

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 FA0202922 - GM-DAVE & BUSTER'S		Site Address 940 GREAT MALL DR, MILPITAS, CA 95035		Inspection Date 02/07/2024	
Program PR0306743 - FOOD PREP / FOOD SVC OP 26+ EMPLOYEES RC 3 - FP17			Owner Name DAVE & BUSTER'S OF CALIF		Inspection Time 11:10 - 14:50
Inspected By GLENCIJOY DAVID	Inspection Type ROUTINE INSPECTION	Consent By NEIL	FSC Neil Remolar 11/9/2025		

Placard Color & Score GREEN 89

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						
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		
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							
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		
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: 1) *In the kitchen area, in drawer coolers, measured multiple bags of fettuccine noodles between 48-54F and a queso bag at 60F. Per operator, pasta had been stored in drawer cooler for more than 4 hours and queso had been stored for 1.5 hours.*

2) *On the cook line, in the cold holding inserts, grilled chicken measured at 54F, ancho mayo sauce at 55F, pasta sauce at 49F, and sliced tomatoes at 54F. Per operator, food items had been stored in cold holding units for 1.5 hours.*

3) *On cook line, above griddle, several PHF's were measured including: cooked mushrooms at 121F, grilled onions at 120F, and diced grilled onions at 127F. Per operator, food items had been cooked 1.5 hours prior.*

4) *Orange juice containers were left out at room temperature in bar areas. Per operator, juice had been out at room temp for less than 2 hours.*

[CA] Potentially hazardous foods shall be held cold at 41°F or below or hot at 135°F or above.

[COS] Fettuccine noodles, cooked mushrooms, and grilled onions were voluntarily discarded by operator. Orange juice was placed on ice. All other food items were relocated to walk in freezer.

Minor Violations

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

Inspector Observations: *In the bar near arcade, observed drain line leaking under first handwash sink.*

[CA] Repair leak to ensure proper drainage.

In the sports bar, observed drain line of handwash sink not properly draining into floor sink.

[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.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

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Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
mashed potatoes	hot holding insert	176.00 Fahrenheit	
diced grilled onions	above griddle	127.00 Fahrenheit	
raw salmon	drawer cooler	40.00 Fahrenheit	
sliced tomatoes	cold holding insert	54.00 Fahrenheit	
ground beef	walk in freezer	25.00 Fahrenheit	
orange juice	outdoor walk in cooler	41.00 Fahrenheit	
feta cheese	walk in cooler	40.00 Fahrenheit	
water	bar 3 comp sinks	120.00 Fahrenheit	
water	3 comp sink	120.00 Fahrenheit	
raw steak	drawer cooler	41.00 Fahrenheit	
pasta sauce	cold holding insert	49.00 Fahrenheit	
water	high temp dishwasher	160.00 Fahrenheit	
chicken wings	beer walk in cooler	41.00 Fahrenheit	
water	janitorial sink	120.00 Fahrenheit	
cooked mushrooms	above griddle	121.00 Fahrenheit	
marinara sauce	hot holding insert	170.00 Fahrenheit	
grilled onions	above griddle	120.00 Fahrenheit	
chicken	walk in cooler	39.00 Fahrenheit	
cheese sauce	hot holding insert	135.00 Fahrenheit	
quaternary ammonium	bar 3 comp sinks	200.00 PPM	
raw chicken	drawer cooler	39.00 Fahrenheit	
ground beef patty	drawer cooler	39.00 Fahrenheit	
quaternary ammonium	sanitizer buckets	200.00 PPM	
milk	walk in cooler	40.00 Fahrenheit	
water	handwashing sinks	100.00 Fahrenheit	
bruschetta tomatoes	walk in cooler	39.00 Fahrenheit	
fettuccine noodles	drawer cooler	54.00 Fahrenheit	
ancho mayo	cold holding insert	55.00 Fahrenheit	
grilled chicken	cold holding insert	54.00 Fahrenheit	
chorizo	4 door upright fridge	41.00 Fahrenheit	
water	prep sinks	120.00 Fahrenheit	
queso bag	drawer cooler	60.00 Fahrenheit	
mac and cheese	drawer cooler	41.00 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 **2/21/2024**. 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

Neil R.

Received By: Neil Remolar
PIC

Signed On: February 07, 2024