

# 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

<b>Facility</b> FA0205108 - PENINSULA CREAMERY DAIRY FOUNTAIN		<b>Site Address</b> 900 HIGH ST, PALO ALTO, CA 94302		<b>Inspection Date</b> 08/28/2023	
<b>Program</b> PR0300560 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			<b>Owner Name</b> SANTANA, JOHN		<b>Inspection Time</b> 14:10 - 15:00
<b>Inspected By</b> TRAVIS KETCHU	<b>Inspection Type</b> ROUTINE INSPECTION	<b>Consent By</b> JAMES SANTANA	<b>FSC</b> Victor Nevarez 1/9/2024		

Placard Color & Score

**GREEN**  
**90**

RISK FACTORS AND INTERVENTIONS						OUT		COS/SA	N/O	N/A	PBI
						IN	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									
K07	Proper hot and cold holding temperatures		X						X		S
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									S
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									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

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

**Inspector Observations: Measured cooked chicken at 123 F within a bowl on the stove top and cooked hamburgers at 125 F within a pan on top of the toaster.**

**[CA] PHFs shall be held at 41°F or below or at 135°F or above.**

**[COS] Chicken and hamburgers to be discarded following a total holding time of four hours. Any left overs shall be discarded and not re-used or re-purposed in any way.**

### Minor Violations

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 sanitizer test strips were not available at the time of inspection.**

**[CA] Testing equipment and materials shall be provided to adequately measure the applicable sanitization method used during manual or mechanical warewashing.**

### Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

### Measured Observations

Item	Location	Measurement	Comments
chicken	walk in fridge	40.00 Fahrenheit	
warm water	restroom hand wash sink	100.00 Fahrenheit	
hamburger	pan on toaster	125.00 Fahrenheit	
hamburger	open top prep fridge	37.00 Fahrenheit	
mac salad	4 door upright fridge	40.00 Fahrenheit	
milk	counter top fridge	39.00 Fahrenheit	
tomatoes	open top prep fridge	39.00 Fahrenheit	
chlorine sanitizer	3 comp sink	100.00 PPM	
chicken	bowl on stove top	123.00 Fahrenheit	
hamburger	stove top	180.00 Fahrenheit	
hot water	3 comp sink	120.00 Fahrenheit	

### 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 **9/11/2023**. 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.

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## 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 Santana  
PIC  
Signed On: August 28, 2023