

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 FA0205445 - TOP CAFE		Site Address 1075 S DE ANZA BL, SAN JOSE, CA 95129		Inspection Date 03/13/2025		Placard Color & Score YELLOW 74		
Program PR0302183 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name TOP CAFE INC		Inspection Time 15:05 - 17:15			
Inspected By FRANK LEONG		Inspection Type ROUTINE INSPECTION		Consent By DONG KUANG				FSC ZHEN PING KUANG 02/21/2029

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						S
K06	Adequate handwash facilities supplied, accessible	X						S
K07	Proper hot and cold holding temperatures		X		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		X			N

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	X	
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	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		
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	
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: In the kitchen area, at the 4 door prep top, measured a container of shredded cheese, fried potatoes, fried taro, raw shelled eggs, and raw beef at 50F. Per operator, shredded cheese, fried potatoes, fried taro, raw shelled eggs, and raw beef stored for 1.5 hours. [CA] Ensure potentially hazardous foods are held cold at 41F or below to prevent bacterial growth. [SA] Operator discarded container of shredded cheese, moved fried potatoes, fried taro, and raw shelled eggs to 2 door reach in refrigerator, and moved raw beef to walk-in refrigerator to facilitate proper holding temperatures.

Follow-up By
03/19/2025

In the 3 door prep unit, measured pooled eggs, and egg whites at 51F. Measured ambient air temperature of the unit at 51F. Per operator, pooled eggs and egg whites stored for 1.5 hours. [CA] Ensure potentially hazardous foods are held cold at 41F or below. Provide repairs to equipment where equipment is able to maintain potentially hazardous foods at 41F or below. [SA] Operator moved pooled eggs and egg whites to nearby 2 door reach in refrigerator to facilitate proper holding temperatures.

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

Inspector Observations: In the kitchen area, in the shelving corners underneath the steam table, observed 3 live cockroaches and accumulation of cockroach droppings. By the warewash area, around shelving, observed cockroach droppings in crevices of shelving. In the dry storage room, observed cockroach droppings around a stored steel pipe, and around wall panels by the water heater. [CA] Ensure facility is kept free of cockroach activity to prevent possible contamination of food. Clean and sanitize all areas with activity. Seal all cracks and crevices to prevent continued activity. Contact pest control to provide service for facility. Any live activity observed during follow-up inspection may result in closure of facility. [SA] Operator eliminated live activity around the shelving corners below the steam table. Operator to clean and seal areas to prevent continued harborage and contact pest control for service. Follow-up inspection scheduled for Wednesday, 03/19/2025.

Follow-up By
03/19/2025

Minor Violations

K26 - 2 Points - Unapproved thawing methods used; frozen food; 114018, 114020, 114020.1

Inspector Observations: In the kitchen area, measured a container of raw beef thawing at 50F in a pot of cold water. [CA] Frozen potentially hazardous food shall only be thawed in one of the following ways: 1) under refrigeration that maintains the food temperature at 41F or below, 2) completely submerged under potable running water for a period not to exceed two hours at a water temperature of 70F or below, and with sufficient water velocity to agitate and flush off loose particles into the sink drain, 3) in a microwave oven if immediately followed by immediate preparation, 4) as part of a cooking process. [SA] Operator moved raw beef to walk-in refrigerator to facilitate proper holding temperatures and proper cooling.

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: In the kitchen area, measured ambient air temperature of 3 door prep unit at 51F. [CA] Ensure refrigeration is repaired and able to maintain potentially hazardous foods at 41F or below.

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 scissors, knife, and cooking utensils stored on an unclean wall by the cookline. [CA] Ensure equipment is stored in an area and manner that prevents contamination. [COS] Operator moved utensils/equipment to the warewash area for cleaning and sanitizing.

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: *Observed unused equipment and clutter/refuse stored in the kitchen areas. [CA] Ensure all unused equipment and refuse are removed from the facility to prevent clutter and possible harborage of vermin.*

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

Inspector Observations: *In the dry storage room, observed cracks and crevices around the wooden shelving, and between wall panels. In the kitchen area, observed cracks and crevice around shelving, and in shelving corners below the steam table. At the left side of the cookline, observed a single board/panel installed to the side of the walk-in refrigerator wall. Observed accumulation of grease and debris at the cookline and at the shelving below the steam table. [CA] Ensure facility is frequently cleaned and maintained to prevent harborage of vermin. Seal all cracks and crevices to prevent possible harborage of vermin.*

Performance-Based Inspection Questions

Needs Improvement - No rodents, insects, birds, or animals.

Needs Improvement - Proper hot and cold holding temperatures.

Measured Observations

Item	Location	Measurement	Comments
hot water	handwash sink	100.00 Fahrenheit	
pooled eggs, and egg whites	3 door prep unit	51.00 Fahrenheit	
congee	stove-top	178.00 Fahrenheit	
shredded cheese, fried potatoes, fried taro, raw shelled eggs, and raw beef	4 door prep unit	50.00 Fahrenheit	
imitation crab	4 door prep unit	41.00 Fahrenheit	
raw shelled eggs	3 door reach in refrigerator	41.00 Fahrenheit	
cooked chicken	4 door prep unit	41.00 Fahrenheit	
chlorine sanitizer	warewash machine	50.00 PPM	
hot water	3 compartment sink	120.00 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 **3/27/2025**. 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: DONG KUANG
SERVER
Signed On: March 13, 2025