

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 FA0253944 - RAWASF		Site Address 1679 N MILPITAS BL, MILPITAS, CA 95035		Inspection Date 08/24/2021		Placard Color & Score <div style="background-color: black; color: white; padding: 10px; text-align: center;"> RED 87 </div>		
Program PR0370020 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 2 - FP13			Owner Name 369 NUTRITION LLC		Inspection Time 11:00 - 12:45			
Inspected By FRANK LEONG		Inspection Type ROUTINE INSPECTION		Consent By WILLIAM HILL				FSC CATHERINE TRINH 01/21/2025

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						S
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						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					N
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	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		
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

K21 - 8 Points - Hot and cold water not available; 113953(c), 114099.2(b), 114163(a), 114189, 114192, 114192.1, 11419

Inspector Observations: *At the 3 compartment sink, measured a lack of hot water at 65F. [CA] A facility shall not operate without hot water. The facility shall close immediately, and conduct repairs/maintenance until hot water can be provided at 120F at all 3 compartment sinks, prep sinks, and mop sinks. Hot water shall be provided between 100F and 108F at all handwash stations.*

Follow-up By 08/27/2021

Minor Violations

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

Inspector Observations: *In the 2 door reach in refrigerator, measured plant based burgers at 49F and plant based bacon at 48F. Observed a large vegetable box preventing closure of the 2 door reach in refrigerator. Per operator, plant based burgers and bacon has been stored for an hour in the 2 door reach in refrigerator. Measured ambient air temperature of 2 door reach in refrigerator at 45F. In the kitchen area, at the 2 door prep unit, measured a cup of sliced tomatoes at 46F stored in an insert container. Per operator, sliced tomatoes was cut within 30 minutes prior. [CA] Ensure potentially hazardous foods are held cold at or below 41F to prevent bacterial growth. Discontinue storage of potentially hazardous foods in multiple stacked containers at the 2 door prep unit as cold temperature does not transfer properly between stacked containers. Provide maintenance for 2 door reach in refrigerator. [SA] All potentially hazardous foods was moved to other fully functioning refrigeration.*

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: *In the back storage room, observed use of two blenders. [CA] Ensure food prep is conducted in the kitchen area where handwash station is readily available. Discontinue use of blenders in the back storage area.*

Performance-Based Inspection Questions

Needs Improvement - Hot and cold water available.

Measured Observations

Item	Location	Measurement	Comments
plant based burger	counter-top	95.00 Fahrenheit	Multiple burgers between 82F and 95F. Per operator, prepared within 30 minutes prior.
plant based burger	2 door reach in refrigerator	49.00 Fahrenheit	
quaternary ammonia sanitizer	3 compartment sink	200.00 PPM	
ambient air temperature	2 door reach in refrigerator	45.00 Fahrenheit	
plant based bacon	2 door reach in refrigerator	48.00 Fahrenheit	
almond milk	2 door undercounter refrigerator	39.00 Fahrenheit	
oatmilk	2 door undercounter refrigerator	40.00 Fahrenheit	
warm water	handwash sink	65.00 Fahrenheit	
sliced tomatoes	2 door prep unit	46.00 Fahrenheit	
hot water	3 compartment sink	65.00 Fahrenheit	
plant based meat	2 door prep unit	43.00 Fahrenheit	+/-2

Overall Comments:

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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 **9/7/2021**. 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: QUAN NGUYEN
MANAGER
Signed On: August 24, 2021