

# 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 FA0210646 - FOSTER FREEZE-698		Site Address 698 N 4TH ST, SAN JOSE, CA 95112		Inspection Date 07/14/2021	
Program PR0300500 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			Owner Name BROWN, CHARLES		Inspection Time 11:20 - 12:00
Inspected By OBDULIA DUQUE-TURCIOS	Inspection Type ROUTINE INSPECTION		Consent By ABBIE DARABI	FSC Not Available	

Placard Color & Score
<b>GREEN</b>
<b>93</b>

RISK FACTORS AND INTERVENTIONS	IN	OUT		COS/SA	N/O	N/A	PBI
		Major	Minor				
K01 Demonstration of knowledge; food safety certification			X				S
K02 Communicable disease; reporting/restriction/exclusion	X						S
K03 No discharge from eyes, nose, mouth					X		S
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						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						S
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	X	
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	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		
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

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

**Inspector Observations: Food safety certificate is not available upon request by the enforcement officer during the time of the inspection. [CA] Any food facility that prepares potentially hazardous foods (PHFs) must have an employee who has successfully passed an approved and accredited Food Safety Certification Examination. (REPEATED VIOLATION).**

K33 - 2 Points - Nonfood contact surfaces not clean; 114115(c)

**Inspector Observations: Three doors reach-in freezer are observed with dry/old food juices residues during the time of the inspection. [CA] Nonfood contact surfaces of equipment shall be kept free of an accumulation of dust, dirt, food residue, and other debris.**

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: Hot water knob/handle on the 2-compartment sink is observed not in operation in the warewashing area. [CA] Repair the hot water handle.**

### Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

### Measured Observations

Item	Location	Measurement	Comments
warm water temperature	handwashing facility	108.00 Fahrenheit	
hot water temperature	2-compartment sink	120.00 Fahrenheit	
chili	hot holding unit	138.00 Fahrenheit	
cheese	cold holding unit	37.00 Fahrenheit	
whipped cream	undercounter unit	38.00 Fahrenheit	
slice tomatoes	cold holding unit	37.00 Fahrenheit	
milk	undercounter unit	38.00 Fahrenheit	

### Overall Comments:

**Report emailed to [abbiejoon@att.net](mailto:abbiejoon@att.net)**

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 **7/28/2021**. 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

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**Received By:** Abbie Darabi  
Owner

**Signed On:** July 14, 2021

**Comment:** report emailed to the owner.