

# 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

|                                                                                  |  |                                                         |                                             |                                      |                                         |                                                                                                                                                                |  |                                  |
|----------------------------------------------------------------------------------|--|---------------------------------------------------------|---------------------------------------------|--------------------------------------|-----------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|--|----------------------------------|
| <b>Facility</b><br>FA0202851 - DA KAO SANDWICHES #2                              |  | <b>Site Address</b><br>72 S ABEL ST, MILPITAS, CA 95035 |                                             | <b>Inspection Date</b><br>11/14/2024 |                                         | <b>Placard Color &amp; Score</b><br><div style="background-color: black; color: white; padding: 10px; text-align: center;"> <b>GREEN</b><br/> <b>85</b> </div> |  |                                  |
| <b>Program</b><br>PR0305027 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14 |  |                                                         | <b>Owner Name</b><br>DAKAO SANDWICHES MILPI |                                      | <b>Inspection Time</b><br>09:30 - 10:55 |                                                                                                                                                                |  |                                  |
| <b>Inspected By</b><br>NHA HUYNH                                                 |  | <b>Inspection Type</b><br>ROUTINE INSPECTION            |                                             | <b>Consent By</b><br>HANH            |                                         |                                                                                                                                                                |  | <b>FSC</b> Vy Nong<br>07/26/2026 |

  

| 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                                 |     |     |
| 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                                    |     | X   |
| K46                   | No unapproved private home/living/sleeping quarters                                 |     |     |
| K47                   | Signs posted; last inspection report available                                      |     |     |

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| Program<br>PR0305027 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14 | Owner Name<br>DAKAO SANDWICHES MILPITAS INC      | Inspection Time<br>09:30 - 10:55 |
| 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

K05 - 3 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

#### Inspector Observations:

**Observed employee putting on gloves without first washing hands.**

**[Corrective Action] Ensure hands are properly washed before putting on gloves.**

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

#### Inspector Observations:

**Raw shell eggs measured at 49 degrees Fahrenheit on the shelf by the cookline.**

**[Corrective Action] Maintain Potentially Hazardous Foods at or below 41 degrees Fahrenheit.**

K23 - 3 Points - Observed rodents, insects, birds, or animals; 114259.1, 114259.4, 114259.5

#### Inspector Observations:

**Observed a dead cockroach on the floor under the 3 compartment sink.**

**[Corrective Action] Clean and sanitize areas of dead cockroaches.**

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

#### Inspector Observations:

**Grime accumulation on the drainage pipes under the 3 compartment sink.**

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

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 the effluent drain pipe of the grease trap indirectly plumbed to the mop sink. Per employee, the modification was made a few days ago due to slow draining and will be repaired soon.**

K45 - 2 Points - Floor, walls, ceilings: not built, not maintained, not clean; 114143(d), 114266, 114268, 114268.1, 114271, 114272

#### Inspector Observations:

**1. Observed the FRP panel and the metal base board behind the work table by the 3 compartment sink to be separating from the wall.**

**[Corrective Action] Repair the FRP panel and the metal baseboard. Ensure there are no gaps, holes and crevices.**

**2. Grease and old food debris observed on the floor under the cookline equipments.**

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

### Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

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## Measured Observations

| Item                       | Location                   | Measurement       | Comments     |
|----------------------------|----------------------------|-------------------|--------------|
| sandwich meat              | 2 door prep cooler         | 41.00 Fahrenheit  | service area |
| rice noodles               | 2 door prep cooler (small) | 40.00 Fahrenheit  |              |
| meat ball, tofu soup       | steam table                | 136.00 Fahrenheit |              |
| hot water                  | 3 compartment sink         | 120.00 Fahrenheit |              |
| raw shell eggs             | on the shelf               | 49.00 Fahrenheit  |              |
| milk, ham                  | 2 door upright cooler      | 37.00 Fahrenheit  |              |
| bean sprouts, meat, shrimp | 2 door prep cooler (large) | 39.00 Fahrenheit  |              |
| hot water                  | handwash sink              | 100.00 Fahrenheit |              |
| raw shell eggs, meat       | walk-in 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 **11/28/2024**. 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 |



Received By: Hanh Le  
employee  
Signed On: November 14, 2024