

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 FA0290490 - BURGER KING		Site Address 447 GREAT MALL DR FC2A, MILPITAS, CA 95035		Inspection Date 05/11/2026		Placard Color & Score GREEN 89		
Program PR0435613 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 2 - FP13			Owner Name IRMG BURGER OF GREAT M		Inspection Time 16:25 - 17:15			
Inspected By MAVERICK CHIN		Inspection Type ROUTINE INSPECTION		Consent By HECTOR				FSC Rolman Ramirez 05/05/2027

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						S
K08	Time as a public health control; procedures & records		X		X			S
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						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						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		
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		
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		
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

K08 - 8 Points - Improperly using time as a public health control procedures & records; 114000

Inspector Observations:

Sliced tomatoes subjected to time as a public health control lacked time labeling while maintained in the upper portion of the prep unit adjacent to the cook-line. Per staff, they had been placed there recently, less than 15 minutes prior.

Sliced cheese subjected to time as a public health control observed time labeled for discard at 2PM. Current time of inspection was 4:35PM. Per staff, they had discarded the old cheese at 2PM but had forgotten to replace the time labeling when placing out the new batch at approximately 2:00PM.

[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.

[COS] Sliced tomatoes time labeled for discard at 8:00PM. Sliced cheese re-labeled for discard at 6:00PM.

Minor Violations

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

Inspector Observations:

Dead adult cockroach observed directly on top of the water heater, underneath small metal racks.

Dead nymph cockroach observed in a sticky trap behind the safe at the front service counter.

No other evidence of cockroach activity observed

Facility provided pest control service report, conducted by Western Exterminator on 03/02/2026, which noted cockroach activity.

[CA] Clean and sanitize area of dead cockroaches.

The premises of each food facility must be maintained free of vermin. A facility cannot operate if there is a vermin infestation that leads to contamination of food contact surfaces, packaging, utensils, food equipment, or adulteration of food.

Continue working with pest control to abate cockroach presence within facility.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
wiping cloth bucket	quaternary ammonium sanitizer	200.00 PPM	
frozen onion rings	walk-in freezer	9.00 Fahrenheit	
cooked patties	basket hot hold - service line	159.00 Fahrenheit	TPHC
hot water	three compartment sink	120.00 Fahrenheit	
warm water	hand sink - front service	100.00 Fahrenheit	
sliced cheese	walk-in cooler	40.00 Fahrenheit	
frozen patties	freezer chest - cook-line	21.00 Fahrenheit	
warm water	hand sink - side service	100.00 Fahrenheit	
onion rings	hot hold - fryer station	141.00 Fahrenheit	
quaternary ammonium sanitizer	three compartment sink	200.00 PPM	
chicken nuggets	basket hot hold - front service	147.00 Fahrenheit	TPHC
sliced tomatoes	walk-in cooler	40.00 Fahrenheit	
soft serve mix	upper hoppers - soft serve machine	38.00 Fahrenheit	
french fries	hot hold - fryer station	140.00 Fahrenheit	

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Overall Comments:

CDFA license for soft serve machine provided.

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 **5/25/2026**. 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: Hector
Employee
Signed On: May 11, 2026