

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 FA0254030 - MINT & BASIL		Site Address 1741 N MILPITAS BL, MILPITAS, CA 95035		Inspection Date 03/10/2021		Placard Color & Score RED N/A
Program PR0370189 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			Owner Name JAIMIE CHU		Inspection Time 13:30 - 14:30	
Inspected By FRANK LEONG	Inspection Type RISK FACTOR INSPECTION	Consent By FRANK LE	FSC FRANK LE 5/15/2024			

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			
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		X			
K22 Sewage and wastewater properly disposed							
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		
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: *In the kitchen area, at the 2 door prep unit to the right of the prep table, measured soy meat at 55F, vegetarian shrimp at 52F, mango sauce at 55F, tofu at 52F, and cooked rice noodles at 65F. Per operator, rice noodles was prepared 1.5 hours prior; soy meat, mango sauce, and tofu was stored in the 2 door prep unit since the day before, and vegetarian shrimp was stored for 1.5 hours in the 2 door prep unit. Measured ambient air temperature of 2 door prep unit at 50F. [CA] Ensure potentially hazardous foods are held cold at or below 41F to prevent bacterial growth. Contact for repair/maintenance of 2 door prep unit. Discontinue storage of potentially hazardous foods in 2 door prep unit. [SA] Operator VC&D soy meat, mango sauce, and tofu due to time and temperature abuse. Vegetarian shrimp and cooked rice noodles was moved to fully functioning refrigeration to facilitate proper holding temperatures.*

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

Inspector Observations: *In the kitchen area, by the walk-in refrigerator, observed hot and cold water shut off for handwash station. [CA] An approved, adequate, protected, pressurized, potable supply of hot water and cold water shall be provided at the handwash station. Water shall not be turned off at the handwash station to allow for proper handwashing. [COS] Operator turned on hot and cold water at handwash station.*

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

Inspector Observations: *In the kitchen area, by the left side of the dry storage area and electronics storage rack, observed a single live adult cockroach. At the cookline, underneath the right corner of the prep table, observed a single medium cockroach in the crevice. At the cookline, underneath the grill, observed several dead cockroaches. In the facility, observed three monitoring traps with live cockroaches by the freezer chest, right side of the cookline, and on the prep table next to the microwave. Observed excess clutter within the facility, accumulation of grease below the cookline, and dripping grease on the left side of the hood filters. [CA] Ensure facility is kept free of cockroaches to prevent possible contamination of food. Facility shall not operate with an active cockroach infestation. Clean and sanitize all areas with cockroach activity. Seal all cracks and crevices to prevent continued harborage. Clean and maintain areas with accumulation of grease and food debris. Contact pest control to provide service to facility. Contact district inspector at 408-918-1955 to schedule follow-up inspection. Facility shall be free of activity during follow-up inspection or remain closed. First follow-up inspection is provided without charge, but all subsequent inspections are charged at \$219.00 per hour. All weekend inspections are charged at \$219.00 per hour.*

Minor Violations

No minor violations were observed during this inspection.

Performance-Based Inspection Questions

Needs Improvement - Food contact surfaces clean, sanitized.

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Measured Observations

Item	Location	Measurement	Comments
soy meat	2 door prep unit	55.00 Fahrenheit	
vegetarian shrimp	walk-in refrigerator	41.00 Fahrenheit	
vegetarian shrimp	3 door prep unit	38.00 Fahrenheit	
vegetarian bbq pork	3 door prep unit	38.00 Fahrenheit	
vegetarian ham	3 door prep unit	38.00 Fahrenheit	
tofu	2 door prep unit	52.00 Fahrenheit	
mango sauce	2 door prep unit	55.00 Fahrenheit	
hot water	3 compartment sink	120.00 Fahrenheit	
tofu	walk-in refrigerator	38.00 Fahrenheit	
vegetarian shrimp	2 door prep unit	52.00 Fahrenheit	
warm water	handwash sink	100.00 Fahrenheit	
cooked rice noodles	2 door prep unit	65.00 Fahrenheit	
mocha mix	2 door reach in refrigerator	43.00 Fahrenheit	

Overall Comments:

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 **3/24/2021**. 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: _____

Signed On: March 10, 2021

Comment: No signature obtained due to COVID-19. Report emailed to operator to review.