

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 FA0275343 - MENG NAN BURGER SAN JOSE		Site Address 927 E ARQUES AV 121, SUNNYVALE, CA 94085		Inspection Date 10/22/2025		Placard Color & Score YELLOW 68		
Program PR0416093 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 2 - FP13			Owner Name MENG NAN BURGER SAN JC		Inspection Time 14:20 - 16:00			
Inspected By ALEXANDER ALFARO		Inspection Type ROUTINE INSPECTION		Consent By SELINA - CASHIER				FSC Felix Liu 09/15/2026

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		X			N
K07	Proper hot and cold holding temperatures		X		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	X						
K14	Food contact surfaces clean, sanitized	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	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	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		
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	X
K58	Placard properly displayed/posted	

Comments and Observations

Major Violations

K06 - 8 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

Inspector Observations:

Neither of the two handwash stations in the facility had paper towels available.

[CA] Handwashing facilities shall be equipped with handwashing cleanser and single-use sanitary towels in dispensers.

[COS] Manager restocked paper towel dispensers at both handwash stations.

K07 - 8 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

Inspector Observations:

1. Repeat Violation: Fried chicken and burger patties were observed stored out of temperature control on the bottom level of prep tables. Food items measured between 90-120°F. Per staff they cooked them about an hour ago.

2. Cooked chicken wings were observed stored on a speed rack near a convection oven and measured around 74°F. Per staff they were cooked about an hour prior.

3. Eggwash was found stored on the bottom level of a prep table measured at 74°F at 3:00 pm. Per staff it had been there since 11 am.

4. Raw chicken, raw shelled eggs, and milk measured between 43-45°F in the walk in cooler. The walk in cooler's digital thermometer was between 44-48°F. Ambient air of the unit was measured at 41°F when kept closed for 10 minutes.

Note:

- Some of the staff mentioned that the walk in cooler was in disrepair on Monday and that the food had been discarded. Area supervisor stated the walk in cooler was working fine and they had routine service on it yesterday. Area supervisor provided the technician's invoice which stated the walk in cooler was repaired and the condenser was replaced.

- Staff stated the fried chicken and burgers were "half cooked" and being kept under heat lamps or at ambient temperature. Area supervisor stated the food items are fully cooked but are refried for service, so they refer to them as "half cooked". Chicken thighs are cooked in 20% beef tallow and 80% frying oil at 375°F for 8 minutes and 30 seconds.

[CA] PHFs shall be held at 41°F or below or at 135°F or above.

[COS] 1. Items were placed under TPHC, a time was started to discard after 4 hours from removal of temperature control.

[COS] 2. Chicken wings were moved to the cooler to cool down.

[COS] 3. Eggwash was discarded

[COS] 4. Walk in was kept closed and food items began dropping back below 41°F. Ensure to maintain the temperature of the cooler at 41°F and below.

Minor Violations

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:

Staff donned gloves without washing their hands.

[CA] Properly wash hands with soap, warm water and dry using single use paper towels as required prior to putting on gloves.

[COS] DEH staff instructed food employee to wash their hands.

K21 - 3 Points - Hot and cold water not available; 113953(c), 114099.2(b), 114163(a), 114189, 114192, 114192.1, 11419

Inspector Observations:

The right faucet at the three compartment sink did not have hot water working.

[CA] Hot water shall be supplied at a minimum temperature of at least 120°F measured from the faucet throughout facility except at handwash sinks.

[COS] Staff turned the hot water valve back on.

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

Inspector Observations:

1. Raw chicken and raw ground beef were found thawing on the floor.

2. Chicken wings were found thawing in the three compartment sink.

[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.

[COS] 1. Items were moved to the walk in cooler to thaw or placed under running water at the prep sink.

[COS] 2. Chicken wings were removed from the three compartment sink and moved to processing.

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 ground beef and raw chicken were found thawing on the floor.

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

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

Inspector Observations:

Repeat Violation: Open bags of bulk food items (salt, potato starch) on back room shelf.

[CA] Store open bulk foods in approved NSF containers with tight fitting lids.

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:

The handwash sink faucet next to the cookline is leaking.

[CA] Repair plumbing fixture and maintain in clean and good repair.

K49 - 2 Points - Permits not available; 114067(b,c), 114381(a), 114387

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Inspector Observations: --48 HOUR NOTICE--

Your records indicate this facility is operating without a valid permit and has a delinquent account. Your balance due is \$1,435.00. Payment must be made immediately to DEH at the address at the top of this report or via our website at www.Ehinfo.org.

A facility that submits payment of the outstanding balance within 48 hours (2 business days) of this notice will be issued and mailed an operating permit by this department. Failure to comply within 48 hours will result in facility closure and additional enforcement, including but not limited to reinspection(s) and additional cost recovery fees.

A facility found to be in continued operation without a permit may incur a penalty of three (3) times the operating permit fee, and fee(s) for re-inspection(s) charged at the current hourly rate approved by the Santa Clara County Board of Supervisors. Penalties and fees incurred due to enforcement activities must be paid in full prior to the issuance of an operating permit.

Performance-Based Inspection Questions

Needs Improvement - Adequate handwash facilities: supplied or accessible.

Needs Improvement - Hands clean/properly washed/gloves used properly.

Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
Water	Three Compartment Sink	140.00 Fahrenheit	
Chlorine - Sanitizer	Three Compartment Sink	100.00 PPM	
Chicken	Walk in Cooler	45.00 Fahrenheit	
Chicken	Speed Rack	74.00 Fahrenheit	
Chicken	Heat Lamp	140.00 Fahrenheit	
Chicken	Undercounter Cooler	39.00 Fahrenheit	
Chicken	Prep Table Shelf - Ambient	108.00 Fahrenheit	
Chicken	Final Cook	209.00 Fahrenheit	
Water	Handwash Sink	100.00 Fahrenheit	
Chicken Skewers	Walk in Cooler	33.00 Fahrenheit	
Chicken	Heat Lamp	130.00 Fahrenheit	

Overall Comments:

Notes:

- Please contact district specialist, Alexander Alfaro (alexander.alfaro@deh.sccgov.org), or DEH main line at (408)918-3400 to schedule a follow up inspection. The first follow up inspection is free of charge. Any and all subsequent follow up inspections shall be charged at the approved hourly rate of \$298.00/hr, minimum of one hour, during normal business hours: Monday through Friday 7:30 AM to 4:30 PM, and \$645 for a minimum of two hours, during non-business hours, and upon inspector availability.

- A foodborne illness investigation was conducted in conjunction with this routine inspection.

- Facility is operating under DBA Macho Burger. City of Sunnyvale business license has the same owner with the DBA listed. Program record ID to be updated.

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 **11/5/2025**. 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: Redon Wong
Area Supervisor

Signed On: October 22, 2025