

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 01/25/2022		Placard Color & Score <div style="background-color: yellow; padding: 10px; text-align: center;"> YELLOW 52 </div>		
Program PR0383436 - FOOD PREP / FOOD SVC OP 26+ EMPLOYEES RC 3 - FP17			Owner Name HL PENINSULA PEARL INC		Inspection Time 11:40 - 15:30			
Inspected By TRAVIS KETCHU		Inspection Type ROUTINE INSPECTION		Consent By JOE LAU				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						
K06	Adequate handwash facilities supplied, accessible		X		X			N
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			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				
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	X	
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		
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	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		

Comments and Observations

Major Violations

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

Inspector Observations: *Observed the hand washing sink at the main waiter station, meat preparation station and warewashing area to be blocked for use by the storage of supplies and equipment in front of them.*

[CA] *Handwashing facility shall be clean, unobstructed, and accessible at all times.*

[COS] *Hand washing stations made accessible.*

Observed the lack of paper towels at the ware washing room, employee restroom and bride area restroom hand wash sinks.

[CA] *Single-use sanitary towels shall be provided in dispensers at all times; heated-air hand drying device may be substituted for single-use towels.*

[COS] *Paper towel dispensers refilled.*

Follow-up By
01/27/2022

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

Inspector Observations: *Measured egg noodles at 55 F, bean sprouts at 60 F, shell eggs at 56 F and chicken feet at 49 F stored at room temperature on the storage shelf above and next to the preparation line. PIC stated that the items were removed from refrigeration at 11:30 and are discarded following the lunch service.*

Measured various dumplings at 51 F to 60 F and cooked chicken at 55 F stored within containers at the dumpling station preparation table. PIC stated that the items were removed from refrigeration 30 minutes prior.

Measured egg tarts at 110 F within the preparation line hot holding cabinet.

[CA] *PHFs shall be held at 41°F or below or at 135°F or above.*

[SA] *Allowed operator to continue serving items for the remainder of the lunch service. Any left overs shall be discarded and not re-used or repurposed in any way.*

Recommend using time as a public health control for PHF's stored at room temperature at the preparation line, dumpling station and within the egg tart hot holding cabinet.

TPHC procedures given to facility. Fill out and return to inspection for review and approval.

Follow-up By
01/27/2022

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: *Measured the final hot water sanitizing rinse at less than 150 F within the mechanical warewashing machine during active use. Observed the hot water booster to be turned off.*

[CA] *Mechanical sanitization shall be accomplished in the final sanitizing rinse by achieving a utensil surface temperature of 160°F (or manufacturer's instruction).*

[COS] *Hot water booster turned on. Hot water sanitizing rinse remeasured at 160 F.*

Follow-up By
01/27/2022

Minor Violations

K04 - 3 Points - Improper eating, tasting, drinking or tobacco use in food preparation area; 113977

Inspector Observations: *Observed an employee eating while doing dishes at the three compartment sink.*

[CA] *No employee shall eat or drink in the food prep, ware wash or food storage areas, use designated area.*

K13 - 3 Points - Food not in good condition/unsafe/adulterated; 113967, 113976, 113980, 113988, 113990, 114035, 114041, 114254(c), 114254.3

Inspector Observations: *Observed bamboo shoot cans stored within the dry storage area to have dents on their rims and seams. [CA] Cans shall be free from dents on their rims and seams.*

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

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Inspector Observations: Observed fresh oysters stored within the preparation line 2 door reach in refrigerator without shell stock tags.

[CA] Shellstock may be removed from the container in which they are received and displayed on drained ice or held in a display container with source properly identified. The identity of the source of shellstock that are sold or served shall be maintained for 90 calendar days from the dates of harvest by using an approved recordkeeping system that keeps the tags or labels in chronological order correlated to the date or dates the shellstock are sold or served.

[COS] Operator provided shell stock tags for oysters.

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

Inspector Observations: Measured the water temperature at 120 F through an automatic mixing valve at the brides area restroom hand wash sink.

