

# 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 FA0253746 - WHISPERS CAFE & CREPERIE		Site Address 150 S 2nd ST, SAN JOSE, CA 95113		Inspection Date 01/21/2025	
Program PR0369556 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name WHISPERS INC		Inspection Time 10:05 - 11:15
Inspected By ALEXANDER ALFARO	Inspection Type ROUTINE INSPECTION		Consent By ZUHAIR	FSC Zuhair F Qutami 12/09/24	

Placard Color & Score
<b>GREEN</b>
<b>91</b>

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						S
K06 Adequate handwash facilities supplied, accessible	X						S
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		
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	X	
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		
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

No major violations were observed during this inspection.

### Minor Violations

K19 - 3 Points - Non-compliance with consumer advisory for raw or undercooked foods; 114012, 114093

**Inspector Observations:**

**Facility offers undercooked (eggs, steak, burgers) menu items for sale without a consumer advisory and disclosure.**

**[CA] Provide consumer warning for the sale of raw or undercooked animal-derived foods.**

**Consumer Advisory: Consuming raw or undercooked meats, poultry, seafood, shellfish, or eggs may increase your risk of foodborne illness, especially if you have certain medical conditions.**

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:**

**In the kitchen area, at the three door under counter cooler next to the fryer, it was not maintaining temperature at 41°F.**

**Note: Cooler was being used to store non-PHF's such as wine bottles, unopened juices, and unopened non-dairy milk.**

**[CA] Refrigeration must be capable of maintaining PHFs at 41°F or below.**

K36 - 2 Points - Equipment, utensils, linens: Improper storage and use; 114074, 114081, 114119, 114121, 114161, 114178, 114179, 114083, 114185, 114185.2, 114185.3, 114185.4, 114185.5

**Inspector Observations:**

**In the back of house area, next to the walk in freezer, two pressurized tanks were not restrained to a rigid structure.**

**[CA] All pressurized cylinders shall be securely fastened to a rigid structure.**

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

**Inspector Observations:**

**1. Several wet wiping cloths were found throughout the facility on counters and tables.**

**2. Wet wiping cloths were found stored in a solution of 0 PPM chlorine or quaternary ammonia.**

**[CA] Wiping towels shall be stored in sanitizing solution of an approved concentration when not in use (100 ppm - chlorine, 200 ppm - quaternary ammonium).**

**[COS] PIC placed the cloths into a sanitizer bucket with a chlorine solution measuring at 100 PPM.**

### Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

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## Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
Water	Prep Sink	120.00 Fahrenheit	
Beans	Steam Table	135.00 Fahrenheit	
Sausage	Walk in Cooler #1	36.00 Fahrenheit	
Diced Tomatoes	Prep Cooler	40.00 Fahrenheit	
Chlorine - Sanitizer	Three Compartment Sink - Front of House & Bar	100.00 PPM	
Feta Cheese	Drawer Cooler	39.00 Fahrenheit	
Chlorine - Sanitizer	Dishwasher	50.00 PPM	
Eggs	Final Cook	170.00 Fahrenheit	
Water	Hand Sink - Kitchen	120.00 Fahrenheit	
Shredded Chicken	Steam Table	170.00 Fahrenheit	
Water	Three Compartment Sink - All	130.00 Fahrenheit	
Water	Hand Sinks - Restrooms	108.00 Fahrenheit	
Chlorine - Sanitizer	Sanitizer Bucket	100.00 PPM	
Quaternary Ammonia - Sanitizer	Three Compartment Sink - Back of House	300.00 PPM	
Pico de Gallo	Walk in Cooler #2	40.00 Fahrenheit	

## Overall Comments:

*Per Zuhair, they have their FSC exam scheduled for 01/20/2025*

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 **2/4/2025**. 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:** Zuhair Qutami  
Owner

**Signed On:** January 21, 2025