

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 FA0251607 - TOP CAFE		Site Address 650 BARBER LN, MILPITAS, CA 95035		Inspection Date 12/01/2025		Placard Color & Score GREEN 69		
Program PR0365696 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name TOP CAFE INC		Inspection Time 12:10 - 13:40			
Inspected By MAVERICK CHIN		Inspection Type ROUTINE INSPECTION		Consent By MAY				FSC Zhen Ping Kuang 02/21/2029

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						
K05	Hands clean, properly washed; gloves used properly			X	X			N
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		X			
K14	Food contact surfaces clean, sanitized			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						
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		
K36	Equipment, utensils, linens: Proper storage and use	X	
K37	Vending machines		
K38	Adequate ventilation/lighting; designated areas, use	X	
K39	Thermometers provided, accurate		
K40	Wiping cloths: properly used, stored	X	
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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K48	Plan review	
K49	Permits available	
K58	Placard properly displayed/posted	

Comments and Observations

Major Violations

K13 - 8 Points - Food not in good condition/unsafe/adulterated; 113967, 113976, 113980, 113988, 113990, 114035, 114041, 114254(c), 114254.3

Inspector Observations:

Head of cabbage observed to be stored on top of and in direct contact with raw-shell eggs in the upper portion of the prep cooler across from the cook-line. When asked to address the issue, employee grabbed cabbage and placed it on top of a dry, soiled wiping cloth.

[CA] Food is adulterated if it bears or contains any poisonous or deleterious substance that may render it impure or injurious to health and shall be discarded immediately. Raw animal products shall not be stored in direct contact with vegetables. Food and food contact surfaces shall not come into contact with visibly soiled wiping cloths.

[COS] Head of cabbage VC&D into the trash.

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:

REPEAT VIOLATION

Employee observed wiping his nose with his hand and touching his face, then attempted to handle cooked chicken before being stopped.

Employee returned from outside, then attempted to handle clean equipment before being stopped.

[CA] Employees shall change gloves and wash their hands in all of the following scenarios:

- (1) Immediately before engaging in FOOD PREPARATION, including working with nonPREPACKAGED FOOD, clean EQUIPMENT and UTENSILS, and unwrapped single-use FOOD containers and UTENSILS.*
- (2) After touching bare human body parts other than clean hands and clean, exposed portions of arms.*
- (3) After using the toilet room.*
- (4) After caring for or handling any animal allowed in a FOOD FACILITY pursuant to this part.*
- (5) After coughing, sneezing, using a handkerchief or disposable tissue, using tobacco, eating, or drinking.*
- (6) After handling soiled EQUIPMENT or UTENSILS.*
- (7) During FOOD PREPARATION, as often as necessary to remove soil and contamination and to prevent cross-contamination when changing tasks.*
- (8) When switching between working with raw FOOD and working with READY-TO-EAT FOOD.*
- (9) Before initially donning gloves for working with FOOD.*
- (10) Before dispensing or serving FOOD or handling clean TABLEWARE and serving UTENSILS in the FOOD service area.*
- (11) After engaging in other activities that contaminate the hands.*

[COS] Employees properly washed hands.

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

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Inspector Observations:

REPEAT VIOLATION

Cooked beef and cooked chicken measured 48F and 49F, respectively, while maintained out in ambient temperature. Per the PIC, items had been taken out of the prep cooler for preparation less than 1 hour prior.

Bean sprout mix measured 49F while maintained in a bowl on top of a covered prep insert in the prep cooler across from the cook-line. Per the PIC, it had been placed there 30 minutes prior for preparation.

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

[COS] Beef, chicken, and bean sprout mix relocated to lower prep cooler.

K14 - 3 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:

Accumulation of brown, mold-like substance on the interior of the ice machine.

[CA] Maintain clean to prevent contamination of ice.

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:

Various raw meats stored directly over vegetables in the two-door upright cooler in the back preparation area.

[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.

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

Inspector Observations:

Boxes of vegetable oil stored on the ground outside the back door of the facility.

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

Food shall be stored inside the facility to prevent contamination.

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:

Clean equipment (bowls, pans, etc.) stored directly on the floor.

[CA] Clean equipment shall not be stored on the floor to prevent contamination.

K38 - 2 Points - Inadequate ventilation and lighting in designated area; 114149, 114149.1, 114149.2, 114149.3, 114252, 114252.1

Inspector Observations:

Accumulation of grease on hood screens above the cook-line.

[CA] Maintain clean to allow for adequate ventilation of heat/grease.

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 counter and food preparation surfaces.

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

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

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Inspector Observations:

Left-side faucet (for hot water) in the three compartment sink is leaking.

[CA] Repair leak and maintain plumbing in good repair.

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

Inspector Observations:

Accumulation of food under the cook-line.

[CA] Maintain clean to prevent the attraction of vermin.

Performance-Based Inspection Questions

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

Needs Improvement - Food contact surfaces clean, sanitized.

Measured Observations

Item	Location	Measurement	Comments
chicken and rice stir-fry	stovetop	173.00 Fahrenheit	final cook temp
pork	prep cooler	39.00 Fahrenheit	
pork	upright freezer	8.00 Fahrenheit	
chicken	two-door upright cooler - right	41.00 Fahrenheit	
raw shell eggs	clear door upright cooler - dining area	41.00 Fahrenheit	
warm water	hand sink - front service	100.00 Fahrenheit	
warm water	hand sink - kitchen	100.00 Fahrenheit	
beef	prep cooler	39.00 Fahrenheit	
beef	two-door upright cooler - right	41.00 Fahrenheit	
chlorine sanitizer	mechanical dishwasher	50.00 PPM	
rice	rice warmer	158.00 Fahrenheit	
noodles	one-door upright cooler - left	41.00 Fahrenheit	
sauce	hot hold - stove	137.00 Fahrenheit	
hot water	three compartment dishwashing sink	120.00 Fahrenheit	
shrimp	prep cooler	40.00 Fahrenheit	
warm water	hand sink - bathroom	100.00 Fahrenheit	
hot water	two compartment prep sink	120.00 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 **12/15/2025**. 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: May
Employee
Signed On: December 01, 2025