

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 FA0200224 - BLUE SKY RESTAURANT		Site Address 2028 S WINCHESTER BL, CAMPBELL, CA 95008		Inspection Date 10/22/2024		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;">56</div>		
Program PR0301399 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name BLUE SKY CAMPBELL, INC		Inspection Time 14:15 - 16:10			
Inspected By PRINCESS LAGANA		Inspection Type ROUTINE INSPECTION		Consent By TERRY				FSC Michael Wang 01/14/2029

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			N
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 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	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		
K37	Vending machines		
K38	Adequate ventilation/lighting; designated areas, use		
K39	Thermometers provided, accurate		
K40	Wiping cloths: properly used, stored	X	
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		

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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:

Hand sink station at the back preparation area did not have single use towels in the dispenser.

[CA]: Hand sink stations shall be provided with single use towels at all times.

[COS]: Single use towels were provided at the dispenser.

Follow-up By
10/25/2024

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

Inspector Observations:

- 1. At the cook line prep line table, noodles and dumplings measured at 66F and 64F respectively. Staff stated it's been on the prep table for approximately 1 hour prior to measurement.*
 - 2. At the sauce cart at the cook line, garlic with oil measured at 72F. Staff stated it was made approximately 2 hours prior to measurement.*
 - 3. At the cook line prep table top well, raw pork measured at 48F. Staff stated it's been in the unit for approximately 2 hours prior to measurement.*
 - 4. Raw shrimp and raw chicken in ice bath measured at 45F and 53F respectively. Ice bath observed insufficient and was only touching the bottom containers of the food items.*
- [CA]: Potentially Hazardous Food (PHFs) shall be cold held at 41F or below at all times. Discussed Time As A Public Health Control (TPHC) with Staff and Manager. TPHC written procedures provided.*
- [COS]: PHFs that have been out of temperature were time marked to be discarded on the 4th hour after it was removed from temperature control. PHFs in ice bath were placed in sufficient ice bath as instructed by Specialist. TPHC written procedures filled out by Manager during inspection.*

Follow-up By
10/25/2024

K23 - 8 Points - Observed rodents, insects, birds, or animals; 114259.1, 114259.4, 114259.5

Inspector Observations:

Live adult cockroaches observed in the following areas:

- (2) underneath the dish machine*
- (1) on the inside of the right small door of walk in cooler facing cook line*

Follow-up By
10/25/2024

Dead cockroaches of varying life stages observed in the following areas:

- underneath the dish machine*
- on the hood above dish machine*
- at the dry storage room*
- underneath the soda beverage dispenser at the front line*
- underneath ice machine at the front line*
- shelf above hand sink at the front line*

Pest control service receipt provided. Most recent service occurred on 10/10/2024. Pest control receipt stated cockroach activity.

[CA]: FACILITY ORDERED CLOSED DUE TO ACTIVE VERMIN (COCKROACH) ACTIVITY

Eliminate all live vermin and evidence of vermin in a safe, effective and legal manner.

- 1. Discontinue food preparation and put away food and utensils.*
- 2. Clean and sanitize all areas with heavy grease buildups and old food debris throughout the facility.*
- 3. Use safe and legal pest control measures. Facility shall make available any pest control treatment records and invoices upon re-inspection and re-open.*
- 4. Properly clean and sanitize all food preparation surfaces and impacted areas.*
- 5. Properly vermin proof facility by sealing visible holes and cracks that could harbor or allow entrance of vermin.*
- 6. Remove any stagnant water.*
- 7. Construct, equip and maintain the food facility so as to prevent entrance and harborage of animals, birds and vermin (cockroaches, rodents and flies).*

Facility shall remain closed until all vermin have been abated and county health specialist approves facility to

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re-open. Contact county health specialist when ready to re-open. Closure sign is not to be removed, hidden or relocated.

Minor Violations

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

Inspector Observations: Food handler training not provided for all food handler employees.

[CA]: All employees that handle open food or food contact surfaces shall obtain valid Food Handler Cards within 30 days of employment. Food Handler Cards shall be maintained on site and available for review at all times

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:

Accumulation of black debris on the interior surface of ice machine.

[CA]: Properly clean and sanitize the interior of ice machine. Food contact surface equipment shall be maintained clean at all times. Ensure ice is protected at all times during cleaning.

