

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 FA0263406 - YOGURLAND WESTGATE		Site Address 5395 PROSPECT RD, SAN JOSE, CA 95129		Inspection Date 06/22/2026		Placard Color & Score GREEN 93		
Program PR0387978 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 1 - FP09			Owner Name W & H INVESTMENT INC		Inspection Time 12:30 - 13:20			
Inspected By DENNIS LY		Inspection Type ROUTINE INSPECTION		Consent By G				FSC Duong Nguyen 4/30/29

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						
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						S
K07	Proper hot and cold holding temperatures			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						
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		X
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	
K58	Placard properly displayed/posted	

Comments and Observations

Major Violations

No major violations were observed during this inspection.

Minor Violations

K07 - 3 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

Inspector Observations: Yogurt mix inside the walk-in cooler is measured at 44F - 45F. [CA] Potentially hazardous foods when cold holding shall be held at or below 41F.

K33 - 2 Points - Nonfood contact surfaces not clean; 114115(c)

Inspector Observations: Black mold-like substance accumulation on rim of the floor sink and the end of the drain line from the yogurt dispenser. [CA] Frequently clean non food contact surfaces to prevent the accumulation of mold or debris.

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: Mop sink is clogged with standing water inside the sink. [CA] Clear clog from mop sink and ensure that plumbing is the facility operates properly.

Follow-up By
06/25/2026

Other plumbing within the facility was checked to be operating properly by running water at the handwash sinks, three compartment sink, and flushing toilets - did not observe any back up in plumbing or overflowing.

Did not observed an immediate risk of contamination due to the clogged mop sink. Facility can conditionally continue to operate, and as a temporary suitable alternative - facility shall dispose of used mop water into the toilet. If a back-up or overflowing of waste water is observed, facility shall immediately self-close until violation is resolved.

Facility shall correct the violation by 6/25/26 and a follow-up inspection will be conducted.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
Quat sanitizer	Sanitizer bucket	200.00 PPM	
Hot water	Three compartment sink	120.00 Fahrenheit	
Yogurt mix	Dispenser	39.00 Fahrenheit	
Whipping cream	Walk-in cooler	38.00 Fahrenheit	
Hot water	Handwash sink	100.00 Fahrenheit	
Ambient	Food prep unit	38.00 Fahrenheit	
Yogurt mix	Walk-in cooler	45.00 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 **7/6/2026**. 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: gabriel
PIC
Signed On: June 22, 2026