that items were prepared approximately 2 hours prior and is usually served within 4 hours.

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

***Alternatively, items may also be subjected to time control. 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. Time as a public health control (TPHC) was reviewed with owner during inspection on 4/23/2024.**

[COS/SA] Ice was added to the following food items to immediately cool: bean sprouts in water, bucket of sea snails, bucket of live oysters, and metal bucket of clams. The following food items were relocated to refrigeration units to immediately cool: chicken feet and raw shelled eggs. Vermicelli, portioned plates of bean sprouts and herbs maintained inside the "cooled" rolling cart, fried egg rolls, and portioned purple sticky rice will be subjected to time as a public health control and shall be immediately discarded if not consumed after 4 hours.

Minor Violations

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K04 - 3 Points - Improper eating, tasting, drinking or tobacco use in food preparation area; 113977

Inspector Observations: *Observed employee eating inside the kitchen above open food at the food preparation refrigerator. Numerous opened beverages, beverage cups, and covered bowls of food stored in areas of food storage and/or food preparation areas.*

[CA] *No employee shall eat or drink in the food prep, food contact storage, or food storage areas, use designated area.*

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

Inspector Observations: *Container of cooked BBQ pork maintained at the top insert of the food preparation refrigerator at the noodle station measured at 60F. Employee stated that item was prepared approximately two hours prior. Item observed stored above the load limit of the container.*

[CA] *Potentially Hazardous Foods (PHFs) shall be cooled rapidly from 135°F to 70°F and below within 2 hours and from 70°F to 41°F and below within an additional 4 hours. Discontinue utilizing the food preparation refrigerator to cool PHF items.*

K14 - 3 Points - Food contact surfaces unclean and unsanitized; 113984(e), 114097, 114099.1, 114099.4, 114099.6, 114101, 114105, 114109, 114111, 114113, 114115(a,b,d), 114117, 14125(b), 114141

Inspector Observations: *Chlorine sanitizer at the mechanical dish machine measured at 25 PPM.*

[CA] *Maintain chlorine in mechanical warewash machine at 50 PPM or per manufacture specifications.*

K16 - 3 Points - Not in compliance with shell stock tags, condition; 114039-114039.5

Inspector Observations: *Shellstock tags are not maintained for 90 days or in an orderly manner.*

[CA] *The identity of the source of shellstock that are sold or served shall be maintained for 90 calendar days from the dates of harvest by using an approved recordkeeping system that keeps the tags or labels in chronological order correlated to the date or dates the shellstock are sold or served.*

*** Note:** *Tags for the currently lot of shellstock on hand was provided for review.*

K26 - 2 Points - Unapproved thawing methods used; frozen food; 114018, 114020, 114020.1

Inspector Observations: *Observed numerous frozen foods defrosting out in ambient temperature.*

[CA] *Frozen potentially hazardous food shall only be thawed in one of the following ways: 1) under refrigeration that maintains the food temperature at 41°F or below, 2) completely submerged under potable running water for a period not to exceed two hours at a water temperature of 70°F or below, and with sufficient water velocity to agitate and flush off loose particles into the sink drain, 3) in a microwave oven if immediately followed by immediate preparation, 4) as part of a cooking process.*

K40 - 2 Points - Wiping cloths: improperly used and stored; 114135, 114185.1 114185.3(d,e)

Inspector Observations: *Numerous wiping cloths maintained out on food preparation areas and food contact surfaces.*

[CA] *Wiping towels shall be stored in sanitizing solution of an approved concentration when not in use (100 ppm - chlorine, 200 ppm - quaternary ammonium). Wiping cloths that are in use for cleaning food spills shall not be used for any other purpose.*

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: *Employees' personal belongings observed stored in areas of food preparation, food storage, food contact surfaces, and/or directly on food.*

[CA] *No person shall store clothing or personal effects (cell phone, car keys, and jackets) in any area used for the storage and preparation of food or food contact surfaces. Employee's personal effects shall be stored in employee lockers or other designated areas for employee storage.*

Side door of facility maintained opened during time of inspection.

[CA] *Keep door closed at all times to prevent the entrance and harborage of vermin.*

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Performance-Based Inspection Questions

- Needs Improvement - Time as a public health control; procedures & records.
- Needs Improvement - Proper eating, tasting, drinking, tobacco use.
- Needs Improvement - Proper hot and cold holding temperatures.

Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
Cha com	Food preparation refrigerator	40.00 Fahrenheit	
Raw clams	Walk-in refrigerator	41.00 Fahrenheit	
Beef meat ball	Food preparation refrigerator	41.00 Fahrenheit	
Cooked oysters	Cook line	168.00 Fahrenheit	
Cooked pork ribs	Walk-in refrigerator	38.00 Fahrenheit	
To-go container of curry	Food preparation refrigerator	40.00 Fahrenheit	
Hot water	Three-compartment sink	120.00 Fahrenheit	
Tofu	Food preparation refrigerator	41.00 Fahrenheit	
Cooked pork liver	Food preparation refrigerator	41.00 Fahrenheit	
Warm water	Hand wash sinks	102.00 Fahrenheit	
To-go containers of curry	Walk-in refrigerator	35.00 Fahrenheit	
Milk	Beverage refrigerator	39.00 Fahrenheit	
Blood clams	Two-door reach-in freezer	5.00 Fahrenheit	
Cooked razor clams	Deep fryer	176.00 Fahrenheit	
Raw pork	Food preparation refrigerator	40.00 Fahrenheit	
Cooked whole shrimp	Food preparation refrigerator	40.00 Fahrenheit	
Cooked ground pork	Hot holding unit	143.00 Fahrenheit	
Marinated raw chicken	Food preparation refrigerator	40.00 Fahrenheit	
Tomato based soup	Cook line	149.00 Fahrenheit	
Cooked halved chicken	Walk-in refrigerator	40.00 Fahrenheit	
Beef based soup	Cook line	200.00 Fahrenheit	

Overall Comments:

- **Complaint investigation was conducted concurrently with complaint investigation.**
- **Two or more major violations were observed during the routine inspection.**
- **A follow-up inspection will be conducted to verify compliance of all major violations.**
- **Subsequent follow-up inspection after first follow-up shall be billed \$298/hour, minimum one hour, during normal business hours (Monday - Friday, 7:30 AM to 4:30 PM), and \$645/hour, minimum two hours, during non-business hours, and upon inspector availability.**
- **The posted placard is property of the Santa Clara County 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.**

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 **1/21/2025**. 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.

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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: Helen C.
Manager

Signed On: January 07, 2025