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

Inspector Observations:

Frozen squid and scallop improperly thawing in stagnant water at cook line.

[CA]: Frozen food shall be thawed using the following approved methods:

-Under refrigeration that maintain the food temperature at 41F or below.

-Completely submerged under cold running water or a period not to exceed two hours at a water temperature of 70F or below.

-In microwave oven as long as it is cooked immediately.

-As part of the cooking process

[COS]: Food items were relocated to cooling unit.

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

Inspector Observations:

Chlorine sanitizer solution at the sanitizer bucket at the back prep area near back door measured greater than 200 ppm.

[CA]: Chlorine sanitizer solution in sanitizer buckets shall be maintained at 100 ppm at all times.

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

Inspector Observations:

Multiple containers of food stored on the floor throughout food preparation areas and walk in coolers.

[CA]: Food items must stored at least six (6) inches elevated from the floor to prevent contamination.

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:

Employee was washing wiping cloth at the food prep sink.

[CA]: Discontinue washing wiping cloth at food prep sink. Wiping cloth may be washed at the 3 compartment sink's first compartment.

K40 - 2 Points - Wiping cloths: improperly used and stored; 114135, 114185.1 114185.3(d,e)

Inspector Observations:

Soiled wet wiping cloths stored on work surfaces without being placed back into their sanitizer buckets in between uses.

[CA]: Wiping cloths used for sanitizing work surfaces must be stored inside their sanitizer buckets containing at least 100ppm chlorine or 200ppm Quat sanitizer when not actively being used.

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

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Inspector Observations:

Gap of greater than 1/4 of an inch underneath the exterior back door.

[CA]: Close all gaps greater than 1/4 of an inch to prevent entry of vermin.

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

Inspector Observations:

Accumulation of grease and debris underneath equipment throughout the cook line.

[CA]: Routinely clean the areas underneath and behind equipment and in hard-to-reach to prevent the accumulation of dirt, dust, grease, and debris.

Performance-Based Inspection Questions

Needs Improvement - Adequate handwash facilities: supplied or accessible.

Needs Improvement - Proper hot and cold holding temperatures.

Measured Observations

Item	Location	Measurement	Comments
pooled egg	prep line cooler 2	41.00 Fahrenheit	
mushroom	prep line cooler 1	41.00 Fahrenheit	
cooked chicken	prep table	89.00 Fahrenheit	actively cooling; 1 hr
water	3 comp sink	120.00 Fahrenheit	
water	hand sink (back prep area)	100.00 Fahrenheit	
tofu	prep line cooler 2	41.00 Fahrenheit	
raw pork	walk in cooler 2	41.00 Fahrenheit	
tofu	prep line cooler 1	40.00 Fahrenheit	
Chlorine sanitizer	dish machine	50.00 PPM	
water	prep sink	120.00 Fahrenheit	
pork, chicken	walk in cooler	41.00 Fahrenheit	
raw chicken	3 door reach in	39.00 Fahrenheit	

Overall Comments:

FACILITY ORDERED CLOSED due to active vermin infestation (cockroaches). Facility shall contact Specialist for a follow up inspection to reopen after all evidence of vermin and vermin activity have been removed and all impacted areas have been properly cleaned and sanitized. Facility shall not conduct food preparation and food sale until facility has obtained approval from Specialist to re-open.

Ensure facility is maintained in such a way as to prevent the entrance and harborage of vermin. Red placard posted at front window. Red Placard must be displayed until facility has been re-inspected, and cannot be removed, relocated, defaced, marred, camouflaged, or hidden so as to prevent the public from observing it.

Failure to comply may result in enforcement actions per County Ordinance Section B 11-55. Subsequent follow-up inspection after first follow-up shall be billed \$298/hour, minimum one hour, during normal business hours (Monday - Friday, 7:30 Am to 4:30 PM), and \$645/hour, minimum two hours, during non-business hours, and upon inspector availability.

A facility found to be in continued operation without a permit may incur a penalty of three (3) times the operating permit fee, and fee(s) for re-inspection(s) charged at the current hourly rate approved by the Santa Clara County Board of Supervisors. Penalties and fees incurred due to enforcement activities must be paid in full prior to the issuance of an operating permit.

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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 **11/5/2024**. 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.

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: Michael Wang
Manager
Signed On: October 22, 2024