

# 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 FA0254030 - MINT & BASIL		Site Address 1741 N MILPITAS BL, MILPITAS, CA 95035		Inspection Date 06/20/2019	
Program PR0370189 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			Owner Name JAIMIE CHU		Inspection Time 12:30 - 14:30
Inspected By FRANK LEONG	Inspection Type ROUTINE INSPECTION		Consent By FRANK LE	FSC FRANK LE 05/15/2024	

Placard Color & Score
<b>GREEN</b>
<b>76</b>

RISK FACTORS AND INTERVENTIO	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						S
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						
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 PRACTICE	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	X	
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		
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	X	
K46 No unapproved private home/living/sleeping quarters		
K47 Signs posted; last inspection report available		
K48 Plan review		
K49 Permits available		
K58 Placard properly displayed/posted		

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## Comments and Observations

### Major Violations

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

**Inspector Observations:** 1) At the 2 door prep unit across from the left-most side of the cookline, measured vegetarian meat, pineapple, and orange juice sauce between 45F and 50F. Per operator, food was placed in the 2 door prep unit for an hour. 2) On the counter-top of the 2 door prep unit, measured tofu at 65F. Per operator, tofu was recently removed from refrigeration less than 15 minutes. 3) On top of the freezer chest, measured rice noodles at 68F. Per operator, rice noodles was delivered at 11:30 AM, less than 1.5 hours prior.

**[CA] Ensure potentially hazardous foods are held cold at or below 41F to prevent bacterial growth. [SA] All potentially hazardous foods measured out of proper holding temperatures in the 2 door prep unit and on the countertop was transferred to/placed in the walk-in refrigerator to return to proper holding temperatures.**

### Minor Violations

K09 - 3 Points - Improper cooling methods; 114002, 114002.1

**Inspector Observations:** In the 2 door prep unit, measured a large container of pho noodles cooling at 90F. **[CA] Discontinue use of prep units to cool food. Ensure cooked pho noodles are RAPIDLY cooled using one or more of the following methods: in an ice bath; by adding ice; separated into smaller portions; using shallow containers; and/or using rapid cooling technology.**

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

**Inspector Observations:** Observed several files within the facility by the back storage/warewash area. **[CA] Facility shall be kept free of vermin. Contact pest control to service facility as needed.**

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

**Inspector Observations:** In the dry storage area, observed open bags of rice stored on shelving and open containers of dry bulk food. **[CA] Ensure open bags of dry bulk food is transferred to a food grade container and labeled as to contents.**

K33 - 2 Points - Nonfood contact surfaces not clean; 114115(c)

**Inspector Observations:** Observed accumulation of grime on the door handle of the reach in freezer and the water knobs at both handwash sinks in the kitchen area. **[CA] Ensure all non-food contact surfaces are regularly cleaned and sanitized 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

**Inspector Observations:** Measured ambient air temperature of 2 door prep unit at 49F by the left side of the cookline. **[CA] Ensure refrigeration units/equipment is able to maintain potentially hazardous foods at or below 41F. Contact district inspector to conduct follow-up inspection within 14 days (2 weeks).**

**At the front counter, observed the use of new 2 door undercounter freezer. [CA] Ensure 2 door undercounter freezer is approved for use/storage through plan check. Submit plans/spec sheets for approval within 30 days or remove equipment from facility.**

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 an open back door in the kitchen area. **[CA] Ensure back door is kept closed to prevent an entrance for vermin.**

K45 - 2 Points - Floor, walls, ceilings: not built, not maintained, not clean; 114143(d), 114266, 114268, 114268.1, 114271, 114272

**Inspector Observations: REPEAT VIOLATION: Observed grime accumulation on the floor in the storage area between the back door and the cookline. At the dry storage area, observed food debris on the floor around shelving. [CA] Ensure floors are regularly cleaned and maintained to prevent harborage of vermin.**

### Performance-Based Inspection Questions

Needs Improvement - Proper hot and cold holding temperatures.

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## Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
stewed tomatoes	2 door prep unit	41.00 Fahrenheit	
vegetarian meat (beef)	2 door prep unit	46.00 Fahrenheit	
hot water	walk-in refrigerator	120.00 Fahrenheit	
soymilk	walk-in refrigerator	40.00 Fahrenheit	
vegetarian meat	2 door prep unit	41.00 Fahrenheit	
orange juice sauce	2 door prep unit	50.00 Fahrenheit	
vegetarian meat (shrimp)	2 door prep unit	45.00 Fahrenheit	
chlorine sanitizer	warewash machine	50.00 PPM	
vegetarian meat	3 door prep unit	41.00 Fahrenheit	
tofu	counter-top	65.00 Fahrenheit	
vegetarian meat	walk-in refrigerator	39.00 Fahrenheit	
warm water	handwash sink	100.00 Fahrenheit	
sliced tomatoes	3 door prep unit	41.00 Fahrenheit	
ambient air temperature	2 door prep unit	49.00 Fahrenheit	
tofu	walk-in refrigerator	38.00 Fahrenheit	
rice noodles	counter-top	68.00 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 **7/4/2019**. 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:** FRANK LE  
MANAGER

**Signed On:** June 20, 2019