

# 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 FA0210266 - LUCKY CHEF		Site Address 6033 SNELL AV, SAN JOSE, CA 95123		Inspection Date 11/07/2022	
Program PR0301144 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name ASIAN CUISINE, LLC		Inspection Time 11:30 - 13:30
Inspected By MARCELA MASRI	Inspection Type ROUTINE INSPECTION		Consent By JOHNNY ZHAO	FSC Not Available	

Placard Color & Score
<b>RED</b>
<b>73</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	X			
K07 Proper hot and cold holding temperatures	X						S
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	
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		
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		
K36 Equipment, utensils, linens: Proper storage and use		
K37 Vending machines		
K38 Adequate ventilation/lighting; designated areas, use		
K39 Thermometers provided, accurate	X	
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	X	
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

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

**Inspector Observations: THE HOT WATER AT THE 3 COMPARTMENT SINK IS AT 85F. [CA] PROVIDE HOT WATER AT 120F MINIMUM. COS.**

### Minor Violations

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

**Inspector Observations: MISSING THE FOOD SAFETY CERTIFICATE. [CA] PROVIDE THE FOOD SAFETY CERTIFICATE.**

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

**Inspector Observations: FOUND A LADDER STORED IN FRONT OF THE HAND WASH SINK. [CA] REMOVE THE LADDER AND KEEP THE HAND WASH SINK ACCESSIBLE AT ALL TIMES. COS.**

K14 - 3 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: FOUND THE FOOD PREPARATION AREAS WITH FOOD DEBRIS AND GREASE. [CA] CLEAN AND SANITIZE THESE AREAS MORE OFTEN.**

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

**Inspector Observations: FOUND THE SURFACES OF THE MICROWAVE AND REFRIGERATORS WITH FOOD DEBRIS AND GREASE. [CA] CLEAN THESE AREAS MORE OFTEN.**

**FOUND GREASE AND FOOD DEBRIS ON THE WORKING CONTAINERS. [CA] CLEAN THESE AREAS MORE OFTEN.**

**FOUND LIQUID ON THE BOTTOM OF THE REACH IN REFRIGERATOR. [CA] REMOVE AND CLEAN THE LIQUID.**

K39 - 2 Points - Thermometers missing or inaccurate; 114157, 114159

**Inspector Observations: MISSING A PROBE TYPE THERMOMETER. [CA] PROVIDE A THERMOMETER.**

K43 - 2 Points - Toilet facilities: improperly constructed, supplied, cleaned; 114250, 114250.1, 114276

**Inspector Observations: MISSING A SELF CLOSING DOOR FOR THE RESTROOM. [CA] PROVIDE A SELF CLOSING DOOR.**

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: FOUND A LARGE WOOD COUNTER STORED UPRIGHT IN THE KITCHEN. FOUND A REFRIGERATOR OUTSIDE. [CA] REMOVE THESE ITEMS FROM THE PREMISES.**

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

**Inspector Observations: THE FLOORS IN THE KITCHEN AND DRY STORAGE ROOM HAVE FOOD DEBRIS, LEAVES, DUST AND GREASE. [CA] CLEAN THE FLOORS.**

### Performance-Based Inspection Questions

Needs Improvement - Adequate handwash facilities: supplied or accessible.

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## Measured Observations

Item	Location	Measurement	Comments
CHICKEN	SERVICE REFRIGERATOR	38.00 Fahrenheit	
HOT WATER	3 COMPARTMENT SINK	85.00 Fahrenheit	
NOODLES	REACH IN REFRIGERATOR	35.00 Fahrenheit	
EGGS	REACH IN REFRIGERATOR	31.00 Fahrenheit	
EGGS	SERVICE REFRIGERATOR	35.00 Fahrenheit	
HOT WATER	HAND WASH SINK	85.00 Fahrenheit	
RICE	HOT HOLDING	147.00 Fahrenheit	

## Overall Comments:

## 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 **11/21/2022**. 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.

### 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: JOHNNY ZHAO  
PIC  
Signed On: November 07, 2022