

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 FA0291236 - LUCKY TEA		Site Address 2855 STEVENS CREEK BL 2170, SANTA CLARA, CA		Inspection Date 10/13/2026		Placard Color & Score YELLOW 72		
Program PR0436530 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 1 - FP09			Owner Name LUCKY TEA 1 LLC		Inspection Time 15:48 - 17:20			
Inspected By MADELINE MEZA		Inspection Type ROUTINE INSPECTION		Consent By BEA				FSC Vincent Nguyen 10/30/2029

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						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						S
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		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		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	X	
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	X	
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

K08 - 8 Points - Improperly using time as a public health control procedures & records; 114000

Inspector Observations: *Observed Boba stored on top of counter to be used for service measured at 83F during inspection. Per PIC, the item is time controlled and is thrown out every 3 hours but at the time of inspection there are no procedures available for review and no time marking on the boba. Boba was made 1 hour prior to inspection.*

Follow-up By
10/20/2026

[CA] *When time only, rather than time and temperature is used as a public health control, PHFs shall be time marked to indicate when item is removed from temperature control, discarded if not consumed or served within 4 hours, and written procedures shall be readily available for review.*

[SA] *PIC time marked the boba to discard after the end of 4 hours and provided TPHC form to PIC.*

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: *Observed in-use equipment (multiple stir spoons) being used and stored in stagnant water. The utensils are used to stir a variety of Boba drinks for service. Per PIC, these utensils are cleaned once a day.*

Follow-up By
10/20/2026

[CA] *In use preparation surfaces shall be cleaned at least every 4 hours or as required.*

[COS] *Asked PIC to clean and sanitize in-use utensils and place into an ice bucket on top of service counter.*

Minor Violations

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

Inspector Observations: *Observed employee did not have food handler card at the time of inspection. Per PIC, this employee was hired more than 1 month ago.*

[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.*

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

Inspector Observations: *Observed hand wash sink located in the back dry storage obstructed. Per PIC, this hand sink is not used as they do no food prep in the back storage area.*

[SA] *Hand sink available in food prep area of service line is stocked with paper towels and soap in the front of the facility and available to employees.*

K30 - 2 Points - Food storage containers are not identified; 114047, 114049, 114051, 114053, 114055, 114067(h), 114069 (b)

Inspector Observations: *Observed multiple food storage located on the ground in the back storage area of facility.*

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

Observed multiple working food storage containers not labeled.

[CA] *Working containers holding food or food ingredients shall be identified with the common name of the food, except those foods that can be readily and unmistakably recognized.*

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

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Inspector Observations: *Lack of ware wash testing strips at the time of inspection.*

[CA] Testing equipment and materials shall be readily available at all times.

K41 - 2 Points - Plumbing unapproved, not installed, not in good repair; improper backflow devices; 114171, 114189.1, 114190, 114192, 114193, 114193.1, 114199, 114201, 114269

Inspector Observations: *Observed drainage pipe extending into floor sink in the front service prep area by the ice machine.*

[CA] All equipment that discharges liquid waste shall be drained by means of indirect waste pipes, and all wastes drained by them shall discharge through an airgap into a floor sink or other approved type of receptor.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
Chlorine sanitizer	3 compartment sink	100.00 PPM	
Ambient	Undercounter single door display fridge	40.00 Fahrenheit	
Watermelon	Cold prep inserts above Two door undercounter fridge	39.00 Fahrenheit	
Milk	Two door undercounter fridge	39.00 Fahrenheit	
Crystal Boba	Cold prep inserts above Two door undercounter fridge	35.00 Fahrenheit	
Milk	Single door upright fridge (by 3 comp)	39.00 Fahrenheit	
Egg pudding	Cold prep inserts above Two door undercounter fridge	34.00 Fahrenheit	
Watermelon	Single door display fridge (back storage area)	41.00 Fahrenheit	
milk	Undercounter single door display fridge	40.00 Fahrenheit	
Boba	Prep service area	83.00 Fahrenheit	To be discarded at 6:30

Overall Comments:

A follow-up inspection to verify compliance of major violations will be conducted upon facility request.

1. The first follow-up

inspection is free of charge. Subsequent follow-up inspections after the first follow-up shall be billed at \$290/hour (one hour minimum) during normal business hours (Monday - Friday, 7:30 AM to 4:30 PM), and \$664 (minimum of two hours) during non-business hours, and upon inspector availability.

2. 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.

3. Failure to comply may result in enforcement actions, including but not limited to penalty fees, 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 **10/27/2026**. 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: Bea
Employee

Signed On: October 13, 2026