

# 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>FA0289175 - HOME EAT                                          |  | <b>Site Address</b><br>605 GREAT MALL DR FC-5, MILPITAS, CA 95035 |                                      | <b>Inspection Date</b><br>09/22/2025   |                                         | <b>Placard Color &amp; Score</b><br><div style="background-color: yellow; padding: 10px; text-align: center;"> <b>YELLOW</b><br/> <b>47</b> </div> |  |                                   |
| <b>Program</b><br>PR0433565 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14 |  |                                                                   | <b>Owner Name</b><br>HOME EAT 3, LLC |                                        | <b>Inspection Time</b><br>12:40 - 14:20 |                                                                                                                                                    |  |                                   |
| <b>Inspected By</b><br>MAVERICK CHIN                                             |  | <b>Inspection Type</b><br>ROUTINE INSPECTION                      |                                      | <b>Consent By</b><br>CRYSTAL AND OSEAN |                                         |                                                                                                                                                    |  | <b>FSC</b> Zhi Zhou<br>05/14/2029 |

  

| 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  |       |       |        |     |     | S   |
| K05                            | Hands clean, properly washed; gloves used properly                          |    |       | X     | X      |     |     | N   |
| K06                            | Adequate handwash facilities supplied, accessible                           |    | X     |       | X      |     |     |     |
| K07                            | Proper hot and cold holding temperatures                                    |    | X     |       | X      |     |     | N   |
| K08                            | Time as a public health control; procedures & records                       |    |       | X     |        |     |     |     |
| K09                            | Proper cooling methods                                                      |    | X     |       | X      |     |     | N   |
| 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      |     |     | 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  |       |       |        |     |     | S   |
| K22                            | Sewage and wastewater properly disposed                                     | X  |       |       |        |     |     |     |
| K23                            | No rodents, insects, birds, or animals                                      |    |       | X     |        |     |     | S   |

  

| 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                                                        | X   |     |
| K28                   | Fruits and vegetables washed                                                        |     |     |
| K29                   | Toxic substances properly identified, stored, used                                  |     |     |
| K30                   | Food storage: food storage containers identified                                    | X   |     |
| 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                                                | X   |     |
| 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 | X   |     |
| 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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|                                                                           |                                                            |                                  |
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| Program<br>PR0433565 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14 | Owner Name<br>HOME EAT 3, LLC                              | Inspection Time<br>12:40 - 14:20 |
| K48 Plan review                                                           |                                                            |                                  |
| K49 Permits available                                                     |                                                            |                                  |
| K58 Placard properly displayed/posted                                     |                                                            |                                  |

## Comments and Observations

### Major Violations

K06 - 8 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

#### Inspector Observations:

*Handwash sink in the kitchen next to the 3 compartment sink lacked paper towels. Employee observed drying his hands on his shirt.*

Follow-up By  
09/25/2025

*[CA] Single-use sanitary towels shall be provided in dispensers; heated-air hand drying device may be substituted for single-use towels.*

*[COS] PIC restocked paper towels.*

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

#### Inspector Observations:

*The following potentially hazardous foods (PHFs) measured at improper holding temperatures:*

*- Various PHF's (cooked chicken, pig tripe, pig ears, cooked beef, etc.) measured 53F-58F in the countertop cold holding unit (inserts) at the front customer service area. Per the PIC, all items had been taken out of the walk-in cooler 1 hour prior.*

*- Cooked beef, cooked chicken, and shrimp/fish balls measured 52F-57F at the right-side prep cooler (when oriented facing into the kitchen) across from the cook-line. Per staff, items had been relocated from the walk-in cooler and placed into inserts less than 1.5 hours prior.*

*[CA] Potentially hazardous foods shall be held at or below 41F, or at or above 135F to prevent the growth of bacteria. Use deeper pans so that food is closer to the cooling element of the refrigeration units, and do not overfill prep inserts.*

*[COS] PIC agreed to use or discard items by the time 4 hours had elapsed after taking respective items out of the walk-in cooler. PIC lowered the unit temperature for both cold holding units.*

