

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 FA0202560 - SHERATON SAN JOSE HOTEL MILPITAS - BISTR		Site Address 1811 BARBER LN, MILPITAS, CA 95035		Inspection Date 06/03/2026		Placard Color & Score GREEN 73		
Program PR0304055 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name APEX VENTURES III LLC		Inspection Time 10:15 - 12:15			
Inspected By MAVERICK CHIN		Inspection Type ROUTINE INSPECTION		Consent By CARLOS				FSC Phanomphone Khamphouvong 08/27/2029

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						S
K06	Adequate handwash facilities supplied, accessible			X				
K07	Proper hot and cold holding temperatures		X		X			S
K08	Time as a public health control; procedures & records						X	
K09	Proper cooling methods					X		S
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						S
K22	Sewage and wastewater properly disposed			X				S
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	X	
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	X	
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

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

Inspector Observations:

Sausages measured 80F and 118F respectively while maintained in two containers in the upright hot holding unit in the middle of the kitchen area. Per staff, items had been cooked approximately 2.25 hours prior.

Sliced cantaloupe measured 64F, sliced watermelon measured 65F, soft boiled eggs measured 72F, and cheese cubes measured 63F while maintained out of temperature control offered for self service at the dining area.

Sausages measured 129F while maintained in hot holding offered for self service at the buffet at the dining area.

Per staff, items had been placed out for service approximately 3 hours prior.

***Note: Manager stated that items are not subjected to time as a public health control.**

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

[COS] PIC elected to discard sausages. Cantaloupe, soft boiled eggs, and cheese cubes were voluntarily discarded at the end of breakfast service. Going forward, facility has agreed to utilize time as a public health control for potentially hazardous food items held for self service in ambient. PIC provided a blank TPHC log.

Minor Violations

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

Inspector Observations:

1. At the hand sink at the cook-line, wall-mounted paper towel dispenser observed inoperable.

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

[COS] Employee replaced dispenser batteries.

2. Hand sink faucet at the bar area has been removed.

[CA] Replace faucet. Bar area shall have a dedicated hand washing station.

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

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Inspector Observations:

1. Stack of 20+ clean bowls observed maintained upside down in a stack maintained on top of a visibly dirty metal tripod stand in the middle of the dishwashing area. Bottom-most bowl observed upside down, with food contact surface of the bowl in contact with the metal tripod stand, and was approximately less than 2 inches off the floor of the dishwashing area.

[CA] Equipment contacting food shall be stored in a sanitary location, and shall be stored at minimum 6 inches off the floor to prevent contamination.

2. Chlorine sanitizer measured 0 ppm in the under-counter mechanical bar dishwasher while not in active use.

[CA] Maintain chlorine in mechanical warewash machine at 50 PPM.

3. Quaternary ammonium sanitizer at the three compartment sink measured 0 ppm. Per the PIC, the dispenser is inoperable. Numerous dirty containers observed stacked up in all three basins of the three compartment warewashing sink.

[CA] Manual sanitization shall be accomplished in the final sanitizing rinse by contacting a chlorine solution of 100 PPM concentration for at least 30 seconds or by contacting a quaternary ammonium solution of 200 PPM concentration for at least 60 seconds.

[SA] Bleach and chlorine test strips were available.

4. Blade and interior of table-mounted can opener observed to have accumulation of black grime. Accumulation of grease and old food residue on entirety of can opener.

[CA] Equipment contacting food shall be maintained clean.

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

Inspector Observations:

Mechanical dishwasher observed discharging wastewater onto the floor during the warewashing cycle.

[CA] Liquid waste shall be disposed of through the approved plumbing system and shall discharge into the public sewerage or into an approved private sewage disposal system.

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 stored directly over cantaloupe in one of the walk-in coolers. Raw eggs stored directly over grapes in the upright cooler at the far corner of the cook-line.

[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.

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

Inspector Observations:

Accumulation of brown/yellowish standing water of approximately 2-3 inches deep in the bottom well of the ice cream freezer basin at the drink dispensing area in the kitchen.

[CA] Nonfood contact surfaces shall be maintained clean to prevent the attraction of vermin.

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

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Inspector Observations:

1. Partially melted spatula observed maintained on a prep table. Spatula rubber blade observed chipped/in disrepair in multiple locations.

[CA] Equipment shall be maintained in good repair. Ensure spatulas are replaced when they become worn/damaged to prevent contamination of food.

[COS] Spatula was discarded.

2. Left-side drainboard of preparation sink appears to be actively leaking. Standing pool of water observed on the floor underneath.

[CA] Repair and maintain in good repair to prevent the attraction of vermin.

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:

Multiple cutting boards, knives, plates, etc. observed inside the right-side compartment of the preparation sink.

[CA] Preparation sink shall not be used for dishwashing. Preparation sink shall be used only for the preparation of foods to prevent cross contamination.

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:

Employee personal backpacks and jackets stored on top of clean utensils, and on top of containers of oatmeal while maintained on a preparation table at the back corner of the back cook-line.

[CA] No person shall store clothing or personal effects in any area used for the storage and preparation of food or food contact surfaces. Utilize dedicated storage space for employee personal items.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

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Measured Observations

Item	Location	Measurement	Comments
raw shell eggs	upright cooler - right side cook-line	40.00 Fahrenheit	
ground beef	walk-in cooler - far right	37.00 Fahrenheit	
pico de gallo	prep cooler - cook-line	40.00 Fahrenheit	
hot water	three compartment sink	120.00 Fahrenheit	
chlorine sanitizer	upright mechanical dishwasher - main kitchen	50.00 PPM	
oatmeal	hot hold - self service - dining area	148.00 Fahrenheit	
sliced cantaloupe	walk-in cooler (fruits/vegetables/bread)	41.00 Fahrenheit	
frozen beef	walk-in freezer	3.00 Fahrenheit	
sausage	hot hold - self service - dining area	129.00 Fahrenheit	
chlorine sanitizer	bar dishwasher	0.00 PPM	
chicken	prep cooler - cook-line	40.00 Fahrenheit	
raw beef	upright cooler - left side cook-line	39.00 Fahrenheit	
sliced cheese	walk-in cooler - middle	36.00 Fahrenheit	
heavy cream	walk-in cooler - middle	36.00 Fahrenheit	
warm water	hand sinks - kitchen	100.00 Fahrenheit	
scrambled eggs	hot hold - self service - dining area	137.00 Fahrenheit	
shredded cheese	prep cooler - cook-line	40.00 Fahrenheit	
hot water	two compartment preparation sink	120.00 Fahrenheit	
raw shrimp	upright cooler - left side cook-line	38.00 Fahrenheit	
yogurt	ice bath - self service - dining area	39.00 Fahrenheit	

Overall Comments:

Spoke with the GM, Mathew.

Per staff, facility intends on replacing most of the cooking equipment at the cook-line. GM states replacements will likely not be same make/same model. Prior to replacement of cooking equipment that is not like for like, facility shall submit plans to DEH Plan Check at dehplancheck@deh.sccgov.org.

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 **6/17/2026**. 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.

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: Carlos Pimentel
Food and Beverage Manager

Signed On: June 03, 2026