

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 FA0302962 - SHIHLIN TAIWAN STREET SNACKS		Site Address 1477 BERRYESSA RD 30, SAN JOSE, CA 95133		Inspection Date 11/26/2024	
Program PR0445239 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			Owner Name BAYVIEW FOOD LLC		Inspection Time 11:10 - 13:00
Inspected By MINDY NGUYEN	Inspection Type ROUTINE INSPECTION	Consent By ANDY	FSC HUA QU 12/06/2027		

Placard Color & Score
YELLOW
62

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			N
K08	Time as a public health control; procedures & records		X		X			N
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 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		
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	X	
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		
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

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

Inspector Observations: *At the rear kitchen handwash sink: observed multiple bags of frozen fish balls were stored inside the handwash sink, obstructing it. Observed multiple bowls and a container of fish balls stored under/in front of the soap and paper towel dispensers.*

Follow-up By
12/03/2024

[CA] *Do not obstruct handwash sink facilities. Hand wash facilities must be available to make handwashing not only possible, but likely.*

[COS] *Bags of fish balls and other items were removed from the handwash sink.*

REPEAT VIOLATION

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

Inspector Observations: *In the rear prep area, on the center prep table: measured temperature of shrimp and oysters to be 58 - 70F. Measured raw shell eggs to be 67F. PIC stated foods had been held for 20 minutes, since 11:00am (opening time).*

Follow-up By
12/03/2024

[CA] *Keep potentially hazardous foods at 41F and below or 135F and above.*

[COS] *Ice was added to containers of shrimp and oysters. Eggs were moved back to the refrigerator.*

K08 - 8 Points - Improperly using time as a public health control procedures & records; 114000

Inspector Observations: *Observed cooked broccoli and carrots in a metal container on the prep table at room temperature; observed employee actively placing food into bento boxes. Per employees and previous inspection report: cooked carrots and broccoli are under Time as a Public Health Control and are usually time-marked. Today, no time-marking was observed.*

Follow-up By
12/03/2024

[CA] *When using TPHC, foods must be IMMEDIATELY time-marked.*

[COS] *Employee time-marked container of cooked broccoli and carrots to be discarded by the 4-hour time mark (3pm).*

Minor violation: *TPHC written procedures were not available for review (procedures were provided and filled out during the previous inspection).*

[CA] *When using TPHC, written procedures must be available for review.*

Minor Violations

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: *Observed brown mold-like substance on the baffle inside the ice machine.*

[CA] *Keep ice machine clean.*

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

Inspector Observations: *Observed approximately 10-15 flies in the kitchen and rear storage area.*

[CA] *Keep facility clear of flies.*

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

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Inspector Observations: Observed frozen fish balls defrosting at ambient room temperature in the rear prep area.

[CA] Frozen potentially hazardous food shall be thawed using one of the following methods:

- 1) Under refrigeration
- 2) Completely submerged under cold running water of sufficient velocity to flush loose particles
- 3) In a microwave oven
- 4) During the 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: Inside the upright freezer: observed raw chicken stored on the top shelf, above other meats, including shrimp.

[CA] Store chicken below other meats to prevent cross-contamination.

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

Inspector Observations: Observed heavy accumulation of food debris/grease on surfaces, especially on sides of cooking equipment and on the garbage bin in the rear kitchen.

[CA] Keep surfaces clean.

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: 1) Observed raw chicken was stored inside left compartment of 3-compartment sink (employee was prepping chicken on a nearby counter). A prep sink was available.

[CA] Do not place foods in the 3-compartment sink. The 3-compartment sink shall be used only for warewashing.

2) Sanitizer test strips were not available upon request.

[CA] Keep sanitizer test strips available to measure sanitizer concentration.

Performance-Based Inspection Questions

Needs Improvement - Adequate handwash facilities: supplied or accessible.

Needs Improvement - Time as a public health control; procedures & records.

Needs Improvement - Proper hot and cold holding temperatures.

Measured Observations

Item	Location	Measurement	Comments
FROZEN FISH BALLS	PREP TABLE NEXT TO HANDWASH SINK	35.00 Fahrenheit	
COOKED BROCCOLI AND CARROTS	PREP TABLE	50.00 Fahrenheit	TPHC
FRIED CHICKEN	FRONT PREP AREA, ON PREP UNIT	180.00 Fahrenheit	
CHICKEN	COOKED (FRYER)	220.00 Fahrenheit	
HARD BOILED EGGS, GROUND MEAT	HOT HOLDING UNITS	135.00 Fahrenheit	
TOFU	UPRIGHT REFRIGERATOR	40.00 Fahrenheit	
WARM WATER	HANDWASH SINK	100.00 Fahrenheit	
SHRIMP, OYSTERS, RAW SHELL EGGS	PREP TABLE	58.00 Fahrenheit	58-70F, HELD FOR 20 MINUTES PER PIC
HOT WATER	3-COMPARTMENT SINK	120.00 Fahrenheit	

Overall Comments:

Notes:

- Potentially hazardous foods must be kept at 41F and below or 135F and above. Exceptions include DILIGENT/ACTIVE PREP, or TPHC (time-marking for 4 hours).

- For diligent/active prep, ONLY take out the amount of food needed (e.g. eggs, seafood for seafood pancakes) and keep the rest in the refrigerator/freezer.

- Provided another copy of the TPHC form (Per pervious report, another TPHC form had been provided and filled out during the previous 3/13/24 inspection).

A follow up inspection will be conducted to assess compliance for the 3 major violations (handwashing sink accessibility, food temperatures, and time-marking for cooked broccoli and carrots). The first follow-up is free of charge. Any additional follow-up inspection(s) shall each be billed \$298/hr during business hours. Failure to comply may result in enforcement action. Please call

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Mindy Nguyen at (408) 918-3490 if there are any changes or updates.

Repeat violations may result in enforcement action, including office hearings and billable follow-ups.

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 **12/10/2024**. 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: Andy QU
Manager
Signed On: November 26, 2024