

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 FA0255841 - MIMOSAS CAFE		Site Address 2089 S BASCOM AV 2103, CAMPBELL, CA 95008		Inspection Date 11/04/2020	
Program PR0373620 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			Owner Name BENJAMIN J RUIZ		Inspection Time 10:30 - 13:30
Inspected By LOC TRAN	Inspection Type RISK FACTOR INSPECTION		Consent By DANIEL	FSC Not Available Please check FSC format.	

Placard Color & Score
RED
N/A

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					N
K07 Proper hot and cold holding temperatures		X					S
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		
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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K48	Plan review	
K49	Permits available	
K58	Placard properly displayed/posted	

Comments and Observations

Social Distancing Protocol

01 - Signage Violation

Inspector Observations: MISSING LATEST COVID19 PREPARED SIGNAGE.

MISSING TABLE SIGNAGE REGARDING MASK REMINDERS

02 - Face Covering Violation

Inspector Observations: OBSERVED MGR ARRIVE INTO KITCHEN WITHOUT FACE COVERING NOSE OR MOUTH.

03 - Social Distance Violation

Compliance of this category has been verified.

04 - Clean and Sanitize Violation

Compliance of this category has been verified.

05 - General Violation

Inspector Observations: FOUND THE TENT POSITIONED AGAINST THE BUILDING WITH 2 SIDES COVERED, MORE THAN 50% OF THE BOOTH HAD SIDE COVERINGS OVER 4 FEET.

OBSERVED WAITER DROP OFF USED PLATES ON THE CART AND FAILED TO IMMEDIATELY WASH HIS HANDS AT THE BLOCKED HANDSINK. EMPLOYEE STEPPED BACK INTO THE DINING AREA (UNABLE TO VERIFY IF HE WASHED HIS HANDS IN THE RESTROOM). [CA] WASH HANDS BEFORE HANDLING CLEAN UTENSILS AND SURFACES.

Major Violations

K06 - 8 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

Inspector Observations: FOUND BOTH HANDWASH STATIONS OBSTRUCTED WITH EMPTY PAPER TOWEL DISPENSERS. [CA] KEEP HANDSINKS EASILY ACCESSIBLE AND SOAP&PAPER TOWEL DISPENSERS WELL STOCKED.

Follow-up By 11/05/2020

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

Inspector Observations: MEASURED PHF IN THE LEFT PREP FRIG BETWEEN 46F-52F, POSSIBLE DUE TO EQUIPMENT FAILURE. [CA] HOLD PHF FOODS AT 41F OR BELOW.

Follow-up By 11/05/2020

FOUND THE THERMOMETER POSITIONED IN THE BACK OF THE UNIT AND WAS NOT VISIBLE. [CA] PLACE ACCURATE THERMOMETERS IN THE FRONT AND IN PLAIN VIEW FOR STAFF TO MONITOR TEMPERATURE OF THE UNIT.

COS - PHF REMOVED TO COOLER UNIT.

K21 - 8 Points - Hot and cold water not available; 113953(c), 114099.2(b), 114163(a), 114189, 114192, 114192.1, 11419

Inspector Observations: MEASURE WATER AT 63F FROM THE HOT WATER VALVE IN THE 3 COMP SINK. MGR ARRIVED TO TROUBLE SHOOT IT AND FOUND THE PILOT LIGHT WAS OFF. [CA] PROVIDE HOT WATER AT 120F OR ABOVE. CEASE ANY FOOD HANDLING OPERATIONS OF OPEN FOODS UNTIL HOT WATER IS PROVIDED AT 120F.

Follow-up By 11/05/2020

K22 - 8 Points - Sewage and wastewater improperly disposed; 114197

Inspector Observations: FOUND FLOOR SINKS AND DRAINS OVERFLOWING AND BACKING UP WHEN ADDITIONAL WASTE WATER WERE ADDED TO THE FLOOR SINKS. [CA] REPAIR CLOGGED FLOOR DRAIN AND SINK BEFORE REOPENING FOR BUSINESS. CEASE THE USE OF ANY FOOD PREP.

Follow-up By 11/05/2020

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Minor Violations

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

Inspector Observations: NO FSC ON SITE

K05 - 3 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

Inspector Observations: OBSERVED WAITER DROP OFF USED PLATES ON THE CART AND FAILED TO IMMEDIATELY WASH HIS HANDS AT THE BLOCKED HANDSINK. EMPLOYEE STEPPED BACK INTO THE DINING AREA (UNABLE TO VERIFY IF HE WASHED HIS HANDS IN THE RESTROOM). [CA] WASH HANDS BEFORE HANDLING CLEAN UTENSILS AND SURFACES.

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: NO SANITIZER WAS MEASURED IN THE 3 COMP SINK. NO DISHES WERE SUBMERGED IN THE SANITIZE COMPARTMENT. [CA] ENSURE ADEQUATE SANITIZER CONCENTRATION IS USED. QUAT40 = 140 PPM - 400 PPM. CHLORINE -100 PM.

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

Inspector Observations: CONSUMER ADVISORY REQUIREMENT ARE INCOMPLETE ON THE MENU.

Performance-Based Inspection Questions

Needs Improvement - Adequate handwash facilities: supplied or accessible.

Measured Observations

Item	Location	Measurement	Comments
DICED TOMATOES	LEFT PREP FRIG, INSERTS	52.00 Fahrenheit	
BEEF	REACHIN FRIG	41.00 Fahrenheit	
HOT WATER	3 COMP SINK	63.00 Fahrenheit	PILOT LIGHT WAS NOT ON, PER MGR.
STEAK	RIGHT PREP FRIG	40.00 Fahrenheit	
BEANS	LEFT PREP FRIG	52.00 Fahrenheit	
CHEESE	RIGHT PREP FRIG	40.00 Fahrenheit	
PORK CUTS, COOKED	LEFT PREP FRIG	46.00 Fahrenheit	
CHLORINE	SANIBUCKET	200.00 PPM	
QUAT	3 COMP SINK	0.00 PPM	
BEAN	LEFT PREP FRIG	52.00 Fahrenheit	

Overall Comments:

HERE IS A COPY OF THE INSPECTION REPORT. THE INSPECTION REPORT IS INCOMPLETE DUE TO TIME CONSTRAINTS. A MORE THOROUGH COPY WILL BE PROVIDED BY TOMORROW. THE DETAILS IN THE REPORT ARE SUFFICIENT TO PROVIDE DIRECTIONS AND REQUIREMENTS TO REOPEN.

CONSULTED WITH ALELI C. ON THE CLOSURE.

CORRECT THE HOT WATER AND THE SEWAGE VIOLATIONS BEFORE THE FACILITY CAN REOPEN. SCHEDULE A FOLLOWUP INSPECTION TO VERIFY THESE TWO VIOLATIONS HAVE BEEN CORRECTED.

ADDITIONAL DETAILS WERE ADDED TO REPORT. 11/5/20

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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 **11/18/2020**. 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: TO BE EMAILED

Signed On: November 05, 2020

Comment: .