

**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**

<b>Facility</b> FA0203991 - EMBRACE LUCK		<b>Site Address</b> 286 W EL CAMINO REAL, MOUNTAIN VIEW, CA 940		<b>Inspection Date</b> 08/30/2021	
<b>Program</b> PR0302422 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			<b>Owner Name</b> WANG & QIAN INVESTMENT		<b>Inspection Time</b> 13:00 - 14:30
<b>Inspected By</b> JENNIFER RIOS	<b>Inspection Type</b> ROUTINE INSPECTION	<b>Consent By</b> TROY	<b>FSC Exempt</b>		

<b>Placard Color &amp; Score</b>
<b>RED</b>
<b>69</b>

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						
K06 Adequate handwash facilities supplied, accessible	X						
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		X			
K14 Food contact surfaces clean, sanitized	X						
K15 Food obtained from approved source		X		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		
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	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

K13 - 8 Points - Food not in good condition/unsafe/adulterated; 113967, 113976, 113980, 113988, 113990, 114035, 114041, 114254(c), 114254.3

**Inspector Observations: Observed many small bugs inside a container of soda. Per PIC, they had had the food item for awhile and it should probably be discarded. [CA] Food is adulterated if it bears or contains any poisonous or deleterious substance that may render it impure or injurious to health and shall be discarded immediately. [COS] PIC voluntarily discarded soda.**

K15 - 8 Points - Food not obtained from approved source; 113980, 113982, 114021-114031, 114041

**Inspector Observations: Many 5 gallon containers of food product were not labeled to show that they were from an approved food source. [CA] Food must be from an approved source or properly documented. [SA] Facility is closed for the time being, prior to reopening, PIC will provide documentation that food is from an approved source.**

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

**Inspector Observations: Observed fresh rodent droppings underneath all shelving units and on the floor around all food equipment, under three compartment sink, on top of one pot in the back storage area. Also observed what appeared to be rodent urine on the ground in between reach in fridges in the back storage area. Per PIC, they are aware of the rodent issue and have hired someone to come in. [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

K21 - 3 Points - Hot and cold water not available; 113953(c), 114099.2(b), 114163(a), 114189, 114192, 114192.1, 11419

**Inspector Observations: Hot water at three compartment sink measured 113F. [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.**

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: Observed cardboard lining shelf in dry storage area. [CA] Remove cardboard and discontinue use. Use only durable, non absorbent and easily cleanable materials.**

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

**Inspector Observations: Observed missing filters in ventilation hoods. Also observed accumulated grease drip from filters onto the wok below. No food was being made in the wok at the time. [CA] Ventilation hood filters shall be maintained clean and good repair. Filters shall be fitted in the mechanical exhaust ventilation over cooking equipment, provide spacer or correct sized filters.**

### Performance-Based Inspection Questions

N/A

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## Measured Observations

Item	Location	Measurement	Comments
Hot water	Handwash sink	100.00 Fahrenheit	
Chlorine	Mechanical warewash	50.00 PPM	
Noodles	Reach in fridge	40.00 Fahrenheit	
Rice	Hot holding	160.00 Fahrenheit	
Fried pork	Reach in fridge	56.00 Fahrenheit	Cooling within limits.
Pork	Cold hold insert	41.00 Fahrenheit	
Hot water	Three comp sink	113.00 Fahrenheit	
Raw chicken	Cold hold insert	41.00 Fahrenheit	

## Overall Comments:

**Restaurant has not been open for a month. All employees and manager are working on getting their food safety certification and food handler cards within the required time frame.**

**Facility is closed due to evidence of vermin.**

**Clean and sanitize all food and nonfood contact surfaces. Remove all evidence of rodents from facility and ensure there is no evidence of vermin found at follow up inspection.**

**Facility will remain closed at this time and will not reopen until a follow up inspection is conducted.**

**Facility is to cease and desist all food sales and operations, including food preparation. Do not remove, cover-up, or relocated red placard. Failure to comply may result in enforcement actions. If a second follow-inspection is conducted, there will be a \$219/hr charge at a minimum one-hour charge.**

**Contact Jennifer Rios, 408-918-3480 for a follow up inspection**

**\*If professional pest control services are obtained during the closure, please provide the pest control report from service during re-inspection.**

### Weekend/After hours charges

**A charge of \$493 will be charged by the Department of Environmental Health for after hour inspections (after 6pm Monday through Friday and on weekends).**

## 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 **9/13/2021**. 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.

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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



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**Received By:** Troy Tang  
Manager

**Signed On:** August 30, 2021