

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 FA0253610 - CON AZUCAR CAFE		Site Address 5651 SILVER CREEK VALLEY RD, SAN JOSE, CA 95112		Inspection Date 03/03/2025	
Program PR0369277 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 2 - FP13			Owner Name CON AZUCAR CAFE INC		Inspection Time 11:40 - 12:50
Inspected By MAMAYE KEBEDE	Inspection Type ROUTINE INSPECTION	Consent By MARIO A DELACRUZ RODRIGUEZ	FSC Yajaira Hernandez 6/30/2026		

Placard Color & Score
GREEN
83

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						
K06 Adequate handwash facilities supplied, accessible	X						
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				S
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	X	
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	X	
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		X
K58 Placard properly displayed/posted		

Comments and Observations

Major Violations

No major violations were observed during this inspection.

Minor Violations

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: There was a very low sanitizer concentration on the manual three-compartment warewashing sink.

[CA] Whenever sanitizing of utensils/equipment is conducted, the sanitizer concentration maintain in the sanitizing compartment of the manual warewashing sink must be maintained at 200 ppm quaternary ammonia or 100 ppm chlorine, unless otherwise specified by manufacturer of the chemical.

K30 - 2 Points - Food storage containers are not identified; 114047, 114049, 114051, 114053, 114055, 114067(h), 114069 (b)

Inspector Observations: Many food products on boxes were stored directly on the floor or on milk crate back in the storage area.

[CA] To prevent insect hiding and breeding and for easy cleaning of the floor area, please store all food products at least six inches off the floor on approved shelf or dunnage rack.

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: Repeated violation: Turbo chef ovens exemption application was incomplete. A follow up email was sent by this office on Jan 3. Please submit complete application for plan check review.

[CA] Cease and desist operations utilizing turbo chef oven and steam table, until final plan check approval has been received from this department. Please contact the plan check unit to get the approval of the equipment.

A follow-up inspection will be conducted on or after next week to verify that the required corrective actions have been implemented. Any subsequent follow-up inspection shall be a charge of \$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 to the owner.

Failure to take corrective action within the specified time frame will result in further enforcement measures, which may include:

- Issuance of fines or penalties as authorized by city, county, and state regulations.
- Suspension or revocation of operating permits.
- Additional legal action as deemed necessary to protect public health and safety.

If you have questions regarding this notice, require clarification of the violations, or need guidance on achieving compliance, please contact the district inspector.

Thank you for your immediate attention to this matter. Compliance with health and safety standards is critical to maintaining public trust and ensuring the well-being of your customers.

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: Repeated violation: Boxes of single use and other utensils were stored on the floor back in the storage area.

[CA] For easy floor cleaning and to prevent insect/rodent infestation and hiding, store all utensils/equipment at least six inches off the floor on approved shelf/dunnage rack at all the time.

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

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Inspector Observations: Multiple wet/soiled wiping cloths were stored on the counters.

[CA] Wet/soiled wiping cloths must be stored in a bucket that has standard sanitizer concentration in between use which is 200 ppm quaternary ammonia or 100 ppm chlorine (bleach).

K41 - 2 Points - Plumbing unapproved, not installed, not in good repair; improper backflow devices; 114171, 114189.1, 114190, 114192, 114193, 114193.1, 114199, 114201, 114269

Inspector Observations: Drainpipe from the espresso machine is immersed inside the floor sink.

[CA] To prevent possible contamination from backup of sewage, please provide at least one inch air gap between the floor sink and the drainpipes.

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: Couple of open cup employee drinks were stored on the preparation tables.

[CA] To prevent possible contamination, employees may only drink with covered cup container and store their drink in designated areas.

K49 - 2 Points - Permits not available; 114067(b,c), 114381(a), 114387

Inspector Observations: 48 HOUR NOTICE-- Pool

Our records indicate this property has a delinquent account for the swimming pool and it is operating without a valid Santa Clara County Department of Environmental Health permit. The property has an outstanding account balance in the amount of \$1,435.00.

Payment must be made within 48 hours (2 business days) to the Santa Clara County DEH online at our website which is <https://paydirect.link2gov.com/SantaClaraCountyDEH/ItemSearch> using an account ID number AR1356522. You may also drop a business check or a crasher's check at our office address written on the top right corner.

A re-inspection will not be conducted if your account is paid in full by 3/03/2025. The facility shall remain open, and a new valid permit will be mailed after payment has been received.

If your account has not been paid in full by the Comply By date, a re-inspection will be performed, and the facility owner may be billed at the current hourly rate per County Ordinance Code B11-8. Non-payment of permit fees within 48 hours will result in additional legal actions up to and including the pool closure.

The manager said he paid the permit fee online while I was at the store. He showed me a confirmation number 3893095338. The transaction may take at least 48 hours to clear our accounting department to be posted on the facility's database.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
Quaternary ammonia	Three compartment sink	100.00 PPM	
Ice cream	Ice cream cooler	0.00 Fahrenheit	IR
Sliced ham	Upright fridge	35.00 Fahrenheit	
Hot water	Three compartment sink	130.00 Fahrenheit	
Sliced turkey	Upright fridge	34.00 Fahrenheit	
Milk	Upright fridge	34.00 Fahrenheit	
Milk	Undercounter fridge	39.00 Fahrenheit	

Overall Comments:

Note: Food safety manager certificate: Yajaira Hernandez - 6/30/2026.

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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 **3/17/2025**. 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: Mario A Delacruz Rodriguez
Employee

Signed On: March 03, 2025