

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 FA0208429 - EAST LAKE CHINESE SEAFOOD		Site Address 2850 QUIMBY RD 130, SAN JOSE, CA 95148		Inspection Date 07/05/2023	
Program PR0305881 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name QRST LLC		Inspection Time 12:35 - 14:30
Inspected By HENRY LUU	Inspection Type ROUTINE INSPECTION		Consent By RYAN	FSC Chau Huyen Ton 03/26/2024	

Placard Color & Score

YELLOW

58

RISK FACTORS AND INTERVENTIONS	IN	OUT		COS/SA	N/O	N/A	PBI
		Major	Minor				
K01 Demonstration of knowledge; food safety certification	X						S
K02 Communicable disease; reporting/restriction/exclusion	X						
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		X			N
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				N
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	X	
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		
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		
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		
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 fried rice maintained out in ambient temperature measured at 109F. Employee stated that item was prepared approximately 2 hours prior. Per manager, fried rice is prepared in the morning and is discarded at the end of the lunch shift.

The lunch shift is between 11:00 AM to 2:30 PM.

Numerous PHF items, deep fried chicken, deep fried pork, and roast duck maintained inside the two-door reach-in refrigerator across from the unused cook line measured at 47F, 48F, 47F, respectively. Employee stated that items were prepared the night before. Ambient temperature of the refrigerator measured at 52F.

Numerous steam containers of dim sum maintained out in ambient temperature.

[CA] PHFs shall be held at 41°F or below or at 135°F or above. Consider using Time as Public Health Control (TPHC). 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.

[COS/SA] Fried rice may be used, however, shall be immediately served, consumed, or discarded at 2:30 PM. Deep fried pork, chicken, and roast duck were VC&D for improper holding temperatures exceeding four hours.

Follow-up By
07/11/2023

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

Inspector Observations: 5+ live and dead cockroaches observed on sticky monitoring trap behind the one-door food preparation refrigerator at the cook line.

Dead cockroach and dead mouse observed on sticky trap below the live crustacean/fish holding tank.

No contamination of food or food contact surfaces observed. Per manager, pest control services facility once per quarter. Pest control invoice/report were provided for review.

[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: there is no longer evidence of a vermin infestation; all contaminated surfaces have been cleaned and sanitized; and contributing factors such as cleaning, repairs, and the elimination of harborages have been resolved.

Numerous live flies observed throughout kitchen facility. [CA] Use any and all approved methods to abate live flies.

Follow-up By
07/11/2023

Minor Violations

K04 - 3 Points - Improper eating, tasting, drinking or tobacco use in food preparation area; 113977

Inspector Observations: Employees' personal food and beverages, stored in areas of food preparation and or food contact surfaces.

[CA] No employee shall eat or drink in the food prep, food contact storage, or food storage areas, use designated area.

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

Inspector Observations: Hand wash station in the middle of the kitchen inoperable - faucet handles were removed. At time of inspection, employee installed faucet handle on the hot water side, however, when water was turned on, wash basin observed slow to drain and heavy leak observed below at the waste drain pipe. Wash water was being caught inside bucket.

[CA] All food facilities shall provide an operable handwashing station. Repair hand wash station.

Follow-up By
07/11/2023

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K16 - 3 Points - Not in compliance with shell stock tags, condition; 114039-114039.5

Inspector Observations: *Clams maintained inside upright freezer lacked shellstock tags. Manager stated that tags are immediately discarded once lot is used up.*

[CA] *The identity of the source of shellstock that are sold or served shall be maintained for 90 calendar days from the dates of harvest by using an approved recordkeeping system that keeps the tags or labels in chronological order correlated to the date or dates the shellstock are sold or served.*

K22 - 3 Points - Sewage and wastewater improperly disposed; 114197

Inspector Observations: *Minor leak observed at waste drain pipe below two compartment food preparation sink.*

Heavy leak observed below hand wash station in the middle of the kitchen.

[CA] *Liquid waste shall be disposed of through the approved plumbing system and shall discharge into the public sewerage or into an approved private sewage disposal system. Investigate cause. Repair in an approved manner.*

K26 - 2 Points - Unapproved thawing methods used; frozen food; 114018, 114020, 114020.1

Inspector Observations: *Tray of raw chicken thawing out in ambient temperature.*

[CA] *Frozen potentially hazardous food shall only be thawed in one of the following ways: 1) under refrigeration that maintains the food temperature at 41°F or below, 2) completely submerged under potable running water for a period not to exceed two hours at a water temperature of 70°F or below, and with sufficient water velocity to agitate and flush off loose particles into the sink drain, 3) in a microwave oven if immediately followed by immediate preparation, 4) as part of a cooking process.*

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: *Numerous containers of food stored directly on the floor:*

- *Tub of chow mein noodles at the cook line.*
- *Inside the walk-in refrigerators and freezers.*

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

Numerous containers of raw meat stored above ready-to-eat food items inside the walk-in refrigerator across from the food preparation sinks.

