

# 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 FA0277124 - SHAKE UP		Site Address 610 NEWHALL DR, SAN JOSE, CA 95110		Inspection Date 11/19/2018	
Program PR0418791 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			Owner Name SHAKE UP CAFE AND JUICE		Inspection Time 15:30 - 16:45
Inspected By Dennis Ly	Inspection Type ROUTINE INSPECTION		Consent By LESLIE	FSC Not Available	

Placard Color & Score
<b>YELLOW</b>
<b>62</b>

RISK FACTORS AND INTERVENTION	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						
K04 Proper eating, tasting, drinking, tobacco use	X						
K05 Hands clean, properly washed; gloves used properly	X						N
K06 Adequate handwash facilities supplied, accessible		X		X			N
K07 Proper hot and cold holding temperatures	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			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		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	X	
K35 Equipment, utensils: Approved, in good repair, adequate capacity		
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		
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	

## Violation Comments and Observations

### Major Violations

K06 - 8 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

**Inspector Observations: No single-use paper towels available at the handwash sink. [CA] Provide single-use paper towels inside dispenser at all times at handwash sink to allow for proper handwashing.**

**[COS] Employee put single-use paper towels by the handwash sink.**

Follow-up By  
11/29/2018

**Minor violation:**

**Lack of handwash soap inside of dispenser. Handsoap was available in cabinet under the sink. [CA] Provide handwash soap in dispenser at handwash sink at all times.**

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: Sanitizer compartment where equipment is being sanitized measured at 0 ppm quaternary ammonium. [CA] 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.**

**[COS] Employee added quat into the sink compartment. Final measurement is at 200 ppm quat.**

Follow-up By  
11/29/2018

K21 - 8 Points - Hot and cold water not available; 113953(c), 114099.2(b), 114163(a), 114189, 114192, 114192.1, 11419

**Inspector Observations: No hot water available at the prep sink. [CA] Hot water shall be supplied at a minimum temperature of at least 120°F measured from the faucet throughout facility except at handwash sinks.**

**[SA] Per Employee the sink is only used for dumping. All fruits used are prepackaged and frozen and does not need to be prewashed.**

Follow-up By  
11/29/2018

### Minor Violations

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

**Inspector Observations: Food safety certificate (FSC) is not available. [CA] Food facilities that prepare, handle, or serves foods shall have a valid FSC available for review at all times.**

K23 - 3 Points - Observed rodents, insects, birds, or animals; 114259.1, 114259.4, 114259.5

**Inspector Observations: Old rodent dropping observed in corner under 3 compartment sink and under storage rack. [CA] Facility shall be kept free of rodent and rodent debris. Clean and sanitize affected area.**

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

**Inspector Observations: 1) Bulk bags of oats stored directly on the floor in front of the 3 compartment sink. [CA] Food shall be stored a minimum of 6 inches off the floor**

**2) Opened bulk bags of oats are not stored inside a sealed container. [CA] Once opened, bulk foods shall be stored inside an approved container with a tight fitting lid.**

K34 - 2 Points - Warewashing facilities: not installed or maintained; no test strips; 114067(f,g), 114099, 114099.3, 114099.5, 114101(a), 114101.1, 114101.2, 114103, 114107, 114125

**Inspector Observations: Lacking chemical test strips to measure sanitizer[CA]Means for adequately measuring the applicable sanitization method must be readily available (ex. Sanitizer test strips, thermal strips).**

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: Scoop stored in standing water.[CA]Scoop shall be stored under running water or in an ice bath to prevent potentially bacteria growth.**

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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

**Inspector Observations: 1) Food spills and grime on shelves and bottom of the 2-door reach-in cooler and 2-door reach-in freezer. [CA] Maintain equipment in clean and good repair.**

**2) Mops are not properly stored at the mop sink in a position that allows it to air dry. Mops are stored directly in the mop sink and is visibly dirty. [CA] After use, mops shall be stored in a position that allows it to air-dry without soiling walls, equipment, or supplies.**

## Performance-Based Inspection Questions

- Needs Improvement - Hands clean/properly washed/gloves used properly.
- Satisfactory - Communicable disease; reporting/restriction/exclusion.
- Needs Improvement - Adequate handwash facilities: supplied or accessible.
- Needs Improvement - Food contact surfaces clean, sanitized.
- Needs Improvement - Demonstration of knowledge; food manager certification.

## Measured Observations

Item	Location	Measurement	Comments
Almond milk	2-door reach-in cooler	41.00 Fahrenheit	
Milk	2-door reach-in cooler	41.00 Fahrenheit	
Hot water	3 compartment sink	120.00 Fahrenheit	
Hot water	Handwash sink	100.00 Fahrenheit	
Quat sanitizer	3 compartment sink	0.00 PPM	
Soy Milk	Bottom reach-in of food prep unit	41.00 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 **12/3/2018**. 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:** Leslie Ozuna  
PIC

**Signed On:** November 19, 2018