

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 FA0261481 - HL PENINSULA RESTAURANT		Site Address 136 RANCH DR, MILPITAS, CA 95035		Inspection Date 07/05/2022		Placard Color & Score <div style="background-color: red; color: white; padding: 10px; text-align: center; font-size: 24px; font-weight: bold;">RED</div> <div style="background-color: black; color: white; padding: 10px; text-align: center; font-size: 36px; font-weight: bold;">57</div>		
Program PR0383436 - FOOD PREP / FOOD SVC OP 26+ EMPLOYEES RC 3 - FP17			Owner Name HL PENINSULA PEARL INC		Inspection Time 14:45 - 17:45			
Inspected By GINA STIEHR		Inspection Type ROUTINE INSPECTION		Consent By RAYMOND				FSC Yiming Chen 01/24/2023

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				
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						S
K15	Food obtained from approved source	X						
K16	Compliance with shell stock tags, condition, display			X	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	X	
K27	Food separated and protected		
K28	Fruits and vegetables washed		
K29	Toxic substances properly identified, stored, used	X	
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	X	
K39	Thermometers provided, accurate		
K40	Wiping cloths: properly used, stored		
K41	Plumbing approved, installed, in good repair; proper backflow devices	X	
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: Observed potentially hazardous foods that measured in the temperature danger zone throughout the facility (see measured observations for exact temperatures). [CA] Ensure PHFs are under temperature control (41F or below OR 135F or above) OR under TPHC (Time as a Public Health Control). If facility would like to implement TPHC, the facility must fill out the Department's TPHC form, time mark the PHFs for 4 hours and discard the PHFs at the end of the 4 hour mark. [SA] PIC time-marked the PHFs in the temperature danger zone and will discard within the 4 hour time frame. Some of the PHFs that were delivered less than one hour prior were put into the walk-in cooler.

Follow-up By 07/08/2022

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

Inspector Observations: Hot water at handwash, warewash, and 3 comp sinks measured at 76F. According to staff, an issue with the water heater occurred last night. [CA] Ensure hot water heater is operable and maintained in good repair at all times. Provide hot water of 100F at handwash sinks and 120F at food prep and 3 comp sinks.

Follow-up By 07/08/2022

Minor Violations

K06 - 3 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

Inspector Observations: Observed handwash sink in warewash room to be blocked by soiled linen receptacles. [CA] Keep handwash sinks unobstructed and easily accessible at all times.

K16 - 3 Points - Not in compliance with shell stock tags, condition; 114039-114039.5

Inspector Observations: Observed container of shucked oysters without the certification tag. [CA] Shellstock tags shall remain attached to the container in which the shellstock are received until the container is empty and shall be maintained for 90 calendar days from date of harvest. [COS] PIC found certification tag in office and put it in the container of oysters.

Follow-up By 07/08/2022

K22 - 3 Points - Sewage and wastewater improperly disposed; 114197

Inspector Observations: Observed clogged mop sink. [CA] Unclog mop sink and ensure disposal/plumbing systems are working properly. [COS] Staff fixed clogged mop sink during time of inspection.

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

Inspector Observations: Observed raw chicken thawing on a shelf. [CA] Frozen potentially hazardous food shall only be thawed in one of the following ways: 1) under refrigeration that maintains the food temperature at 41°F or below, 2) completely submerged under potable running water for a period not to exceed two hours at a water temperature of 70°F 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.

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

Inspector Observations: Observed pesticide stored under handwash sink and in the upstairs storage room. [CA] Only those insecticides, rodenticides, and other pesticides that are necessary and specifically approved for use in a food facility may be used.

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

Inspector Observations: Observed white crystalline substances in containers stored on rolling racks next to cookline. [CA] Ensure white crystalline substances are labeled.

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: No test strips available to verify temperature at warewash machine. [CA] Provide test strips and/or stickers.

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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 rice scoop stored in standing water. [CA] Store scoop in water with ice or in a dipper well.*

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

Inspector Observations: *Observed induction burners being used in the facility not under a hood. [CA] All cooking equipment must be used under a hood or have a Mechanical Ventilation Exemption approved by the Department. Discontinue use of cooking equipment without the hood.*

K41 - 2 Points - Plumbing unapproved, not installed, not in good repair; improper backflow devices; 114171, 114189.1, 114190, 114192, 114193, 114193.1, 114199, 114201, 114269

Inspector Observations: *Observed a leak under 3 comp sink. [CA] Repair leak and maintain in good condition.*

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: *Observed back delivery door to be open. [CA] Keep back door closed at all times to prevent the entrance and 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: *Observed food debris and large puddles of water throughout the facility. [CA] Clean and sanitize floors.*

Performance-Based Inspection Questions

Needs Improvement - Proper hot and cold holding temperatures.

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Measured Observations

Item	Location	Measurement	Comments
rice	hot hold	135.00 Fahrenheit	
noodles	shelf	76.00 Fahrenheit	
raw beef	double stacked in food prep cold hold unit	51.00 Fahrenheit	
chicken	walk-in freezer	15.00 Fahrenheit	
chicken	glass slider refrigerator	42.00 Fahrenheit	
peking duck	hanging next to cookline	86.00 Fahrenheit	
duck	reach-in	41.00 Fahrenheit	
rice noodles	food prep surface	76.00 Fahrenheit	
red bean	cookline	135.00 Fahrenheit	
milk	reach-in	43.00 Fahrenheit	infrared
oysters	lowboy refrigerator	40.00 Fahrenheit	infrared
fish, chicken	low boy	42.00 Fahrenheit	
hot water	handwash sink	76.00 Fahrenheit	
hot water	food prep sink	76.00 Fahrenheit	
geoduck	food prep surface	61.00 Fahrenheit	
dumplings, eggrolls, gyoza	low boy refrigeration units	40.00 Fahrenheit	
hot water	3 comp sink	76.00 Fahrenheit	
duck	walk-in freezer	15.00 Fahrenheit	
oysters	food prep surface	69.00 Fahrenheit	
chicken	reach-in freezer	8.00 Fahrenheit	
raw chicken	shelf	42.00 Fahrenheit	
fish	walk-in cooler	43.00 Fahrenheit	
mackerel	reach-in	40.00 Fahrenheit	
mayonaise	lowboy	42.00 Fahrenheit	infrared
pork belly	food prep surface	56.00 Fahrenheit	
raw pork shoulder	food prep surface	60.00 Fahrenheit	
raw shell eggs	on top of food prep cold hold unit	75.00 Fahrenheit	
shrimp	food prep cold hold unit	41.00 Fahrenheit	
hot water	warewash machine	170.00 Fahrenheit	
pork	low boy	41.00 Fahrenheit	

Overall Comments:

Facility is closed until hot water can be restored. If facility would like an after hours inspection, they are subject to a \$493 fee.

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 **7/19/2022**. 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



Received By: Mingie Li
Owner
Signed On: July 05, 2022