

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 FA0303144 - TEA PALACE		Site Address 581 W ALMA AV, SAN JOSE, CA 95125		Inspection Date 07/24/2023	
Program PR0445530 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			Owner Name MARTIN VEGA		Inspection Time 14:45 - 15:45
Inspected By JENNIFER RIOS	Inspection Type ROUTINE INSPECTION	Consent By MARTIN VEGA	FSC Martin Vega 07/11/2024		

Placard Color & Score
YELLOW
65

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

K05 - 8 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

Inspector Observations: Employee handled raw chicken wearing gloves. Employee then proceeded to prep sink to rinse hands off, handle raw chicken again and then use the rinse compartment of the three comp sink to rinse off hands again. [CA] After handling raw meats, gloves will be removed and hands washed in handwash sink with soap and water. [COS] Prep sink and three compartment sink were sanitized for use, employee removed gloves and washed in handwash sink.

Follow-up By
07/27/2023

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

Inspector Observations: Boba measured 122F. Per PIC, they make it every four hours. No time marking or TPHC written procedures provided. [CA] PHFs shall be held at 41°F or below or at 135°F or above. [COS] Boba time marked for four hours and then will be discarded. TPHC form given to PIC.

Follow-up By
07/27/2023

PHF in fridge in front service area measured over 50F (see measured observations). Per PIC, they had been in the unit for several days. Ambient air of the fridge measured 52F. [CA] PHFs shall be held at 41°F or below or at 135°F or above. [COS] PHF were voluntarily discarded.

K14 - 8 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 wash dishes with soap and then place them back onto shelving for service without sanitizing them. [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). [COS] Third compartment was filled with water and bleach measuring 100pm. Employee washed and sanitized equipment.

Follow-up By
07/27/2023

Minor Violations

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

Inspector Observations: Food handler card was not available for employee working. [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.

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: Observed raw shelled eggs stored next to ready to eat foods. [CA] All food shall be separated and protected from cross-contamination. Store all raw meat or other raw products of animal origin below ready-to-eat food items.

K29 - 2 Points - Toxic substances improperly identified, stored, used; 114254, 114254.1, 114254.2

Inspector Observations: Observed Raid marked for use in indoor residential facilities only on shelf in facility. [CA] Only those insecticides, rodenticides, and other pesticides that are necessary and specifically approved for use in a food facility may be used. Remove raid from facility.

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, 114166, 114167, 114169, 114175, 114177, 114180, 114182

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Inspector Observations: 1. Observed three unapproved residential refrigerators added to facility. [CA] Remove refrigerators from facility. New and/or replacement food equipment shall be certified or classified for sanitation by an American National Standards Institute (ANSI) accredited certification program (e.g. NSF, UL EPH, UL Sanitation, CSA Sanitation, or ETL Sanitation).

2. Observed letter/legal containers used to store open bulk food. [CA] Food equipment shall be certified or classified for sanitation by an American National Standards Institute (ANSI) accredited certification program (e.g. NSF, UL EPH, UL Sanitation, CSA Sanitation, or ETL Sanitation).

3. Front refrigeration unit is not maintaining PHF at 41F or below. [CA] Refrigeration must be capable of maintaining PHFs at 41°F or below. Discontinue use and remove unapproved refrigeration from facility.

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

Inspector Observations: Observed flat top added under hood. With the flat top, six burner stove and deep fryer, there is no longer a six inch over hand over cooking equipment. Also observed a flat top plugged in on the counter without ventilation. [CA] Provide approved exhaust hood ventilation over all cooking equipment as required to effectively remove cooking odors, smoke, steam, grease, heat, and vapors. There shall be a minimum of 6 inches overhang of ventilation hood over cooking equipment. Submit plans to DEH Plan Check for approval of additional cooking equipment.

Performance-Based Inspection Questions

N/A

Measured Observations

Item	Location	Measurement	Comments
Hot water	Three comp sink	120.00 Fahrenheit	
Ambient air	Reach in fridge front	52.00 Fahrenheit	
Milk	Reach in fridge - front	53.00 Fahrenheit	
Whipping cream	Reach in fridge	44.00 Fahrenheit	
Warm water	Handwash	100.00 Fahrenheit	
Jelly	Reach in fridge - front	56.00 Fahrenheit	
Ambient air	Reach in fridge	41.00 Fahrenheit	
Chlorine	Three comp sink	100.00 PPM	
Chlorine	Sanitizing bucket	0.00 PPM	

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 **8/7/2023**. 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: Martin Vega

Owner

Signed On: July 24, 2023