[CA] Handwashing facilities equipped with a mixing valve that is not readily adjustable at the faucet, shall provide warm water at least 100°F, but not greater than 108°F. **[COS]** Cold water supply turned on, water temperature remeasured at 107 F.

Measured the water temperature at a maximum of 60 F from all sinks within the customer restroom.

[CA] Handwashing facilities equipped with a mixing valve that is not readily adjustable at the faucet, shall provide warm water at least 100°F, but not greater than 108°F.

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

Inspector Observations: Observed raw frozen shrimp and pork to be thawing at room temperature at the rear meat preparation area.

[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.

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 beef and chicken stored above lettuce within the walk in refrigerator.

[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.

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

Inspector Observations: Observed containers of utensils stored on the floor of the wares storage area.

Observed bulk food boxes stored on the floor of the dry storage area.

[CA] Food shall be stored at least 6 inches above the floor to prevent contamination.

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

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Inspector Observations: *Observed the re-use of soy sauce to hold various food items within the walk in refrigerator.*

[CA] *Food containers intended for single use shall not be reused.*

Observed the use of non-food grade containers to hold sauces within the two door reach in refrigerator at the waiter station.

[CA] *All utensils and 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).*

Observed the following unapproved equipment installed:

1. Dough sheeter adjacent to the dumpling station.

2. Single filling bucket bun machine next to the meat preparation area.

[CA] *Remove unapproved equipment. All utensils and 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).*

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

Inspector Observations: *Observed two standing floor burners to be protruding past the ventilation hood system at the main cook line.*

[CA] *There shall be a minimum of 6 inches overhang of ventilation hood over cooking equipment.*

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 a personal jacket and bag stored on top of plates within the ware storage area.*

[CA] *No person shall store clothing or personal effects in any area used for the storage and preparation of food or food contact surfaces.*

Observed the air curtain to be nonfunctional above the rear double door with the door open.

[CA] *Air curtains shall be in operation over all open exterior doors to prevent flying pests.*

Performance-Based Inspection Questions

Needs Improvement - Food contact surfaces clean, sanitized.

Needs Improvement - Adequate handwash facilities: supplied or accessible.

Measured Observations

Item	Location	Measurement	Comments
quat sanitizer	3 comp sink	200.00 PPM	
dumpling	preparation counter	59.00 Fahrenheit	
egg noodles	preparation line shelf	56.00 Fahrenheit	
cooked chicken	preparation counter	55.00 Fahrenheit	
pork dumpling	reach in fridge	39.00 Fahrenheit	
cooked broth	walk in fridge 1	37.00 Fahrenheit	
hot water	3 comp sink	120.00 Fahrenheit	
tofu	2 door reach in fridge	39.00 Fahrenheit	
hot water	warewashing machine	150.00 Fahrenheit	
egg tart	hot holding cabinet	120.00 Fahrenheit	
bean sprouts	preparation line shelf	55.00 Fahrenheit	
raw beef	open top prep fridge	38.00 Fahrenheit	
cooked pork	walk in fridge 2	39.00 Fahrenheit	
hot water	bar 3 comp sink	120.00 Fahrenheit	
cooked pork	steam insert	140.00 Fahrenheit	
water temperature	customer restroom hand wash sink	60.00 Fahrenheit	
shell eggs	preparation line shelf	56.00 Fahrenheit	
water temperature	bride restroom hand wash sink	125.00 Fahrenheit	
oyster	2 door reach in fridge	37.00 Fahrenheit	
chicken feet	preparation line shelf	50.00 Fahrenheit	

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Overall Comments:

A follow up inspection will be conducted on 1/27/2022. The first follow-up inspection is free of charge. Subsequent follow up inspections after first follow up shall be billed \$219/hr during business hours and \$493/hr during non business hours upon availability. Failure to comply may result in enforcement action.

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 2/8/2022. 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.

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: Joe Lau
PIC

Signed On: January 25, 2022

Comment: Signature not obtained due to COVID