

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 FA0276600 - TERDI ART BAKERY		Site Address 3005 SILVER CREEK RD 174, SAN JOSE, CA 95121		Inspection Date 01/03/2025		Placard Color & Score RED 68		
Program PR0417885 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			Owner Name TERDI ART BAKERY LLC		Inspection Time 15:55 - 17:30			
Inspected By MARCELA MASRI		Inspection Type ROUTINE INSPECTION		Consent By QUYNH NGUYEN				FSC Not Available

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				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	X			N
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		
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	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		X
K58	Placard properly displayed/posted		

Comments and Observations

Major Violations

K23 - 8 Points - Observed rodents, insects, birds, or animals; 114259.1, 114259.4, 114259.5

Inspector Observations: *FOUND SEVERAL MICE DROPPINGS ON TOP OF CANNED GOODS, PREPACKAGED DRY GOODS AND ON THE SHELVES IN THE DRY STORAGE ROOM AND ON THE HALLWAY ON THE SIDE. [CA] FOOD FACILITIES SHALL NOT HAVE ANY MICE OR MICE DROPPINGS ON THE PREMISES. REMOVE THE MICE DROPPINGS, CLEAN THE FACILITY, MOVE THE EQUIPMENT TO CHECK AND SEAL ANY GAPS OR CREVICES ON THE WALLS, FLOORS AND CEILINGS WHERE THE MICE MAY BE HIDING OR COMING IN. DISCARD ANY FOOD THAT MAY BE CONTAMINATED BY THE MICE DROPPINGS OR MICE SECRETIONS. REMOVE ANY UNUSED EQUIPMENT OR CLUTTER. REMOVE ANY ENCRUSTED FOOD ON THE FOOD PREPARATION TABLES, UNDER EQUIPMENT, ON THE FLOORS AND WALLS. HIGHLY RECOMMEND HAVING A PEST CONTROL COMPANY PROVIDE A TREATMENT. CLEAN AND SANITIZE ALL SURFACES PRIOR TO CONTACTING THE DEPARTMENT. NOTE: ONE RE-INSPECTION WILL BE FREE OF CHARGE, IF ADDITIONAL RE-INSPECTIONS ARE NEEDED FOR THE SAME ISSUE, THEY WILL BE CHARGED AT \$298 PER HOUR DURING BUSINESS HOURS, MINIMUM ONE HOUR. CALL MARCELA AT 408-687-3451 WHEN READY FOR A RE-INSPECTION.*

Minor Violations

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

Inspector Observations: *MISSING THE FOOD SAFETY CERTIFICATE FOR MANAGERS. [CA] PROVIDE THE FOOD SAFETY CERTIFICATE.*

K06 - 3 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

Inspector Observations: *FOUND A BAG WITH TRASH AND A BOX STORED IN FRONT OF THE HAND WASH SINK IN THE FRONT SERVICE AREA BLOCKING IT. [CA] KEEP THE HAND WASH SINK ACCESSIBLE AT ALLTIMES.*

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: *THE OPERATOR HAS BLOCKED OFF THE 3RD COMPARTMENT AT THE 3 COMPARTMENT SINK. [CA] ENSURE THAT ALL 3 COMPARTMENTS ARE AVAILABLE FOR PROPER WASH RINSE AND SANITIZE.*

K22 - 3 Points - Sewage and wastewater improperly disposed; 114197

Inspector Observations: *FOUND WASTE WATER IN THE MOP BUCKET. [CA] REMOVE THE WATER AND DISCARD IN A SANITARY SEWER.*

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

Inspector Observations: *FOUND SEVERAL DRY FOOD ITEMS (IE: ONIONS, SUGAR, RICE) STORED ON THE FLOOR THROUGHOUT THE KITCHEN AND STORAGE AREAS.[CA] KEEP FOOD AND CLEAN EQUIPMENT 6 INCHES OFF THE FLOOR.*

