

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 FA0203295 - THE BREAKFAST CLUB		Site Address 775 E DUNNE AV, MORGAN HILL, CA 95037		Inspection Date 12/22/2025	
Program PR0305362 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name BREAKFAST CLUB MURSA N		Inspection Time 10:00 - 12:00
Inspected By GINA STIEHR	Inspection Type ROUTINE INSPECTION		Consent By AMELIA DALE	FSC Amelia Dale 04/08/2029	

Placard Color & Score
RED
58

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		X			N
K07 Proper hot and cold holding temperatures		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					N
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		
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		
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		X
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: No paper towels in dispenser for the employee restroom handwash area. [CA] Keep handwash stations stocked with soap and paper towels in dispensers at all times.

Follow-up By 12/24/2025

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

Inspector Observations: Observed potentially hazardous food that measured in the temperature danger zone located in the drawer coolers (sliced cheese 52F, ham 46F) and on food prep surfaces (garlic in oil 72F, sour cream 69F, grilled onion/pepper 92F, raw shell eggs 57F, whipped butter 57F). [CA] Ensure PHFs are properly cold held at 41F or below OR hot held at 135F or above. Repair, adjust or replace units if necessary. Consider using time control (TPHC) for PHFs that are frequently used (must fill out the Department's TPHC form, time mark the food for 4 hours and discard the food at the end of the 4 hour mark).

Follow-up By 12/24/2025

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 dishes and utensils in the sanitizing compartment in the 3 comp sink that didn't have sanitizer (chlorine 0ppm, quat 0ppm). [CA] Ensure dishes and utensils are properly washed, rinsed and sanitized (100ppm chlorine or 200ppm quat).

Follow-up By 12/24/2025

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

Inspector Observations: Observed rodent droppings on top of boxes and shelves in dry storage room. Also observed holes in walls. Observed 1 dead cockroach behind oven across from handwash station. [CA] Discard rodent droppings; clean and sanitize boxes, shelves, floors and walls with 100ppm diluted bleach and water solution.

Follow-up By 12/24/2025

Minor Violations

K09 - 3 Points - Improper cooling methods; 114002, 114002.1

Inspector Observations: Observed cooked whole potatoes cooling in large plastic containers. [CA] Ensure PHFs are cooled on shallow pans, discontinue using deep plastic containers for cooling.

Follow-up By 12/24/2025

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

Inspector Observations: Observed one clogged floor sink across from mechanical warewash machine. [CA] Unclog floor sink.

Follow-up By 12/24/2025

K45 - 2 Points - Floor, walls, ceilings: not built, not maintained, not clean; 114143(d), 114266, 114268, 114268.1, 114271, 114272

Inspector Observations: Observed missing cove base tile by handwash station. Observed holes in walls in the dry storage room. [CA] Replace broken or missing tiles in facility; repair holes.

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

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Inspector Observations: --48 HOUR NOTICE--

Our records indicate this facility is operating without a valid permit and has a delinquent account. Your balance due is \$1,723.00. Payment must be made immediately to DEH at the address at the top of this report or via our website at www.Ehinfo.org.

Follow-up By
12/24/2025

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 - Food contact surfaces clean, sanitized.
- Needs Improvement - Adequate handwash facilities: supplied or accessible.
- Needs Improvement - Proper hot and cold holding temperatures.

Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
sour cream	food prep surface	69.00 Fahrenheit	
sprouts	walk-in cooler	40.00 Fahrenheit	
liquid egg	food prep cold hold	41.00 Fahrenheit	
cut melon	food prep cold hold	41.00 Fahrenheit	
sausage	cooling rack	67.00 Fahrenheit	
garlic in oil	food prep surface	72.00 Fahrenheit	
grilled onion and peppers	on shelf under cookline	92.00 Fahrenheit	
ham	drawer cooler	46.00 Fahrenheit	
sliced cheese	drawer cooler	52.00 Fahrenheit	
chlorine	bar warewash	50.00 PPM	
tomatoes	food prep cold hold	41.00 Fahrenheit	
refried beans	steam table	135.00 Fahrenheit	
raw shell eggs	food prep surface	57.00 Fahrenheit	
bacon	walk-in cooler	37.00 Fahrenheit	
hot water	bar 3 comp sink	120.00 Fahrenheit	
hot water	handwash sink	100.00 Fahrenheit	
chlorine or quat	3 comp sink	0.00 PPM	
cooked potatoes	on lower shelf by food prep sink	78.00 Fahrenheit	
steak	cook temp	165.00 Fahrenheit	
chlorine	warewash machine	50.00 PPM	
hot water	3 comp sink	120.00 Fahrenheit	
whipped butter	service line	57.00 Fahrenheit	

Overall Comments:

- 1. Observed Evidence of Vermin: Rodent droppings in dry storage area on top of shelves and boxes. Also observed dead cockroach behind oven.**
- 2. Photographs: Taken for documentation purposes.**
- 3. Supervisor Notified: Monica Huato.**
- 4. Notification: The person in charge during inspection, Amelia, has been informed that the facility must close immediately.**

[CA]: The premises of each food facility must be maintained free of vermin. A facility cannot operate if there is a vermin infestation that leads to contamination of food contact surfaces, packaging, utensils, food equipment, or adulteration of food. The facility is required to cease operations immediately and must remain closed until all corrective actions on the provided checklist are completed.

Requirements Before Reopening:

- 1. Email the signed and completed Reopening Checklist to the assigned inspector.**
- 2. Submit a copy of the pest control report from a licensed provider.**

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CLOSURE / PERMIT SUSPENSION NOTICE

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 **1/5/2026**. 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.

This notice is to inform you that as of this date the Environmental Health Permit for the above mentioned food facility is hereby suspended and all operations therewith are ordered to cease. This action is taken in accordance with Section 114409 of the California Health and Safety Code which states 'If any imminent health hazard is found, unless the hazard is immediately corrected, an enforcement officer may temporarily suspend the permit and order the food facility or cottage food operation immediately closed.'

You have the right to make a written request for a hearing within 15 days after receipt of this notice to show just cause why the permit suspension is not warranted. Failure to request such a hearing within the 15-day period shall be deemed a waiver of the right to a hearing. After these violations have been corrected, you must call the Department of Environmental Health for a reinspection to reinstate the permit to operate. Phone #: (408)918-3400.

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: Amelia Dale
Manager

Signed On: December 22, 2025