

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 FA0260568 - CHEESE CUPS		Site Address 3005 SILVER CREEK RD 152, SAN JOSE, CA 95121		Inspection Date 07/28/2022	
Program PR0381936 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name CAO, HIEN		Inspection Time 11:55 - 13:35
Inspected By HENRY LUU	Inspection Type ROUTINE INSPECTION		Consent By KELVIN	FSC Hien Cao 12/02/2022	

Placard Color & Score
RED
71

RISK FACTORS AND INTERVENTIONS	IN	OUT		COS/SA	N/O	N/A	PBI
		Major	Minor				
K01 Demonstration of knowledge; food safety certification			X				N
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				
K07 Proper hot and cold holding temperatures		X					N
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	X	
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	X	
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

Major Violations

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

Inspector Observations: Plate of cooked eggs maintained at the preparation table measured at 86F. Employee relocated eggs into the refrigerator upon this Divisions entry into the kitchen.

Follow-up By
08/02/2022

Cooked eggs maintained inside frying pan at the stove measured at 120F.

Small pot of braised salmon maintained at the stove measured at 118F.

Multiple PHF items maintained inside the walk-in refrigerator measured between 40F to 44F. Ambient temperature of the walk-in measured between 44F to 45F. Thermometer inside the walk-in refrigerator measured at 45F.

[CA] PHFs shall be held at 41F or below or at 135F or above.

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

Inspector Observations: Cockroach activity observed in the following areas:

Follow-up By
08/02/2022

- Live nymph and two dying adults observed on floor at the wall separating the food preparation sink and three-compartment sink by the drain pipe of the ice machine.
- Live nymph and numerous dead juveniles observed on wash racks and on floor under the left drainboard of the three-compartment sink.
- One live adult observed on wall by the metal cove base under the three-compartment sink.
- Numerous live adults and juveniles observed between wall and wooden magnetic knife holder above the three-compartment sink.
- Numerous live adults observed between the L-bracket and makeshift wooden shelf on the left basin above the three-compartment sink.
- Live adult observed crawling up the walk-in refrigerator door.
- One live nymph observed on floor in front of the two stock pot burner at the cook line.

Facility currently does not have pest control servicing facility.

[CA] The premises of each food facility shall be kept free of vermin. A food facility shall not operate when there is a vermin infestation that has resulted in the contamination of food contact surfaces, food packaging, utensils, food equipment, or adulteration of food(s). The food facility shall cease operation of the food facility immediately. The food facility shall remain closed until: there is no longer evidence of a vermin infestation; all contaminated surfaces have been cleaned and sanitized; and contributing factors such as cleaning, repairs, and the elimination of harborages have been resolved.

Minor Violations

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

Inspector Observations: Employees' food handler cards are expired. [CA] Each food handler shall maintain a valid food handler card for the duration of his or her employment as food handler. A valid food handler card shall be provided within 30 days of after the date of hire.

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

Inspector Observations: Hand washing station in the kitchen was obstructed with a colander of cooked noodles placed in front. [CA] Ensure hand washing stations are unobstructed and easily accessible at all times.

Hand washing station in employee restroom lacked hand soap. [CA] Provide handwashing cleanser in dispenser at handwash stations at all times.

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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: Sanitizing solution inside the three-compartment sink measured at 0 ppm chlorine. Two dead juvenile cockroaches also observed floating inside solution. [CA] Replace solution. Manual sanitization shall be accomplished in the final sanitizing rinse by contacting a chlorine solution of 100 PPM concentration for at least 30 seconds or by contacting a quaternary ammonium solution of 200 PPM concentration for at least 60 seconds.

K27 - 2 Points - Food not separated and unprotected; 113984(a-d,f), 113986, 114060, 114067(a,d,e,j), 114069(a,b), 114077, 114089.1(c), 114143(c)

Inspector Observations: Colander of cooked noodles maintained directly in front of the hand wash sink.

Clean utensils maintained below the paper towel dispenser at the front service counter hand wash sink.

[CA] All food and food-contact surfaces shall be separated and protected from possible contamination. Relocate noodles and clean utensils.

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: Walk-in refrigerator measured between 44F to 45F. [CA] Refrigeration must be capable of maintaining PHFs at 41F or below.

Observed cardboard used to line shelves and wooden planks used as makeshift shelves and/or items to maintain food containers off of floor. [CA] Discontinue the use of cardboard boxes to line shelves/flooring, use approved equipment made of materials that is easily cleanable, durable, smooth, and nonabsorbent. All utensils and equipment shall be approved, installed properly, & meet applicable standards.

Performance-Based Inspection Questions

- Needs Improvement - Demonstration of knowledge; food manager certification.
- Needs Improvement - Proper hot and cold holding temperatures.

Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
Raw clams	Walk-in refrigerator	41.00 Fahrenheit	Prepackaged frozen
Milk	Preparation refrigerator	41.00 Fahrenheit	Front service area
Sanitizing bucket	Three-compartment sink	200.00 PPM	Chlorine sanitizer
Sliced tomato	Preparation refrigerator	41.00 Fahrenheit	
Cooked rice	Ricer warmer	197.00 Fahrenheit	
Raw chicken	Walk-in refrigerator	39.00 Fahrenheit	
Hot water	Three-compartment sink	125.00 Fahrenheit	

Overall Comments:

- Facility is hereby closed due to the presence of vermin.
- Facility is to remain closed until there is no longer evidence of a vermin infestation and written authorization is provided by this Division to resume operations.
- Subsequent follow-up inspections after the first follow-up shall be billed at \$219/hour minimum one hour, during normal business hours, and \$493 per hour, minimum on hour, during non-business hours, and upon inspector availability.

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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 **8/11/2022**. 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: Hien Cao
Owner

Signed On: July 28, 2022