

# 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

<b>Facility</b> FA0203295 - THE BREAKFAST CLUB		<b>Site Address</b> 775 E DUNNE AV, MORGAN HILL, CA 95037		<b>Inspection Date</b> 12/26/2024		<b>Placard Color &amp; Score</b> <div style="background-color: yellow; padding: 10px; text-align: center;"> <b>YELLOW</b>  <b>54</b> </div>		
<b>Program</b> PR0305362 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			<b>Owner Name</b> BREAKFAST CLUB MURSA N		<b>Inspection Time</b> 11:00 - 13:30			
<b>Inspected By</b> GINA STIEHR		<b>Inspection Type</b> ROUTINE INSPECTION		<b>Consent By</b> AMELIA DALE				<b>FSC</b> David Kjolhaug 06/21/2029

  

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					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		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	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	X	
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	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

K05 - 8 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

**Inspector Observations:** *Observed several staff members at the cookline to not wash their hands between handling raw and cooked foods. [CA] Ensure staff properly washes hands in between tasks that can cause cross contamination, for a minimum of 20 seconds with warm water and soap, and then dry with a single use paper towel. [COS] Staff was instructed to wash hands.*

Follow-up By  
12/31/2024

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

**Inspector Observations:** *Paper towels dispensers were empty in the kitchen, bar, and employee restroom. [CA] Provide soap and paper towels in dispensers at all times at all handwash stations. [COS] Staff refilled paper towel dispensers when instructed to do so.*

Follow-up By  
12/31/2024

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

**Inspector Observations:** *Observed several potentially hazardous foods located on food prep surfaces, at the cookline, and in refrigerators that measured in the temperature danger zone (see "measured observations" for measurements). [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. Discontinue double stacking metal inserts in the food prep cold hold unit. Minimize the amount of time PHFs are out of temperature control for preparation. [COS] Staff put PHFs that had been out for less than 2 hours back into refrigerator. Items that had been out for more than 4 hours were discarded. The rest of the items were time marked and will be discarded at the end of the 4 hour mark.*

Follow-up By  
12/31/2024

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:** *Chlorine in kitchen warewash machine and bar warewash machine were not dispensing chlorine (measured at 0ppm). [CA] Ensure sanitizing warewash machines dispense 50ppm. [COS] Staff replaced chlorine bottles and will sanitize all previously washed dish and silverware.*

Follow-up By  
12/31/2024

### Minor Violations

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

**Inspector Observations:** *Observed several items cooling in large containers. [CA] Rapidly cool foods from 135F to 70F within 2 hours and from 70F to 41F within 4 hours. Use rapid cooling techniques such as smaller portions, ice bath, ice paddles, frequent stirring, ice as an ingredient and/or use of blast chiller.*

Follow-up By  
12/31/2024

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

**Inspector Observations:** *Observed one clogged floor sink across from kitchen warewash machine. [CA] Clear floor sink and maintain in good repair.*

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:** *Observed raw shell eggs stored next to and over ready to eat foods such as cups of uncovered cut melon.*

**[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 employee preparing food on top of a sheet pan that was balanced on a garbage can. [CA] Discontinue this practice; use approved food preparation surfaces.**

**Observed several loose screws on shelf above clean bowls. [CA] Relocate loose screws from dishes and food.**

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

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**Inspector Observations:** *Observed open bulk foods such as dried pasta in dry storage room. [CA] Store open bulk foods in approved NSF containers with tight fitting lids.*

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 a piece of old bacon, a soiled wiping cloth, and apron and other old food in a large mixer. [CA] Keep food equipment and utensils clean and sanitized.*

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 one phone on food prep surface across from the cookline and another phone on a food prep surface next to the food prep sink. Also observed a can of WD40 adjacent to tomatillos being prepared. [CA] Keep all personal items, food, drinks and chemicals separate and away from food prep and food storage.*

## Performance-Based Inspection Questions

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

## Measured Observations

Item	Location	Measurement	Comments
tomatoes	food prep cold hold	46.00 Fahrenheit	double stacked
sausage	food prep cold hold	43.00 Fahrenheit	
cooked garlic	walk-in cooler	33.00 Fahrenheit	
cooked rice	cooling rack	54.00 Fahrenheit	
beans	steam table	135.00 Fahrenheit	
melon	food prep cold hold	54.00 Fahrenheit	
ham	drawer cooler	44.00 Fahrenheit	
chicken	hot holding at cookline	96.00 Fahrenheit	
tomatoes	food prep cold hold	41.00 Fahrenheit	
hot water	kitchen warewash machine	133.00 Fahrenheit	
chlorine	kitchen warewash machine	0.00 PPM	
ogurt	food prep cold hold	41.00 Fahrenheit	
ham	drawer cooler	55.00 Fahrenheit	
hot water	handwash sink	100.00 Fahrenheit	
cooked potatoes	cooling rack	54.00 Fahrenheit	
gravy	storage rack	80.00 Fahrenheit	cooling for 1.5 hours per staff
raw shell eggs	on rack below convection oven	60.00 Fahrenheit	
hot water	handwash at bar sink	100.00 Fahrenheit	
potato and ham mix	drawer cooler	56.00 Fahrenheit	
cooked mushrooms	food prep cold hold	49.00 Fahrenheit	double stacked
chlorine	bar warewash machine	0.00 PPM	
beans	cooling rack	61.00 Fahrenheit	
eggs	walk-in cooler	33.00 Fahrenheit	
hot water	food prep sink	120.00 Fahrenheit	
hot water	3 comp at bar	120.00 Fahrenheit	
tofu	walk-in freezer	-2.00 Fahrenheit	

## Overall Comments:

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 **1/9/2025**. 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



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**Received By:** Amelia Dale  
Head Server

**Signed On:** December 26, 2024