

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 FA0209910 - BLUE PEPPER		Site Address 5316 MONTEREY HY, SAN JOSE, CA 95111		Inspection Date 08/10/2020	
Program PR0302686 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name BLUE PEPPER INC.		Inspection Time 16:00 - 17:30
Inspected By JOSEPH SCOTT	Inspection Type ROUTINE INSPECTION	Consent By PIC, PIC	FSC THUC HOANG 0/25/2021		

Placard Color & Score
GREEN
86

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						
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				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						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		X
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

Social Distancing Protocol

01 - Signage Violation

Inspector Observations: CURRENT COVID-19 SIGNS AND PROTOCOLS ARE NOT POSTED AT FACILITY ENTRANCE [CA] OBTAIN/POST THE UPDATED SIGNS. REFER TO THE COMMENTS SECTION.

02 - Face Covering Violation

Compliance of this category has been verified.

03 - Social Distance Violation

Compliance of this category has been verified.

04 - Clean and Sanitize Violation

Compliance of this category has been verified.

05 - General Violation

Compliance of this category has been verified.

Major Violations

No major violations were observed during this inspection.

Minor Violations

K07 - 3 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

Inspector Observations: AMBIENT READINGS INSIDE THE 2 DOOR PREP REFRIGERATOR MEASURED 45-50F [CA] MAINTAIN ALL PHFS AT 41F OR LESS.

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: OBSERVED EMPLOYEE USING IMPROPER UTENSIL WASHING PROCEDURES. DISHWARE NOT WASHED/RINSED/SANITIZED IN THE SINK BASINS EMPLOYEE WASHING ABOVE THE 2 COMPARTMENT SINK BASINS. DRAINBOARDS NOT EASY TO ACCESS AND CONTAIN PARTICLE BUILD UP. [CA] Maintain chemical solution for manual warewashing at 100 ppm (1Tbs of bleach (5.25%)/gal of water) for chlorine and 200 ppm (1 tbs of quaternary ammonium (10%)/2 gal of water) for quaternary ammonium. [CA] Manual warewashing shall be accomplished by using a three-compartment sink where the utensils are first precleaned, washed with hot soapy water, rinsed with hot water, sanitized with an approved method, and air dried. Use 1 TBS of bleach (5.25%) per 1 gal. of water for chlorine solution (100 PPM). Use 1 tbs of quaternary ammonium (10%) per 2 gal. of water for quaternary ammonium (200 PPM). [CA] The warewashing sink and drainboards shall be cleaned and sanitized before and after each specific use.

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

Inspector Observations: PARTICLE ACCUMULATION INSIDE AND OUTSIDE OF REFRIGERATION/ICE MACHINE/PREP COUNTERS [CA] KEEP ALL EQUIPMENT IN A CLEAN CONDITION. DEVELOP AND ESTABLISH A DAILY CLEANING AND SANITIZING SCHEDULE.

K39 - 2 Points - Thermometers missing or inaccurate; 114157, 114159

Inspector Observations: THERMOMETERS MISSING IN SOME REFRIGERATORS [CA] The thermometer in the reach-in refrigerator shall be placed where it is easily visible while checking refrigerator temperature.

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: INTERIOR PREMISES IS CLUTTERED

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

**Inspector Observations: STAINED/DUST BUILD UP ON THE KITCHEN CEILINGS AND IN WALK IN UNITS [CA]
KEEP ALL CEILINGS CLEAN ON A ROUTINE BASIS.
GREASE AND PARTICLE BUILD UP ON THE KITCHEN FLOORS/COOKLINE AREAS/DRY STORAGE AREAS. [CA]
CLEAN AND SANITIZE THESE AREAS ON A ROUTINE BASIS.**

Performance-Based Inspection Questions

Needs Improvement - Proper hot and cold holding temperatures.

Measured Observations

Item	Location	Measurement	Comments
MEAT	WALK IN REFRIGERATOR	30.00 Fahrenheit	
HOT WATER	HAND WASH SINK FAUCET	115.00 Fahrenheit	
AMBIENT READING	2 DOOR PREP REFRIGERATOR	45.00 Fahrenheit	
HOT WATER	2 COMPARTMENT SINK FAUCET	123.00 Fahrenheit	

Overall Comments:

TEDETE2012@GMAIL.COM

Signature not obtained due to COVID-19 and social distancing parameters. A copy of this report will be emailed to the operator.

Dear Permit Holder:

On July 2, 2020, the County of Santa Clara Public Health Officer issued a new mandatory legal order ("Order") that addresses long-term risk reduction measures to prevent the spread of COVID-19. The order is effective on July 13, 2020, and shall continue to be in effect until it is rescinded, superseded, or amended in writing by the Health Officer.

The Order imposes new requirements on facilities operating in the County, including but not limited to the following:

• Online submittal of a Social Distancing Protocol:

For instructions and access to the submittal website please click here: [COVID19Prepared.org](https://www.sccgov.org/sites/covid19/Pages/COVID19Prepared.org). Once submitted, required signage will be available for printing and is required to be posted. All Social Distancing Protocols will be stored and available in a publicly accessible database.

• Operating in compliance with Mandatory Directives:

The Mandatory Directive for Food Facilities has been created to explain how all food facilities shall operate. Additionally, food facilities that offer outdoor dining must comply with the Mandatory Directive for Outdoor Dining.

• Abiding by Density Limitations:

All businesses must now abide by the Density Limitations by limiting the number of staff and customers in the food facility. See the applicable Mandatory Directives for further details.

• Mandatory Reporting Regarding Personnel Contracting COVID-19:

In the event that a food facility learns that any of its personnel is a confirmed positive case of COVID-19 and was at the workplace in this timeframe, the food facility is required to report the positive case within four hours to the Public Health Department. Visit [sccsafeworkplace.org](https://www.sccgov.org/sites/covid19/Pages/COVID19Prepared.org) for reporting requirements.

For additional information on the Health Officer Risk Reduction Order and the Executive Summary

(<https://www.sccgov.org/sites/covid19/Pages/order-health-officer-07-02-20.aspx>), including Frequently Asked Questions, please visit the SCC Public Health Department website at <http://sccphd.org/coronavirus> and the County Department of Environmental Health website at <http://EHinfo.org/coronavirus>. Please send specific questions related to food service operations to dehweb@cep.sccgov.org.

Thank you for your cooperation.

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 **8/24/2020**. 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

EMAIL

Received By: _____

Signed On: August 11, 2020