

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 FA0210058 - MANDARIN GOURMET		Site Address 5560 SANTA TERESA BL, SAN JOSE, CA 95123		Inspection Date 04/22/2025		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;">49</div>		
Program PR0302510 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name LIU CHENG INC		Inspection Time 11:40 - 13:15			
Inspected By JENNIFER RIOS		Inspection Type ROUTINE INSPECTION		Consent By SCOTT				FSC Timmie Cheng 05/30/2029

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						
K07	Proper hot and cold holding temperatures		X		X			
K08	Time as a public health control; procedures & records					X		
K09	Proper cooling methods		X		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	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	X	
K37	Vending machines		
K38	Adequate ventilation/lighting; designated areas, use	X	
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

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

Inspector Observations: *Cooked chicken on counter measured 64F. Per PIC, chicken was removed from refrigeration at 11am and is left out during the service for use when ordered then placed back into the walk in fridge. [CA] PHFs shall be held at 41°F or below or at 135°F or above. [COS] Chicken will be discarded at the end of service (2pm). TPHC forms will be provided to PIC.*

K09 - 8 Points - Improper cooling methods; 114002, 114002.1

Inspector Observations: *1. Observed rice on trays that had been cooling since the previous day that measured 64F. Per PIC, they need the rice to dry out. [CA] After heating or hot holding, Potentially Hazardous Foods (PHFs) shall be cooled rapidly from 135°F to 70°F within 2 hours and from 70°F to 41°F within 4 hours. Approved cooling methods include: 1) Placing the food in shallow pans 2) Separating the food into thinner or smaller portions. 3) Using rapid cooling equipment (Ex. blast chiller) 4) Using containers that facilitate heat transfer (ex. stainless steel) 5) Adding ice as an ingredient. 6) Using ice paddles 7) Using an ice bath and stirring frequently 8) Accordance with a HACCP plan. Cooling foods shall have enough space around the containers for cold air to circulate, be loosely covered, or uncovered and stirred as frequently needed to evenly cool. [COS] Rice VC&D.*

2. Minor- Rice on counter measured 109F. Per PIC, it was cooked 1/2 hour prior. [CA] Potentially Hazardous Foods (PHFs) shall be cooled rapidly from 135°F to 70°F within 2 hours and from 70°F to 41°F within 4 hours.

K14 - 8 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: *1. Observed pink mold like substance on interior panel of ice machine with water and ice in contact. [CA] Clean and sanitize ice machine and maintain in good condition. Complete prior to follow up inspection.*

2. Observed mold like substance inside soda nozzle used to fill soda glasses. [CA] Clean and sanitize soda nozzle and maintain in good condition. Complete prior to follow up inspection.

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

Inspector Observations: *Observed dead cockroaches next to refrigerator on cookline. Observed several live cockroaches on floor in back cooking area in varying stages of life. Per PIC, they have monthly pest control however, most recent pest control report was not available. [CA] The premises of each food facility shall be kept free of vermin. A food facility shall not operate when there is a vermin infestation that has resulted in the contamination of food contact surfaces, food packaging, utensils, food equipment, or adulteration of food(s). The food facility shall cease operation of the food facility immediately. The food facility shall remain closed until all items on provided checklist have been completed.*

Minor Violations

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

Inspector Observations: *Food handler cards were not available at time of inspection. [CA] Each food handler shall maintain a valid food handler card for the duration of his or her employment as food handler. A valid food handler card shall be provided within 30 days of after the date of hire.*

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: *Observed raw fish stored on top of eggplant in walk in fridge. [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.*

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

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Inspector Observations: *Observed heavy accumulation of food debris inside refrigeration units, cooking units. Observed heavy build up on shelving units in walk in fridge. [CA] Clean and sanitize equipment. Ensure that food debris is removed to prevent the harborage of vermin.*

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: *Chlorine test strips were not available at time of inspection. [CA] Testing equipment and materials shall be provided to adequately measure the applicable sanitization method used during manual or mechanical warewashing.*

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: *1. Observed sauce containers reused to store other food items. [CA] Single use food container (e.g. soy sauce container, milk carton, apple juice container, can food, wine bottle) shall not be reused to store food.*

2. Observed bowls used as scoops and scoops with handles in contact with food. [CA] Provide scoops with handles and store scoop handle in such a way that the handle does not come in direct contact with food to prevent contamination.

K38 - 2 Points - Inadequate ventilation and lighting in designated area; 114149, 114149.1, 114149.2, 114149.3, 114252, 114252.1

Inspector Observations: *Observe heavy accumulation of debris/grease build up inside ventilation hoods. Per PIC, they are scheduled to be cleaned this coming weekend. [CA] Clean mechanical exhaust hood and/or filters of grease accumulation.*

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

Inspector Observations: *Observed wiping cloths stored on counters when not in use. [CA] Wiping towels shall be stored in sanitizing solution of an approved concentration when not in use (100 ppm - chlorine, 200 ppm - quaternary ammonium).*

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: *1. Observed many pieces of unused equipment in storage areas and in kitchen. [CA] The premises of a food facility shall be free of litter and items that are unnecessary to the operation or maintenance of the facility, such as equipment that is nonfunctional or no longer used.*

2. Observed employee drink stored on the food preparation counter. [CA] No person shall store clothing or personal effects in any area used for the storage and preparation of food or food contact surfaces.

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

Inspector Observations: *1. Observed missing grout along the cove base in the kitchen. Observed missing/broken tiles throughout kitchen. [CA] Repair/replace grout and broken/missing floor tiles throughout kitchen.*

2. Observed many missing ceiling panels throughout kitchen area and employee bathroom. [CA] Repair/replace missing ceiling vents.

Performance-Based Inspection Questions

N/A

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Measured Observations

Item	Location	Measurement	Comments
Raw beef	Walk in fridge	38.00 Fahrenheit	
Raw chicken	Walk in fridge	32.00 Fahrenheit	
Beef	Reach in fridge	41.00 Fahrenheit	
Chlorine	Mechanical warewash	50.00 PPM	
Hot water	Three compartment sink	120.00 Fahrenheit	
Warm water	Restroom handwash	100.00 Fahrenheit	
Raw chicken	Cold holding insert	40.00 Fahrenheit	
Rice	Just cooked	156.00 Fahrenheit	
Rice	Cooling on counter	109.00 Fahrenheit	
Cooked chicken	Walk in fridge	41.00 Fahrenheit	
Rice	On trays	64.00 Fahrenheit	Cooling since previous day, VC&D
Chicken	On counter	64.00 Fahrenheit	
Soup	Hot holding	150.00 Fahrenheit	
Fish	Reach in fridge	39.00 Fahrenheit	
Warm water	Handwash	100.00 Fahrenheit	
Noodles	On counter	41.00 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 **5/6/2025**. 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: Timmie Cheng
Manager

Signed On: April 22, 2025