

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 FA0286052 - 360 RESTAURANT		Site Address 989 STORY RD 8000, SAN JOSE, CA 95122		Inspection Date 11/03/2023	
Program PR0428892 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name RESTAURANT 360 LLC		Inspection Time 10:40 - 13:00
Inspected By HENRY LUU	Inspection Type ROUTINE INSPECTION	Consent By LONG	FSC Chi Wing Wong 03/31/2028		

Placard Color & Score
YELLOW
64

RISK FACTORS AND INTERVENTIONS	IN	OUT		COS/SA	N/O	N/A	PBI
		Major	Minor				
K01 Demonstration of knowledge; food safety certification	X						S
K02 Communicable disease; reporting/restriction/exclusion	X						
K03 No discharge from eyes, nose, mouth	X						S
K04 Proper eating, tasting, drinking, tobacco use			X				N
K05 Hands clean, properly washed; gloves used properly		X		X			N
K06 Adequate handwash facilities supplied, accessible			X				
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	
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		
K35 Equipment, utensils: Approved, in good repair, adequate capacity	X	
K36 Equipment, utensils, linens: Proper storage and use	X	
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		

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K48	Plan review	
K49	Permits available	
K58	Placard properly displayed/posted	

Comments and Observations

Major Violations

K05 - 8 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

Inspector Observations: Employee observed outside on break, return into the kitchen, and attempted to resume food preparation without washing hands. When instructed to wash hands, employee rinsed hands with just water and with gloves still donned.

Follow-up By
11/07/2023

Front service employee preparing cooked and roasted items observed returning to work from outside, donning on gloves to continue onto food preparation without washing hands.

[CA] Ensure employees are properly washing hands as required. Employees shall wash their hands in all of the following instances:

- (1) Immediately before engaging in food preparation, including working with non-prepackaged food, clean equipment and utensils, and unwrapped single-use food containers and utensils.
- (2) After touching bare human body parts other than clean hands and clean, exposed portions of arms.
- (3) Immediately after using the toilet room and again when returning into the kitchen.
- (4) After caring for or handling any animal allowed in a food facility in pursuant to this part.
- (5) After coughing, sneezing, using a handkerchief or disposable tissue, using tobacco, eating, or drinking.
- (6) After handling soiled equipment or utensils.
- (7) During food preparation as often as necessary to remove soil and contamination and to prevent cross-contamination when changing tasks.
- (8) When switching between working with raw food and working with ready-to-eat foods.
- (9) Before initially donning gloves for working with food.
- (10) Before dispensing or serving food or handling clean tableware and serving utensils in the food service area.
- (11) After engaging in other activities that contaminate the hands.

Properly wash hands with soap, warm water and dry using single use paper towels as required. Single-use gloves shall be removed prior to washing hands.

[COS] Instructed employee to remove gloves and to properly wash hands with soap and dry with paper towels. Instructed second employee to wash hands before donning on gloves.

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

Inspector Observations: Raw shelled eggs maintained out in ambient temperature measured at 60F. Employee stated that eggs were taken out of the refrigerator for the lunch rush and will be returned to the refrigerator after, in about one to two hours.

Follow-up By
11/07/2023

Container of porridge maintained out in ambient temperature measured at 49F. Employee stated that item was just removed from the refrigerator to be used for the lunch rush.

Plastic container of cooked pork bones maintained out in ambient temperature by the cook line measured at 61F. Employee stated that item was taken out of the refrigerator for about an hour and is discarded after the lunch rush after one to two hours. No time marking or label provided for item.

Bowl of cooked vegetables maintained out in ambient temperature measured at 110F. Employee stated that vegetables were cooked less than an hour prior and is kept out for the lunch rush. Item is blanched upon order for immediate service.

Tub of cooked chicken maintained out in ambient temperature measured at 60F. Employee stated that item is still being prepared and is waiting for the initial chicken inside the marinade to be finish.

Raw suckling pig maintained inside tub of water inside the three-compartment sink measured at 64F. Employee stated that the item was taking out of the refrigerator about an hour prior and will be prepared. No active

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preparation was being conducted at time of inspection.

Large container of cooked white rice maintained out in ambient temperature measured at 73F. Employee stated that rice was removed from the refrigerator and will be reheated in the steamer to be hot held. No active preparation was being conducted at time of inspection.

[CA] PHFs shall be held at 41°F or below or at 135°F or above. Use only small portions of food during preparation so that it does not exceed the maximum amount of time allowed for diligent prep.

[COS] Raw shelled eggs, porridge, suckling pig, and cooked chicken were returned to the preparation refrigerator to immediately cool. Cooked vegetables and cooked pork bones were placed on TPHC and will be discarded at 2:00 PM (total 4 hours). Cooked rice was immediately placed inside the steamer to be reheated.

Minor Violations

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

Inspector Observations: Employees' beverages stored in areas of food preparation, especially around areas with open containers of food, ingredients and/or garnishes, food preparation areas and food contact surfaces.

Employees' half eaten food stored on shelves in the dry storage area above sealed and opened containers of bulk ingredients.

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

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

Inspector Observations: Hand wash station next to the food preparation sink lacked paper towels. Hand wash station equipped with warm water, hand soap, and paper towels provided around the wall less than 10 feet.

[CA] Single-use sanitary towels shall be provided in dispensers at all times.

