

County of Santa Clara

Department of Environmental Health

Consumer Protection Division

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Phone (408) 918-3400 www.ehinfo.org



OFFICIAL INSPECTION REPORT

Facility FA0253553 - BREW & BANH MI CAFE		Site Address 367 CYPRESS DR 120, MILPITAS, CA 95035		Inspection Date 05/04/2026	
Program PR0369170 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 1 - FP09			Owner Name BREW & BANH MI CAFE INC		Inspection Time 09:50 - 11:40
Inspected By MAVERICK CHIN	Inspection Type ROUTINE INSPECTION		Consent By LAN	FSC Not Available	

Placard Color & Score
GREEN
67

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	X			N
K06 Adequate handwash facilities supplied, accessible			X				N
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				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				S

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	X	
K30 Food storage: food storage containers identified		
K31 Consumer self service does prevent contamination		
K32 Food properly labeled and honestly presented	X	
K33 Nonfood contact surfaces clean		
K34 Warewash facilities: installed/maintained; test strips	X	
K35 Equipment, utensils: Approved, in good repair, adequate capacity	X	
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		X
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:

Ham/egg/cheese roll, pate chaud chicken, pate chaud pork, and cheese danish measured between 70F and 102F while maintained out of temperature control in a display case at the front service counter. Per staff, items had been taken out of refrigeration and heated up in the oven between 30 minutes and 2 hours prior.

Cheese and hot dog roll measured 84F while maintained in a plastic box on a prep table in the back kitchen. Per staff, it had been delivered from a bakery less than 1 hour prior, and they were just about to begin putting it inside of a refrigerator.

[CA] Potentially hazardous foods shall be held at 41F or below, or at 135F or above to prevent the growth of bacteria.

[COS] Potentially hazardous foods in the display case placed on TPHC. Items shall be subjected to TPHC moving forward. TPHC form filled out with staff. Cheese and hot dog roll relocated to a refrigeration unit.

Minor Violations

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

Inspector Observations:

1. Facility could not provide a valid, 5-year manager's food safety certificate.

[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.

2. Two employees present could not provide valid food handler cards.

[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.

K05 - 3 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

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Inspector Observations:

Employee observed handling the insides/outside of a trash can with gloved hands, then picked up a paper towel and proceeded to sweep debris off of a cutting board maintained on the prep unit at the back kitchen area. Employee then changed gloves and attempted to prepare a banh mi sandwich before being stopped. When instructed to wash hands, employee attempted to wash hands in the three compartment sink. Employees observed rinsing gloved hands in the hand sink at the front service area.

[CA] Employees shall wash their hands in all of the following scenarios:

- (1) Immediately before engaging in food preparation, including working with nonprepackaged food, clean equipment and utensils, and unwrapped single-use food containers and utensils.*
- (2) After touching bare human body parts other than clean hands and clean, exposed portions of arms.*
- (3) After using the toilet room.*
- (4) After caring for or handling any animal allowed in a food facility pursuant to this part.*
- (5) After coughing, sneezing, using a handkerchief or disposable tissue, using tobacco, eating, or drinking.*
- (6) After handling soiled equipment or utensils.*
- (7) During food preparation, as often as necessary to remove soil and contamination and to prevent cross-contamination when changing tasks.*
- (8) When switching between working with raw food and working with ready-to-eat food.*
- (9) Before initially donning gloves for working with food.*
- (10) Before dispensing or serving food or handling clean tableware and serving utensils in the food service area.*
- (11) After engaging in other activities that contaminate the hands*

[COS] Employees properly washed hands.

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

Inspector Observations:

Hand sink at the front service area lacked paper towels in wall mounted dispenser. Roll of paper towels maintained on the counter approximately 5 feet away.
Hand sink at the back kitchen area lacked paper towels in wall mounted dispenser. Roll of paper towels maintained on a shelf approximately 7 feet away. Hand sink at the back kitchen area partially obstructed by two large totes placed directly in front. Takeout box observed placed inside the wash basin of the hand sink at the back kitchen area. Per employees, they do not utilize the back hand wash sink.

[CA] Single-use sanitary towels shall be provided in dispensers; heated-air hand drying device may be substituted for single-use towels.

Handwashing facility shall be clean, unobstructed, and accessible at all times.

K14 - 3 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:

Accumulation of black, mold like substance on the interior of the tube feeding into the pitcher rinse at the front service area.
Accumulation of brown, mold-like substance on the upper interior panel and side walls of the ice machine at the back kitchen area.

[CA] Food contact surfaces shall be cleaned regularly, at a rate frequent enough to preclude organic buildup.

K23 - 3 Points - Observed rodents, insects, birds, or animals; 114259.1, 114259.4, 114259.5

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Inspector Observations:

1. Two dead cockroaches observed in the metal cabinet underneath the pitcher rinse at the front service area. Dead cockroach observed between the crevice of a wooden board and the ice machine.

Per the owner, facility does not receive a regular pest control service, but are working on obtaining one. Multiple types of home-type roach insecticide observed throughout the facility.

