OFFICIAL INSPECTION REPORT

Owner Name: PHO CONG LY CORP
Facility Name: PHO CONG LY
Site Address: 301 N JACKSON AV #2, SAN JOSE, CA 95133
Program: PR0428925 - FOOD PREP / FOOD SVC OP   0-5 EMPLOYEES RC 3 - FP11

Facility ID: FA0286081
Inspection Date: 04/16/2018
Inspection Time: 14:20-15:55

Inspected By: HELEN DINH
Inspection Type: ROUTINE INSPECTION
Consent to Inspect Granted By: DEN & THU PHAM

□ Pictures Taken

Major Risk Factors and Interventions Violations:
K22M - 8 Points - Sewage and wastewater improperly disposed - Applicable Section(s):114197

Inspector Observations: A clogged warewashing sink that adversely impacts the use of necessary equipment.
[CA] The food facility, or impacted areas, shall remain closed until all plumbing problems have been corrected and all contaminated surfaces have been cleaned and sanitized. [COS] Operator repaired the warewashing sink to be free flowing.
Corrected on 04/16/2018

Minor Risk Factors and Interventions Violations:
K06 - 3 Points - Inadequate handwash facilities: supplied or accessible - Applicable Section(s):113953, 113953.1, 113953.2, 114067(f)

Inspector Observations: Lack of paper towel in dispenser for handwash sink in the food prep area. [CA] Provide single use paper towels in dispenser at handwash station at all times. [COS] Operator restocked.

Good Retail Practices Violations:
K30 - 2 Points - Food storage containers are not identified - Applicable Section(s):114047, 114049, 114051, 114053, 114055, 114067(h), 114069 (b)

Inspector Observations: 1. Found potentially hazardous food/food items stored directly on the floor in the dry storage room and in the room next to the point of sale merchandiser. [CA] Food shall be stored at least 6 inches off the floor.
2. Open bulk food not stored in sealed container at the dry storage room. [CA] Store open bulk foods in approved NSF containers with tight fitting lids.

K38 - 2 Points - Inadequate ventilation and lighting in designated area - Applicable Section(s):114149, 114149.1, 114149.2, 114149.3, 114252, 114252.1

Inspector Observations: 1. Lacking lights at the point of sale merchandiser where PHFs are stored. [CA] Repair light fixtures to be fully operable and in good repair.
2. Inoperable ventilation fan in men's restroom. [CA] Restrooms shall have an openable screened window, an air shaft, or a light switch-activated exhaust fan, consistent with the requirements of local building codes.

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

Inspector Observations: 1. Found a leak at the mop sink when water is turned on. [CA] Repair leak.
2. Found a leak outside of the food facility faucet fixture. Per operator, faucet was damaged by a bystander. [CA] Repair leak.

K44 - 2 Points - Premises not clean, not in good repair; No personal/chemical storage; inadequate vermin-proofing - Applicable Section(s):114067(j), 114123, 114143 (a,b), 114256, 114256.1, 114256.2, 114266.4, 114257, 114257.1, 114259, 114259.2, 114259.3, 114279, 114281, 114282

Inspector Observations: 1. Gap greater than ¼ inch observed under delivery door. [CA] Eliminate air gap greater than 1/4 inch so as to prevent the entrance and harborage of vermin.
2. Unused equipment stored in the facility. [CA] Remove unused equipment from facility.

K45 - 2 Points - Inadequate floors, walls, ceilings: built, maintained, clean - Applicable Section(s):114143(d), 114266, 114268, 114268.1, 114271, 114272

Inspector Observations: Found ceiling panels deteriorated throughout the facility. [CA] Repair or replace ceiling panel to be smooth, durable, nonabsorbent and easily washable.

Performance Based Inspection Questions:
Satisfactory - Communicable disease: Report, restrict, or exclude a food employee.

Measured Observations:
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<table>
<thead>
<tr>
<th>Item</th>
<th>Location</th>
<th>Measurement</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>raw chicken</td>
<td>6 door reach in</td>
<td>41.00°F</td>
<td></td>
</tr>
<tr>
<td>chicken</td>
<td>walk-in-freezer</td>
<td>4.50°F</td>
<td></td>
</tr>
<tr>
<td>milk</td>
<td>1 door upright</td>
<td>45.00°F</td>
<td>unopen</td>
</tr>
<tr>
<td>watermelon</td>
<td>2 door reach in</td>
<td>38.00°F</td>
<td></td>
</tr>
<tr>
<td>calamari</td>
<td>6 door reach in</td>
<td>41.00°F</td>
<td></td>
</tr>
<tr>
<td>hot water</td>
<td>(2) 1-comp prep sink, 2-comp &amp; mop sink</td>
<td>140.00°F</td>
<td></td>
</tr>
<tr>
<td>shell eggs</td>
<td>walk-in-cooler</td>
<td>41.00°F</td>
<td></td>
</tr>
<tr>
<td>milk</td>
<td>2 door upright</td>
<td>45.00°F</td>
<td>less than 4 hours.</td>
</tr>
<tr>
<td>chicken wings</td>
<td>walk-in-freezer</td>
<td>4.50°F</td>
<td></td>
</tr>
<tr>
<td>warm water</td>
<td>handsink (2-front, prep, &amp; 2RR)</td>
<td>130.00°F</td>
<td></td>
</tr>
</tbody>
</table>

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Overall Comments:

Facility opened on April 8th, 2018

OWNERSHIP CHANGE INFORMATION
NEW OWNER: MILQ Tea Bar & Lounge INC
NEW FACILITY NAME: MILQ

The applicant has completed the application for an Environmental Health Permit.

FP10  $789.00  Operator opted to pay fees in person.

Permit issued and valid: 4/01/18 - 03/31/19

This report serves as a temporary permit until the official permit is mailed to the facility. Post permit in public view.

*Structural Review inspection conducted on 04/16/18

Plan check consultation is available Monday- Friday from 7:30am - 10:00am in person or by phone at 408/918 3400.

Facilities serving food shall have a valid FSC available at all times. Proof of a certified owner or employee shall be provided within 30 days.

All other food employees must have valid food handler cards within 30 days from hire date.

Okay to operate as of 04/16/18.

Notification of food allergen and consumer advisory handouts.

Other handouts. Handwashing, employee illness, basic food safety knowledge, consumer advisory, food allergens.

*** Facility is hereby given 48 hours to pay for change of ownership fee application of $340.00 to this division. Failure to comply shall lead to a closure of the food facility.***

Note: Facility is using Time As A Public Health Control (TPHC) for the boba.

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 4/30/2018. 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:
[COS] Corrected on Site
[CA] Corrective Action
[SA] Suitable Alternative
[PIC] Person in Charge

Received By: Thu Pham
Owner
Signed On: April 16, 2018