

**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> FA0230716 - PEPPER LUNCH		<b>Site Address</b> 408 BARBER LN, MILPITAS, CA 95035		<b>Inspection Date</b> 11/06/2024	
<b>Program</b> PR0330806 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			<b>Owner Name</b> YAMAGUCHI, RYOKO		<b>Inspection Time</b> 11:30 - 12:30
<b>Inspected By</b> LAWRENCE DODSON	<b>Inspection Type</b> ROUTINE INSPECTION	<b>Consent By</b> WILLIAM JACY	<b>FSC Not Available</b>		

<b>Placard Color &amp; Score</b> <b>GREEN</b> <b>84</b>
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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				
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							
K14 Food contact surfaces clean, sanitized					X		
K15 Food obtained from approved source							
K16 Compliance with shell stock tags, condition, display					X		
K17 Compliance with Gulf Oyster Regulations					X		
K18 Compliance with variance/ROP/HACCP Plan							
K19 Consumer advisory for raw or undercooked foods							
K20 Licensed health care facilities/schools: prohibited foods not being offered							
K21 Hot and cold water available							
K22 Sewage and wastewater properly disposed							
K23 No rodents, insects, birds, or animals							

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		
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		X
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		

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

## Comments and Observations

### Major Violations

No major violations were observed during this inspection.

### Minor Violations

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

**Inspector Observations: Repeat violation: 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.**

**Follow-up By**  
12/06/2024

**Food handler cards are not available for review 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.**

K07 - 3 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

**Inspector Observations: shrimp, tofu, beef and eggs held at drawer refrigerator and ice bath measured >41F, <135F, <2hrs.**  
**[CA] PHFs shall be held at 41°F or below or at 135°F or above.**

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: Raw food of animal origin stored above ready to eat food in standing 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.**

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 drawer refrigerator measured at 50F.**  
**[CA] Refrigeration must be capable of maintaining PHFs at 41°F or below.**

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

K39 - 2 Points - Thermometers missing or inaccurate; 114157, 114159

**Inspector Observations: Lack of thermometers in drawer refrigerator.**  
**[CA] A thermometer +/- 2°F shall be provided and correctly located in each hot and cold holding unit containing potentially hazardous foods.**

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

**Inspector Observations: Grease and food buildup found under cooking equipment.**  
**[CA] Regularly clean under cooking equipment to prevent accumulation of debris.**

**Observed damaged wall (opening) in the storage area. [CA] Repair holes in structure and maintain in good repair to prevent pest harborage.**

### Performance-Based Inspection Questions

N/A

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## Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
water	hand wash sink	100.00 Fahrenheit	
cooked corn	preparation table	49.00 Fahrenheit	
drawer refrigerator	cook line	50.00 Fahrenheit	
tofu	drawer refrigerator	49.00 Fahrenheit	
shrimp	drawer refrigerator	49.00 Fahrenheit	
sanitizer concentration	mechanical dishwasher	50.00 PPM	
raw eggs	preparation table	45.00 Fahrenheit	
water	3 compartment sink	120.00 Fahrenheit	
raw beef	drawer refrigerator	46.00 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 **11/20/2024**. 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.

## 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




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**Received By:** William Jacy  
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**Signed On:** November 06, 2024