Follow-up By  
09/25/2025

K09 - 8 Points - Improper cooling methods; 114002, 114002.1

#### Inspector Observations:

*\*REPEAT VIOLATION\**

Follow-up By  
09/25/2025

*A large, plastic wrap covered hotel pan of cooked beef measured 47F in the walk-in cooler. Per staff, it had been cooling since yesterday.*

*[CA] After heating or hot holding, Potentially Hazardous Foods (PHFs) shall be cooled rapidly from 135°F to 70°F within 2 hours and from 70°F to 41°F within 4 hours. Approved cooling methods include: 1) Placing the food in shallow pans 2) Separating the food into thinner or smaller portions. 3) Using rapid cooling equipment (Ex. blast chiller) 4) Using containers that facilitate heat transfer (ex. stainless steel) 5) Adding ice as an ingredient. 6) Using ice paddles 7) Using an ice bath and stirring frequently 8) Accordance with a HACCP plan. Cooling foods shall have enough space around the containers for cold air to circulate, be loosely covered, or uncovered and stirred as frequently needed to evenly cool.*

*Do not cover cooling foods with plastic wrap. Properly cool PHF's using shallow containers, using no more than 2 inches for solid foods and no more than 3 inches for liquids.*

*[COS] Cooked beef VC&D. See VC&D report.*

#### Minor violations:

*Numerous cooked foods (cooked chicken, cooked noodles, cooked pork, etc.) in plastic wrap covered metal containers within the walk-in measured 49-66F. Per staff, all of these items had been cooling since 9:30 AM this morning (approximately 4 hours elapsed).*

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**[CA] Do not cover cooling foods with plastic wrap. Properly cool PHF's using shallow containers, using no more than 2 inches for solid foods and no more than 3 inches for liquids.**

**[COS] All items uncovered and separated into smaller portions. Items relocated to walk-in freezer for rapid cooling.**

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:**

**Employee observed wiping a knife with a dry, dirty cloth, then placing it back into the knife rack to be used.**

Follow-up By  
09/25/2025

**[CA] Equipment contacting food shall be properly cleaned via wash, rinse, sanitize. 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] PIC instructed employee to properly wash the knife. PIC placed knife into the prep sink, but was instructed to place it into the 3 compartment sink. Prep sink shall not be used for warewashing.**

## 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:**

**Employee observed cooking food, proceeded to wipe down dirty equipment without changing gloves or washing hands, and then attempted to return cooking prior to intervention.**

**[CA] Employees must change gloves and properly wash their hands after contact with potentially contaminated surfaces.**

**[COS] Employee changed gloves and properly washed hands.**

K08 - 3 Points - Improperly using time as a public health control procedures & records; 114000

**Inspector Observations:**

**Per staff, all PHF in the steam table at the front customer service area is on TPHC (4 hour rule). Facility is properly following 4-hour rule with time markings, but lacks written procedures.**

**[CA] When time only, rather than time and temperature is used as a public health control, PHFs shall be time marked to indicate when item is removed from temperature control, discarded if not consumed or served within 4 hours, and written procedures shall be readily available for review.**

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

**Inspector Observations:**

**Cockroach droppings observed inside of the electrical box at the back, dry storage area. No other evidence of cockroaches observed.**

**[CA] Clean and sanitize area of dead cockroaches or old droppings.**

K27 - 2 Points - Food not separated and unprotected; 113984(a-d,f), 113986, 114060, 114067(a,d,e,j), 114069(a,b), 114077, 114089.1(c), 114143(c)

**Inspector Observations:**

**Raw pork chops stored above uncovered cheese and various cut peppers/tomatoes in the glass-door cooler across from the cook-line.**

**[CA] All food shall be separated and protected from cross-contamination. Store all raw meat or other raw products of animal origin below ready-to-eat food items.**

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K30 - 2 Points - Food storage containers are not identified; 114047, 114049, 114051, 114053, 114055, 114067(h), 114069 (b)

**Inspector Observations:**

**Various containers of food stored directly on the ground.**

**[CA] Food shall be stored at least 6 inches above the floor to prevent contamination.**

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:**

**1. Bowls used as scoops for bulk foods.**

**[CA] Discontinue the use of bowls as scoops. Use scoops with handles, and keep handles out of the food to prevent contamination.**