[CA] Clean and sanitize area of dead cockroaches or old droppings.

2. 7+ flies observed throughout the front service and back kitchen area. Flies observed flying close to uncovered food in the prep cooler at the back kitchen area, crawling on walls at the front service area, and perched on the rack adjacent to the three compartment sink

[CA] Food facility shall be kept free of non-disease carrying insects, weevils, ants, gnats, and fruit flies to prevent contamination of food.

K29 - 2 Points - Toxic substances improperly identified, stored, used; 114254, 114254.1, 114254.2

Inspector Observations:

Multiple types of home-type cockroach bait/sprays observed throughout facility.

[CA] Only those insecticides, rodenticides, and other pesticides that are necessary and specifically approved for use in a food facility may be used. Discontinue the use of unapproved insecticides. Work with pest control to apply approved chemicals.

K32 - 2 Points - Food improperly labeled & not honestly presented: 114087, 114089, 114089.1(a, b), 114090, 114093.1

Inspector Observations:

Multiple types of baked goods offered for consumer self service lack any form of labeling.

[CA] Food prepackaged in a food facility shall bear a label with the following: 1) common name of the food, 2) list of ingredients in descending order of predominance by weight, 3) quantity of contents, 4) name and place of business of the manufacturer, packer, or distributor.

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 test strips could not be provided.

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

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:

1. Wooden board observed to support crate next to mop sink. Wooden boards observed next to ice machine. Insides of wooden cabinets at the front service area are unpainted/unvarnished.

[CA] Remove unapproved additions/modifications to prevent the harborage of vermin. Paint/varnish wooden surfaces to prevent vermin harborage.

2. Bread buns (for banh mi sandwiches) are being stored in two unapproved plastic crates at the back kitchen area, one of which is stacked on top of the other. Bottom crate is stored directly on the floor directly in front of the hand wash station.

[CA] Discontinue the use of unapproved crates to store food. Food shall be stored at least 6 inches off the floor to prevent contamination.

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K48 - 2 Points - Plan review unapproved; 114380

Inspector Observations:

Facility has added a Vevor oven (approximately 3 months prior, per staff) without obtaining approval from DEH Plan Check.

Follow-up By
06/04/2026

[CA] Submit plans for the addition of new equipment to DEH Plan Check. Failure to comply will result in the equipment being impounded.

***Note: Facility is currently permitted as FP09; However, facility is utilizing oven to toast banh mi sandwiches and to heat up various potentially hazardous baked goods, including pate chaud chicken, pate chaud pork, and ham/egg/cheese rolls. Facility may be upgraded to an FP10. Further evaluation will follow.**

Performance-Based Inspection Questions

- Needs Improvement - Proper hot and cold holding temperatures.
- Needs Improvement - Hands clean/properly washed/gloves used properly.
- Needs Improvement - Adequate handwash facilities: supplied or accessible.

Measured Observations

Item	Location	Measurement	Comments
hot water	three compartment sink	120.00 Fahrenheit	
barbeque pork	prep cooler - back kitchen	40.00 Fahrenheit	
chicken	prep cooler - back kitchen	38.00 Fahrenheit	
sliced fancy pork	prep cooler - back kitchen	40.00 Fahrenheit	
egg pudding	two-door upright freezer	30.00 Fahrenheit	
frozen durian	one-door upright freezer	31.00 Fahrenheit	
sago	prep cooler - front service	39.00 Fahrenheit	
coconut mix	two-door reach-in cooler - front service	41.00 Fahrenheit	
jellies	prep cooler - front service	40.00 Fahrenheit	
matcha mix	two-door reach-in cooler - front service	41.00 Fahrenheit	
pork floss	prep cooler - back kitchen	39.00 Fahrenheit	
hot water	prep sink	120.00 Fahrenheit	
warm water	hand sink - back kitchen	100.00 Fahrenheit	
milk	two-door reach-in cooler - front service	41.00 Fahrenheit	
warm water	hand sink - front service	100.00 Fahrenheit	

Overall Comments:

Facility is currently permitted as FP09; However, facility is utilizing an unapproved oven to toast banh mi sandwiches and to heat up various potentially hazardous baked goods, including pate chaud chicken, pate chaud pork, and ham/egg/cheese rolls. Facility may be upgraded to an FP10. Further evaluation will follow.

***Notes:**

- TPHC form filled out with staff
- Discussed manual sanitization/dishwashing procedures with staff. Ensure blenders/cups that contact potentially hazardous foods are washed, rinsed, and sanitized at minimum every 4 hours in the three compartment sink.
- Strongly recommend obtaining a regular, licensed pest control service
- Facility receives meat for banh mi from Gio Cha Ngon, Per staff, meat arrives pre-cooked, is stored in refrigeration, and is assembled/heated up for banh mi sandwiches
- Per staff, facility receives baked items from Bakery 111

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 **5/18/2026**. 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: Lan
Employee

Signed On: May 04, 2026