

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 FA0260937 - COUNTER, THE		Site Address 3055 OLIN AV 13040, SAN JOSE, CA 95128		Inspection Date 02/26/2020	
Program PR0382543 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name THE COUNTER SANTANA RC		Inspection Time 14:40 - 15:50
Inspected By JASLEEN PURI	Inspection Type ROUTINE INSPECTION		Consent By RICHARD MOORE	FSC Dulce Franco 1/16/22	

Placard Color & Score
GREEN
91

RISK FACTORS AND INTERVENTIO	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 PRACTICE	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	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	X	
K45 Floor, walls, ceilings: built,maintained, clean		
K46 No unapproved private home/living/sleeping quarters		
K47 Signs posted; last inspection report available		
K48 Plan review		
K49 Permits available		
K58 Placard properly displayed/posted		

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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: Missing asterisk indicating consumer advisory statements next to juicy Lucy beef burger. Per PIC, juicy Lucy burger is served cook to order. [CA] Add asterisk next to juicy Lucy burger to indicate consumer advisory.

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: Observed packages of single use articles (cups, lids) stored on shelf outside. [CA] Discontinue storing single use articles outside. Store single use articles inside permitted kitchen.

Observed unrestricted CO2 tanks next to soda syrups. [CA] Restrict all pressurized tanks to a rigid surface.

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

Inspector Observations: Observed some gaps between hood filters. [CA] Ensure there are no gaps between hood filters to provide adequate ventilation.

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: Observed windows open and no screen in place to prevent entrance of vermin. [CA] Openable windows shall be screened or kept closed to prevent the entrance and harborage of animals, birds, and vermin.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
hot water	high temp dishwashing machine	170.00 Fahrenheit	thermolabel
meat	walk-in-cooler	40.00 Fahrenheit	
cheese	walk-in-cooler	41.00 Fahrenheit	
burgers	cold drawer	41.00 Fahrenheit	
quat	3-comp-sink	200.00 PPM	
onions	hot holding	140.00 Fahrenheit	
cut tomatoes	cold holding prep	40.00 Fahrenheit	
burger	final cook	171.00 Fahrenheit	
bacon	hot holding	140.00 Fahrenheit	
soft serve	machine	40.00 Fahrenheit	
milk	bar cooler	41.00 Fahrenheit	
hot water	handsinks - kitchen, bar, restrooms	100.00 Fahrenheit	
hot water	3-comp-sink/prep sink	120.00 Fahrenheit	
cheese	cold holding prep	41.00 Fahrenheit	
chilli	prep sink ice bath	50.00 Fahrenheit	Per PIC, made at 11 am today. Actively cooling.
cheese	reach down cooler	40.00 Fahrenheit	

Overall Comments:

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 **3/11/2020**. 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.

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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: Richard Moore
Manager

Signed On: February 26, 2020