

# 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 FA0202438 - ERIK'S DELICAFE		Site Address 148 N MILPITAS BL, MILPITAS, CA 95035		Inspection Date 01/29/2025	
Program PR0305391 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 2 - FP13			Owner Name D & J ENTERPRISES		Inspection Time 12:45 - 13:45
Inspected By NHA HUYNH	Inspection Type ROUTINE INSPECTION		Consent By JESSICA	FSC John Hannah 01/02/2027	

Placard Color & Score
<b>GREEN</b>
<b>91</b>

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						S
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						
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			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		X
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		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

No major violations were observed during this inspection.

### Minor Violations

K21 - 3 Points - Hot and cold water not available; 113953(c), 114099.2(b), 114163(a), 114189, 114192, 114192.1, 11419

#### **Inspector Observations:**

**Lack of hot and cold water at the 3 compartment sink. Per PIC, the faucet has a leak at the back therefore the supply lines were turned off and a work order has been submitted to get faucet repaired.**

**[Corrective Action] Provide hot and cold water to the 3 compartment sink.**

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

#### **Inspector Observations:**

**Grime accumulation observed on top of the dishwasher.**

**[Corrective Action] Thoroughly clean and maintain clean.**

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:**

**Pressurized cylinder across from the dishwasher observed not secured to a rigid structure.**

**[Corrective Action] Secure the pressurized cylinder to a rigid structure.**

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:**

**Observed water leak at the base of the spout at the single compartment prep sink when water is turned on.**

**[Corrective Action] Repair to stop the leak.**

### Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

### Measured Observations

Item	Location	Measurement	Comments
slice tomatoes, turkey	3 door prep cooler - right	40.00 Fahrenheit	
cheese, sliced tomatoes	open top cooler	41.00 Fahrenheit	
ham, turkey, cheese	walk-in cooler	35.00 Fahrenheit	
chlorine sanitizer	dishwasher	50.00 PPM	
slice tomatoes, ham	3 door prep cooler - left	40.00 Fahrenheit	
hot water	handwash sink	119.00 Fahrenheit	
soup	steam table	181.00 Fahrenheit	
mac salad	display cooler	39.00 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 **2/12/2025**. 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.

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**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



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**Received By:** Jessica Gutierrez  
PIC

**Signed On:** January 29, 2025