

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 FA0208062 - PAU HANA SHAVE ICE CO		Site Address 248 JACKSON ST, SAN JOSE, CA 95112		Inspection Date 09/27/2023		Placard Color & Score <div style="background-color: green; color: white; padding: 10px; text-align: center;"> GREEN 78 </div>		
Program PR0370719 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 1 - FP09			Owner Name IAN AGBAYANI		Inspection Time 14:15 - 15:15			
Inspected By LAWRENCE DODSON		Inspection Type ROUTINE INSPECTION		Consent By RYAN JOHN AGBAYANI				FSC Not Available

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						S
K04	Proper eating, tasting, drinking, tobacco use	X						
K05	Hands clean, properly washed; gloves used properly	X						
K06	Adequate handwash facilities supplied, accessible			X				
K07	Proper hot and cold holding temperatures		X					
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		
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		
K34	Warewash facilities: installed/maintained; test strips		
K35	Equipment, utensils: Approved, in good repair, adequate capacity		
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		
K45	Floor, walls, ceilings: built, maintained, clean		X
K46	No unapproved private home/living/sleeping quarters		
K47	Signs posted; last inspection report available	X	

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

Comments and Observations

Major Violations

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

Inspector Observations: Flan and boba held in standing refrigerator measured >41F,<135F,>4hrs.

[CA] PHFs shall be held at 41°F or below or at 135°F or above. [SA] Per PIC PHF was held in refrigerator for over 4 hours. PIC voluntarily condemned flan and boba due to temperature abuse.

Minor Violations

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

Inspector Observations: FSC is not available for review at time of inspection.

[CA] Food facilities that prepare, handle, or serve non-prepackaged potentially hazard foods shall have a valid Food Safety Certificate available for review at all times.

Food handler cards are not available for review at time of inspection.

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

Inspector Observations: Rear hand wash sink is partially obstructed.

[CA] Handwashing facility shall be clean, unobstructed, and accessible at all times.

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: Ice cream scoop found stored in still water. [CA] Maintain equipment clean and sanitized as required.

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

Inspector Observations: Floor shows signs of deterioration.

[CA] Walls and/or floors in food preparation area shall be kept clean and in good repair.

K47 - 2 Points - Signs not posted; last inspection report not available; 113725.1, 113953.5, 113978, 114381(e)

Inspector Observations: Current Santa Clara County Environmental Health Permit is not posted.

[CA] The health permit issued by this department shall be posted in a conspicuous place in the food facility.

K48 - 2 Points - Plan review unapproved; 114380

Inspector Observations: Unapproved equipment has been added to the facility (home type refrigerators/freezers)

[CA] Obtain approval prior to adding equipment to the facility. A person proposing to build or remodel a food facility shall submit plans and specifications for review and shall receive plan approval prior to starting any new construction or remodeling. Contact DEH at 408-918-3400 or at www.ehinfo.org to obtain plan check requirements.

Follow-up By 10/27/2023

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
boba	preparation table	72.00 Fahrenheit	
hot water	hand wash sink	100.00 Fahrenheit	
standing refrigerator	service area	50.00 Fahrenheit	
flan	standing refrigerator	50.00 Fahrenheit	
boba	standing refrigerator	50.00 Fahrenheit	
hot water	3 compartment warewash sink	120.00 Fahrenheit	

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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 **10/11/2023**. 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: Ryan John Agbayani
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Signed On: September 27, 2023