**2. Cardboard and foil used to line various surfaces at the cook-line.**

**[CA] Discontinue the use of cardboard and foil, as they are not smooth, durable, or easily cleanable. Cardboard is corrugated, and may allow for potential vermin harborage.**

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:**

**1. Knife stored in the crack between prep unit and counter.**

**[CA] Store knife elsewhere, in a sanitary location.**

**2. Handles of various bulk foods in contact with food.**

**[CA] Keep handles out of food to prevent contamination.**

K40 - 2 Points - Wiping cloths: improperly used and stored; 114135, 114185.1 114185.3(d,e)

**Inspector Observations:**

**Dry, soiled wiping cloths maintained out on various counters. Wiping cloth solution measured 0 ppm chlorine in both sanitizer buckets.**

**[CA] Wiping towels shall be stored in sanitizing solution of an approved concentration when not in use (100 ppm - chlorine, 200 ppm - quaternary ammonium).**

K44 - 2 Points - Premises not clean, not in good repair; No personal/chemical storage; inadequate vermin-proofing; 114067(j), 114123, 114143 (a,b), 114256, 114256.1, 114256.2, 114256.4, 114257, 114257.1, 114259, 114259.2, 114259.3, 114279, 114281, 114282

**Inspector Observations:**

**Door at the back, to the left-of the cook-line maintained open. Door leads to hallway, which leads to open doors to grease trap area that has large amounts of flies present.**

**[CA] Keep door to facility closed to prevent the intrusion of pests/vermin.**

## **Performance-Based Inspection Questions**

Needs Improvement - Proper cooling methods.

Needs Improvement - Proper hot and cold holding temperatures.

Needs Improvement - Hands clean/properly washed/gloves used properly.

Needs Improvement - Food contact surfaces clean, sanitized.

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## Measured Observations

| Item                 | Location                     | Measurement       | Comments                           |
|----------------------|------------------------------|-------------------|------------------------------------|
| pooled eggs          | prep unit (left) lower       | 41.00 Fahrenheit  |                                    |
| ambient              | prep unit (right) lower      | 41.00 Fahrenheit  | no PHF inside                      |
| frozen pork          | walk-in freezer              | 5.00 Fahrenheit   |                                    |
| chlorine sanitizer   | 3 compartment sink           | 100.00 PPM        |                                    |
| tea                  | glass under-counter cooler   | 40.00 Fahrenheit  | no PHF inside                      |
| raw pork chop        | sliding glass door cooler    | 41.00 Fahrenheit  |                                    |
| warm water           | hand sink 1/2                | 100.00 Fahrenheit |                                    |
| cooked chicken       | walk-in cooler               | 38.00 Fahrenheit  |                                    |
| hot water            | prep sink/3 comp sink        | 120.00 Fahrenheit |                                    |
| fish balls           | prep unit (left) upper       | 41.00 Fahrenheit  |                                    |
| eggplant and tofu    | steam table                  | 97.00 Fahrenheit  | on TPHC, with proper time markings |
| chicken feet in soup | countertop cold holding unit | 41.00 Fahrenheit  |                                    |
| cooked shrimp        | prep unit (right) upper      | 41.00 Fahrenheit  | in ice                             |
| raw shell eggs       | walk-in cooler               | 39.00 Fahrenheit  |                                    |

## Overall Comments:

*Two or more major violations were cited during the routine inspection.*

*A follow-up inspection will be conducted in the next 1 to 3 weekday business days to verify compliance with all of the cited major violations.*

*Subsequent follow-up inspections after the first shall be billed at \$298/hour, one hour minimum, during normal business hours (7:30 AM to 4:30 PM), or \$645 for a minimum of 2 hours, during non-business hours and in accordance with the inspector's availability.*

*The posted placard is property of the Santa Clara County Department of Environmental Health and shall not be removed, covered-up, relocated, tampered with, camouflaged, or copied. Failure to comply may result in a fine and enforcement action as per county ordinance section B11-55.*

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 **10/6/2025**. 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.

## 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: ZHOU ZHI  
Manager  
Signed On: September 22, 2025