

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 FA0208022 - LUV CAFE		Site Address 2444 ALVIN AV B, SAN JOSE, CA 95121		Inspection Date 06/02/2025	
Program PR0301815 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			Owner Name NGUYEN, TRAN		Inspection Time 15:50 - 16:50
Inspected By HENRY LUU	Inspection Type ROUTINE INSPECTION	Consent By LUCY	FSC Not Available		

Placard Color & Score

YELLOW

65

RISK FACTORS AND INTERVENTIONS	IN	OUT		COS/SA	N/O	N/A	PBI
		Major	Minor				
K01 Demonstration of knowledge; food safety certification			X				N
K02 Communicable disease; reporting/restriction/exclusion	X						
K03 No discharge from eyes, nose, mouth	X						
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						
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		X			N
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	X	
K36 Equipment, utensils, linens: Proper storage and use	X	
K37 Vending machines		
K38 Adequate ventilation/lighting; designated areas, use	X	
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: Raw shelled eggs maintained out in ambient temperature measured at 75F. Employee stated that eggs are taken out from the refrigerator for 4 hours and is then returned to the refrigerator to cool. Per employee, eggs have been out since around lunch time, 12:00 PM.

Follow-up By
06/05/2025

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

[COS] Eggs were VC&D due to time and temperature abuse.

**** Repeat violation.**

K15 - 8 Points - Food not obtained from approved source; 113980, 113982, 114021-114031, 114041

**Inspector Observations: Facility is conducting food preparation and cooking without the proper equipment:
- Food preparation sink, ventilation hood, cooking equipment.**

Follow-up By
06/05/2025

[CA] Food must be from an approved source or properly documented.

[COS] Cooking equipment was removed. All food was isolated to be removed from the facility.

Facility is to immediately cease and desist all cooking.

**** Repeat violation.**

Minor Violations

K01 - 3 Points - Inadequate demonstration of knowledge; food manager certification

Inspector Observations: Five-year Food Safety Certified (FSC) manager certificate unavailable for review. [CA] Food facilities that prepare, handle, or serve non-prepackaged potentially hazard foods shall have a valid Food Safety Certificate available for review at all times.

Employees' three-year food handler cards unavailable for review.

[CA] Each food handler shall maintain a valid food handler card for the duration of his or her employment as food handler. A valid food handler card shall be provided within 30 days of after the date of hire.

**** Repeat violation**

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

Inspector Observations: Kitchen employee observed eating inside the storage room.

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

K23 - 3 Points - Observed rodents, insects, birds, or animals; 114259.1, 114259.4, 114259.5

Inspector Observations: Observed small pet dog inside carrier kept by the entrance into the facility.

[CA] No live animals may be allowed in a food facility, except in the following situations; decorative fish or shellfish in aquarium, animals intended for consumption if kept separated from other food and food contact surfaces, dogs under the control of on-duty uniformed law enforcement or private patrol, outdoor dining areas, and service animals.

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

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Inspector Observations: Frozen raw chicken and frozen squid thawing in ambient temperature in the middle of the three-compartment sink.

[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.

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: Facility utilizing numerous unapproved equipment to prepare food:

- Domestic counter top deep fryer.
- Two butane burners.
- Toaster oven

Follow-up By
06/05/2025

Additionally, facility lacks dedicated food preparation sink.

[CA] All utensils and equipment shall be approved, installed properly, & meet applicable standards. All permanent food facilities that wash, rinse, soak, thaw, or similarly prepare foods shall be provided with a food preparation sink.

**** Remove all unapproved cooking equipment.**

**** Repeat violation.**

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: Employee utilizing three-compartment sink for food preparation.

[CA] Utilize sinks for their designated purposes. Three-compartment sink shall only be used for ware washing.

K38 - 2 Points - Inadequate ventilation and lighting in designated area; 114149, 114149.1, 114149.2, 114149.3, 114252, 114252.1

Inspector Observations: Facility is cooking using counter top deep fryers and butane stoves; facility lacks dedicated ventilation hood. At time of inspection, kitchen and dining area smelled heavily of oil.

[CA] Provide approved exhaust hood ventilation over all cooking equipment as required to effectively remove cooking odors, smoke, steam, grease, heat, and vapors.

**** Repeat violation.**

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 grease and grime observed on floors and walls where cooking is being conducted.

[CA] Walls and/or floors in food preparation area shall be kept clean. Regularly clean under equipment to prevent accumulation of debris.

Performance-Based Inspection Questions

- Needs Improvement - Food obtained from approved source.
- Needs Improvement - Proper eating, tasting, drinking, tobacco use.
- Needs Improvement - Demonstration of knowledge; food manager certification.

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Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
Raw squid	One-door upright refrigerator	40.00 Fahrenheit	
Raw beef	One-door upright refrigerator	41.00 Fahrenheit	
Warm water	Hand wash sink	106.00 Fahrenheit	
Hot water	Three-compartment sink	121.00 Fahrenheit	
Sliced fancy pork	Three-door reach-in refrigerator	41.00 Fahrenheit	
Raw shelled eggs	One-door upright refrigerator	42.00 Fahrenheit	

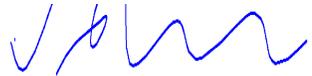
Overall Comments:

- *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 **6/16/2025**. 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



Received By: Viet
Owner

Signed On: June 02, 2025