[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.*

Observed container of raw fish stored on top of container of roast duck with the bottom of the container of fish in direct contact with duck. [CA] All food shall be separated and protected from possible contamination. Provide lids and/or physical barriers to protect food.

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

Inspector Observations: *Heavy build up of food debris and food residue observed on equipment throughout facility:*

- *Refrigerator door handles.*
- *Surface outside of refrigerators, especially near door hinges.*
- *Underneath ware washing table before the mechanical dish machine.*
- *Underneath food preparation table at the cook lines.*

[CA] *Nonfood-contact surfaces of equipment shall be kept free of an accumulation of dust, dirt, food residue, and other debris. Equipment food-contact surfaces and utensils shall be clean to sight and touch.*

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: *Two-door reach-in refrigerator across from the unused cookline measured at 52F.*

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

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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: Observed linen used to cover food items inside the three-door upright refrigerator at the dim sum preparation area. Linen was in direct contact with food.

[CA] Linen shall not be used in contact with food unless they are used to line a container for the service of foods and are replaced each time the container is refilled for a new consumer and laundered prior to reuse.

Cleavers observed stored wedged between the two-door reach-in refrigerator and food preparation table across from the unused cook line.

[CA] Properly store utensils and equipment in a clean and sanitary manner.

Observed numerous scoops with handles in direct contact with food inside bulk ingredient containers.

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

Observed large stock pot maintained on top of the curbed janitorial sink. [CA] Utilize sinks for their designated purposes.

[CA] Properly store utensils and equipment in a clean and sanitary manner.

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

Inspector Observations: Observed wiping cloths stored on food preparation tables.

[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: Observed employees' belongings stored in areas of food preparation, food storage, and/or food contact surfaces:

- Glasses and prepackaged snacks at the dim sum preparation table.
- Shoes at the bottom of the food preparation table next to jugs of sauces at the wok line.
- Jacket along with beverage cup stored above utensils at the ware washing area. \

[CA] No person shall store clothing or personal effects in any area used for the storage and preparation of food or food contact surfaces.

Performance-Based Inspection Questions

Needs Improvement - Compliance with shell stock tags, condition, display.

Needs Improvement - Proper hot and cold holding temperatures.

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Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
Cooked BBQ pork	One-door food preparation refrigerator	41.00 Fahrenheit	
Cooked BBQ pork	Three-door merchandiser	41.00 Fahrenheit	
Cooked comminuted pork	Three-door upright refrigerator	39.00 Fahrenheit	
Hot and sour soup	Soup warmer	161.00 Fahrenheit	
Dried duck	Walk-in refrigerator	40.00 Fahrenheit	
Daikon cake	Three-door upright refrigerator	40.00 Fahrenheit	
Raw pork	Dim sum reach-in refrigerator	40.00 Fahrenheit	
Fried chicken	Walk-in freezer	24.00 Fahrenheit	
Raw marinated chicken	Walk-in refrigerator	38.00 Fahrenheit	
Cooked beef tripe	Dim-sum walk-in refrigerator	29.00 Fahrenheit	
Chlorine sanitizer	Mechanical dish machine	50.00 PPM	
Cooked chicken	Walk-in refrigerator	39.00 Fahrenheit	
Cooked rice	Rice warmer	160.00 Fahrenheit	
Par-cooked beef	One-door food preparation refrigerator	41.00 Fahrenheit	
Par-cooked shrimp	One-door food preparation refrigerator	40.00 Fahrenheit	
Hot water	Three-compartment sink	120.00 Fahrenheit	
Cooked chicken feet	Three-door upright refrigerator	38.00 Fahrenheit	
Roast duck	Walk-in refrigerator	40.00 Fahrenheit	

Overall Comments:

- **Complaint investigation was conducted concurrently with routine inspection.**
- **Time as Public Health Control (TPHC) written procedures provided and reviewed with manager.**
- **Two or more major violations were observed during the routine inspection.**
- **A follow-up inspection will be conducted to verify compliance of all major violations.**
- **Subsequent follow-up inspection after first follow-up shall be billed \$219/hour, minimum one hour, during normal business hours (Monday - Friday, 7:30 AM to 4:30 PM), and \$493/hour, minimum two hours, during non-business hours, and upon inspector availability.**
- **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 red placard. Failure to comply may result in enforcement actions 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 **7/19/2023**. 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: Fabiano Low
Manager

Signed On: July 05, 2023