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

Inspector Observations: Observed food preparation sink filled with frozen raw pork and raw chicken bones thawing in running water that measured at 135F. Items measured at 90F on the outside and 35F in the center of the mass.

[CA] Water temperature shall be under 70°F while thawing food.

Bag of raw shrimp and numerous bags of raw fish thawing in standing water inside tubs and buckets. Box of raw fish thawing in ambient temperature by the food preparation sink.

[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)

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Inspector Observations: Food preparation being conducted at the three-compartment sink while active ware washing was being taken place. Tub with a raw suckling pig maintained inside plastic tub placed in the left most wash basin while dirty dishes waiting to be washed were maintained in the middle basin and soapy solution in the right most basin.

[CA] All food shall be separated and protected from possible contamination. Food preparation shall only occur in approved areas. **[COS]** Employee relocated suckling pig back into the refrigerator to be prepared later.

Flats of raw shelled eggs maintained above ready-to-eat food items inside 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.

Numerous containers of food stored directly on the floor:

- Case of raw ducks waiting to be prepared.
- Container of live clams inside the walk-in refrigerator.
- Tub of fish inside the walk-in freezer.

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

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

Inspector Observations: Heavy accumulation of grime and food residue/debris observed on equipment, door handles of refrigerators, and shelves throughout.

[CA] Nonfood-contact surfaces of equipment shall be kept free of an accumulation of dust, dirt, food residue, and other debris.

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: Ambient temperature of the walk-in refrigerator measured at 46F.

[CA] Refrigeration must be capable of maintaining PHFs at 41°F or below. Investigate cause and repair in an approved manner.

K36 - 2 Points - Equipment, utensils, linens: Improper storage and use; 114074, 114081, 114119, 114121, 114161, 114178, 114179, 114083, 114185, 114185.2, 114185.3, 114185.4, 114185.5

Inspector Observations: Scoop handles observed in direct contact with food and/or food ingredient - inside ice machine, bulk ingredient containers, etc.

[CA] Store scoop handle in such a way that the handle does not come in direct contact with food to prevent contamination.

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: Employees' personal belongings - cellphones, eyeglasses, keys, backpacks, etc., stored in areas of food preparation, food contact surfaces, and/or food storage areas.

[CA] No person shall store clothing or personal effects in any area used for the storage and preparation of food or food contact surfaces. Employee's personal effects shall be stored in employee lockers or other designated areas for employee storage.

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

Inspector Observations: Heavy accumulation of dirt, grime, and food debris observed on floors throughout facility, especially underneath the ware washing and food preparation areas.

Heavy build up of grease, oils, and food residue observed on the wall behind the butcher station.

[CA] Walls and/or floors in food preparation area shall be kept clean. Regularly clean under cooking to prevent accumulation of debris.

Performance-Based Inspection Questions

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- Needs Improvement - Proper hot and cold holding temperatures.
- Needs Improvement - Hands clean/properly washed/gloves used properly.
- Needs Improvement - Proper eating, tasting, drinking, tobacco use.

Measured Observations

Item	Location	Measurement	Comments
Cooked pork hock	Walk-in refrigerator	41.00 Fahrenheit	
Princess chicken	Walk-in refrigerator	41.00 Fahrenheit	
Ambient	Chest freezers	5.00 Fahrenheit	Upstairs outside office, and inside storage room
Sliced tomatoes	Food preparation refrigerator	40.00 Fahrenheit	
Fried tofu	Food preparation refrigerator	41.00 Fahrenheit	
Cooked shrimp	Food preparation refrigerator	40.00 Fahrenheit	
Cooked sliced pork	Food preparation refrigerator	41.00 Fahrenheit	
Cooked lobster	Walk-in refrigerator	41.00 Fahrenheit	
Hot water	Two-compartment food preparation sink	125.00 Fahrenheit	
Live clams	Walk-in refrigerator	45.00 Fahrenheit	
Raw oysters on half shell	Walk-in refrigerator	41.00 Fahrenheit	
Roast duck	Walk-in refrigerator	41.00 Fahrenheit	
Roast duck	From oven	202.00 Fahrenheit	
Raw shrimp	Food preparation refrigerator	39.00 Fahrenheit	
Hot water	Three-compartment sink	136.00 Fahrenheit	
Raw pork	Food preparation refrigerator	40.00 Fahrenheit	
Pork bones	Walk-in refrigerator	41.00 Fahrenheit	
Chlorine sanitizer	Mechanical dish machine	50.00 PPM	
Raw beef	Food preparation refrigerator	38.00 Fahrenheit	
Cooked rice	Rice warmer	150.00 Fahrenheit	

Overall Comments:

- **Two or more major violations were observed during the routine inspection.**
- **A follow-up inspection will be conducted to verify compliance of all major violations.**
- **Subsequent follow-up inspection after first follow-up shall be billed \$290/hour, minimum one hour, during normal business hours (Monday - Friday, 7:30 AM to 4:30 PM), and \$629/hour, minimum two hours, during non-business hours, and upon inspector availability.**
- **The posted placard is property of the Santa Clara County Department of Environmental Health and shall not be removed, covered-up, relocated, tampered, or copied red placard. Failure to comply may result in enforcement actions per County Ordinance Code Section B11-55.**

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 **11/17/2023**. 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: James W.
 Manager
Signed On: November 03, 2023