

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 FA0289175 - CHINESE GOURMET EXPRESS		Site Address 605 GREAT MALL DR FC-5, MILPITAS, CA 95035		Inspection Date 05/22/2023	
Program PR0433565 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name CHINESE GOURMET GROUF		Inspection Time 11:20 - 13:35
Inspected By GLENCIJOY DAVID	Inspection Type ROUTINE INSPECTION	Consent By ISABEL	FSC Yizhou Shen 11/21/2024		

Placard Color & Score
RED
67

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		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						
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		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		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

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

Inspector Observations: Measured egg rolls at 118F in service inserts. Per PIC, egg rolls have been in unit for about one hour.

Follow-up By
05/23/2023

Measured beef at 62F, chicken at 62F, pooled eggs at 54F, and shrimp at 52F. Measured ambient air at 52F. Per employee, chicken and beef were in cooler overnight, reheated, and placed back into cooler. Per employee, eggs and shrimp have been in cooler overnight. [CA] PHFs shall be held at 41°F or below or at 135°F or above. [COS] Foods in prep cooler were voluntarily discarded. Egg rolls were served until facility closure.

K14 - 8 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

Inspector Observations: Measured chlorine at 0 ppm in three compartment sink. Employee was actively washing dishes. [CA] Manual warewashing shall be accomplished by using a three-compartment sink where the utensils are first precleaned, washed with hot soapy water, rinsed with hot water, sanitized with an approved method, and air dried. Use 1 TBS of bleach (5.25%) per 1 gal. of water for chlorine solution (100 PPM). Use 1 tbs of quaternary ammonium (10%) per 2 gal. of water for quaternary ammonium (200 PPM). [COS] Employee added chlorine to sanitize compartment. Measured chlorine at 100 ppm.

Follow-up By
05/23/2023

Minor: Clean, wet plastic containers are stacked directly on top of one another and stored in a way that does not facilitate air drying. [CA] Equipment and utensils must be air dried or properly stored to facilitate drying after sanitizing.

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

Inspector Observations: Live cockroaches found: 1) on seasoning cart at cook line, 2) on wall near handwash sink next to three compartment sink. Several dead cockroaches found: 1) two at cook line underneath and in front of wok station, 2) in back corner near walk in freezer and lockers. [CA] The premises of each food facility shall be kept free of vermin. A food facility shall not operate when there is a vermin infestation that has resulted in the contamination of food contact surfaces, food packaging, utensils, food equipment, or adulteration of food(s). Facility shall no longer have evidence of a vermin infestation; all contaminated surfaces have been cleaned and sanitized; and contributing factors such as cleaning, repairs, and the elimination of harborages have been resolved.

Follow-up By
05/23/2023

FACILITY SHALL CEASE AND DESIST ALL FOOD SALES.

Minor Violations

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

Inspector Observations: No papertowels at handwash sink at in front service area near prep cooler. [CA] Single-use sanitary towels shall be provided in dispensers at all times.

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

Inspector Observations: Cardboard used to line shelving throughout prep area. [CA] Discontinue the use of cardboard boxes to line shelves, use approved equipment made of materials that is easily cleanable, durable, smooth, and nonabsorbent.

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

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Inspector Observations: Scoop handles stored in direct contact with bulk foods. Cups and bowls with no handles used as scoops for bulk foods. Single-use sauce can re-used as a scoop. [CA] Provide scoop with handle and store scoop handle in such a way that the handle does not come in direct contact with food to prevent contamination. Single use food container (e.g. soy sauce container, milk carton, apple juice container, can food, wine bottle) shall not be reused.

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: Ice machine appears to be leaking. Accumulation of water around and underneath ice machine. [CA] Repair plumbing fixture and maintain in clean and good repair.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
pooled eggs	prep cooler	54.00 Fahrenheit	
rice	rice cooker - service area	148.00 Fahrenheit	
chicken	prep cooler	62.00 Fahrenheit	
chicken	walk in freezer	1.00 Fahrenheit	IR
jalapeno chicken	service inserts	152.00 Fahrenheit	
chicken	walk in cooler	39.00 Fahrenheit	
hot water	three compartment sink - prep	120.00 Fahrenheit	
noodles	walk in cooler	41.00 Fahrenheit	
hot and sour soup	service inserts	151.00 Fahrenheit	
rice	rice cooker - prep area	140.00 Fahrenheit	
chow mein	service inserts	139.00 Fahrenheit	
hot water	three compartment sink	120.00 Fahrenheit	
mandarin chicken	service inserts	140.00 Fahrenheit	
egg roll	service inserts	136.00 Fahrenheit	
vegetarian egg roll	service inserts	118.00 Fahrenheit	
shrimp	walk in freezer	3.00 Fahrenheit	IR
chicken	deep fryer basket	165.00 Fahrenheit	
chicken	walk in cooler	40.00 Fahrenheit	
beef	walk in cooler	40.00 Fahrenheit	
orange chicken	service inserts	141.00 Fahrenheit	
beef	prep cooler	62.00 Fahrenheit	
chlorine	three compartment sink	0.00 PPM	[COS] 100 ppm
fried rice	service inserts	146.00 Fahrenheit	
ambient air	prep cooler	52.00 Fahrenheit	
steamed vegetabels	service inserts	142.00 Fahrenheit	
shrimp	prep cooler	52.00 Fahrenheit	
hrot water	handwash sinks	100.00 Fahrenheit	

Overall Comments:

FACILITY IS CLOSED DUE TO PRESENCE OF LIVE COCKROACHES.

****FACILITY SHALL CEASE AND DESIST ALL SALES****

Contact DEH main line at 408-918-3400 or district specialist, Glencijoy David, for re-opening.

Any evidence of continued cockroach infestation upon re-opening will result in facility remaining closed or a subsequent charged follow-up.

Any subsequent follow up inspection after first follow up will be billed at \$219.00/hr during business hours and \$493/hr (minimum of 2 hours) during nonbusiness hours upon availability.

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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 **6/5/2023**. 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: Iris
PIC
Signed On: May 22, 2023