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: *FOUND A NON COMMERCIAL ELECTRIC STOVE. [CA] REMOVE THE STOVE.*

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

Inspector Observations: *ONE LIGHT AT THE HOOD DOES NOT WORK. [CA] PROVIDE WORKING LIGHTS.*

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

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Inspector Observations: *FOUND EXCESSIVE CLUTTER THROUGHOUT THE FACILITY, ON THE FLOOR, COUNTERS, TABLES AND DRY SHELVES. [CA] REMOVE UNUSED EQUIPMENT AND TRASH. THE FLOORS MUST BE MADE AVAILABLE FOR CLEANING AS WELL AS THE COUNTER SURFACES.*

FOUND THE MOP INSIDE THE MOP BUCKET. [CA] HANG THE MOP TO AIR DRY.

FOUND A JACKET AND A PURSE STORED NEXT TO FOOD RELATED ITEMS ON THE SHELF IN THE FRONT SERVICE AREA. [CA] STORE PERSONAL ITEMS SEPARATE AND AWAY FROM FOOD OR FOOD RELATED ITEMS.

K45 - 2 Points - Floor, walls, ceilings: not built, not maintained, not clean; 114143(d), 114266, 114268, 114268.1, 114271, 114272

Inspector Observations: *FOUND THE FLOOR WITH FOOD DEBRIS THROUGHOUT THE FACILITY. [CA] CLEAN THE FLOOR ON A REGULAR BASIS.*

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

Inspector Observations: *PAYMENT FOR THE PERMIT MUST BE SUBMITTED TO PROVIDE A VALID PERMIT TO OPERATE. [CA] PAY PERMIT FEE.*

Performance-Based Inspection Questions

Needs Improvement - Adequate handwash facilities: supplied or accessible.

Needs Improvement - Food contact surfaces clean, sanitized.

Measured Observations

Item	Location	Measurement	Comments
TIRAMISU	FRONT DISPLAY REFRIGERATOR	41.00 Fahrenheit	
TURKEY	SERVICE REFRIGERATOR	40.00 Fahrenheit	
HOT WATER	3 COMPARTMENT SINK	120.00 Fahrenheit	
MILK	REACH IN REFRIGERATOR	39.00 Fahrenheit	
HOT WATER	HAND WASH SINK	100.00 Fahrenheit	
DESSERT CUPS	DISPLAY REFRIGERATOR	39.00 Fahrenheit	
DURIN	REACH IN FREEZER	-12.00 Fahrenheit	
HAM	SERVICE REFRIGERATOR	40.00 Fahrenheit	
EGGS	REACH IN REFRIGERATOR	39.00 Fahrenheit	
WHIPPED CREAM	UNDER COUNTER REFRIGERATOR	39.00 Fahrenheit	

Overall Comments:

--48 HOUR NOTICE--

Our records indicate this facility is operating without a valid permit and has a delinquent account. Your balance due is \$1383.75. Payment must be made immediately to DEH at the address at the top of this report or via our website at www.Ehinfo.org.

A facility that submits payment of the outstanding balance within 48 hours (2 business days) of this notice will be issued and mailed an operating permit by this department. Failure to comply within 48 hours will result in facility closure and additional enforcement, including but not limited to reinspection(s) and additional cost recovery fees.

A facility found to be in continued operation without a permit may incur a penalty of three (3) times the operating permit fee, and fee(s) for re-inspection(s) charged at the current hourly rate approved by the Santa Clara County Board of Supervisors. Penalties and fees incurred due to enforcement activities must be paid in full prior to the issuance of an operating permit.

THIS FACILITY IS NOW CLOSED DUE TO HAVING MICE DROPPING ON THE DRY PREPACKAGED FOOD IN THE DRY STORAGE AREA.

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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 **1/17/2025**. 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.

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: QUYNH NGUYEN
OWNER
Signed On: January 03, 2025