

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 FA0289175 - HOME EAT		Site Address 605 GREAT MALL DR FC-5, MILPITAS, CA 95035		Inspection Date 06/08/2026		Placard Color & Score YELLOW 58		
Program PR0433565 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name HOME EAT 3, LLC		Inspection Time 15:20 - 17:25			
Inspected By MAVERICK CHIN		Inspection Type ROUTINE INSPECTION		Consent By JOHN				FSC Not Available

RISK FACTORS AND INTERVENTIONS		IN	OUT		COS/SA	N/O	N/A	PBI
			Major	Minor				
K01	Demonstration of knowledge; food safety certification			X				N
K02	Communicable disease; reporting/restriction/exclusion	X						
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			S
K06	Adequate handwash facilities supplied, accessible	X						
K07	Proper hot and cold holding temperatures		X		X			N
K08	Time as a public health control; procedures & records		X		X			N
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						
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		
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	X	
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		
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

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

Inspector Observations:

REPEAT VIOLATION

Follow-up By
06/11/2026

At the right-end of the cook-line, observed a plastic tub of fried chicken that measured 77F maintained on top of soy sauce buckets on the floor, and tub of fried chicken that measured 132F while maintained on the left-side drainboard of the three compartment warewashing sink. Per staff, items had been fried 25 minutes prior and 5 minutes prior, respectively. In the same area, observed a container of pooled eggs that measured 69F. Per staff, eggs had been taken out of refrigeration less than 1 hour prior.

At the middle of the cook-line, observed a container of pooled eggs that measured 71F, and a tub of noodles that measured 72F. Per staff, items had been removed from refrigeration less than 1 hour prior.

At the left-end of the cook-line, observed a large stock pot of pork soup that measured between 98F and 101F with the burner underneath turned off. Per staff, pork soup had been cooked earlier this morning, approximately 4 hours and 45 minutes prior.

At the left-side prep cooler at the cook-line (oriented facing the openable doors of the prep cooler), cooked ground pork measured 59F and cooked beef measured 45F. Cooked pork stored in a container directly on top of cooked beef held in the insert on top of the preparation cooler. Ambient of the lower portion of the unit measured 44F via probe. Per staff, items had been maintained in the unit for approximately 5 hours.

At the cold-hold inserts at the front service line, potentially hazardous foods including chicken feet, chicken gizzards, and cooked chicken measured between 52F and 54F. Per staff, items had been placed into the inserts 45 minutes prior.

Under the heat lamp at the front service line, fried red bean sesame balls measured 124F, and vegetarian egg rolls measured 114F. Per staff, items had been placed under the heat lamps approximately 1 hour and 45 minutes prior.

[CA] Potentially hazardous foods shall be held at 41F or below, or at 135F or above to prevent the growth of bacteria.

[COS] Fried chicken relocated to the walk-in cooler. Pooled eggs and noodles relocated to refrigeration. Pork soup was voluntarily discarded. Cooked ground pork and beef were voluntarily discarded. Chicken in cold holding to be served or discarded by 7:15PM (4-hours after initially leaving temperature control). Fried red bean sesame balls and vegetarian egg rolls to be served or discarded by 6:15PM (4-hours after initially leaving temperature control).

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

Inspector Observations:

At the start of the inspection, employee observed hastily filling out the time log for all potentially hazardous foods subjected to time as a public health control while maintained in the steam table inserts at the front service line, including general tso's chicken, honey walnut shrimp, beijing beef, mapo tofu, and grilled chicken. When questioned as to what time items had been initially cooked, employee stated that items had been cooked between 15 minutes and 2.5 hours prior.

**Note: Steam table is incapable of maintaining potentially hazardous foods at 135F or above*

Follow-up By
06/11/2026

[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] Items were properly time logged.

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

Inspector Observations:

REPEAT VIOLATION

Follow-up By
06/11/2026

Two containers of cooked beef measured between 47F and 48F while maintained deep, plastic wrap-covered containers in the clear-door cooler to the left of the cook-line. Per staff, items had been cooked yesterday, and placed into the unit overnight to cool down.

In the walk-in refrigerator, observed a deep, lid-covered container of beef short rib that measured 103F. Per staff, short rib had been cooked 30 minutes prior.

[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.

[COS] Cooked beef was voluntarily discarded. Beef short rib was uncovered and placed into the walk-in freezer to facilitate rapid cooling.

Minor Violations

K01 - 3 Points - Inadequate demonstration of knowledge; food manager certification

Inspector Observations:

Facility is using the same food safety certificate, Zhi Zhou - 05/14/2029, at multiple Home Eat locations. Facility attempted to showcase food safety certificate for Zhaokun Yang, which is also being used at multiple Home Eat locations.

Food handler cards could not be provided for multiple employees present.

[CA] Food facilities that prepare, handle, or serve non-prepackaged potentially hazard foods shall have a valid Food Safety Certificate available for review at all times.

A food safety certificate may not be shared between facilities.

Each food handler shall maintain a valid food handler card for the duration of his or her employment as food handler. A valid food handler card shall be provided within 30 days of after the date of hire.

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

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Inspector Observations:***REPEAT VIOLATION***

Follow-up By

06/11/2026

Employee observed handling a container of raw chicken, then placed the back of his hand on cooked beef maintained in metal container in the left-side prep cooler at the cook-line to verify the temperature. No direct contamination observed.

[CA] Employees shall 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] Employee properly washed hands.

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:***REPEAT VIOLATION***

1. Employee observed warewashing using only a single compartment (right-side) in the three compartment sink. Manager stated that he added hot water, soap, and bleach into the single compartment. Chlorine sanitizer measured between 10 ppm and 25 ppm during active warewashing.

[CA] 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).

2. Accumulation of pink slime on the interior of the ice machine.

[CA] Clean regularly at a rate sufficient to preclude buildup. Food contact surfaces shall be maintained clean.

K22 - 3 Points - Sewage and wastewater improperly disposed; 114197

Inspector Observations:

Floor sink underneath the preparation sink observed clogged.

[CA] Maintain all avenues of liquid waste unobstructed.

Liquid waste shall be disposed of through the approved plumbing system and shall discharge into the public sewerage or into an approved private sewage disposal system.

[COS] Employees cleaned out floor sink. Floor sink observed capable of draining.

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)

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Inspector Observations:

1. In the left-side prep cooler at the cook-line, observed containers of meat stacked directly on top of each other with the bottoms of each container in direct contact with meat below.

[CA] All food shall be separated and protected from cross-contamination.

2. In the walk-in cooler, observed a flat raw shell eggs stored on top of a container of cooked beef short rib.

[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.

3. Tub of fried chicken observed stored on the left-side drainboard of the three compartment warewashing sink.

[CA] Food shall be stored away from the warewashing sink to prevent splash contamination.

K34 - 2 Points - Warewashing facilities: not installed or maintained; no test strips; 114067(f,g), 114099, 114099.3, 114099.5, 114101(a), 114101.1, 114101.2, 114103, 114107, 114125

Inspector Observations:

Chlorine test strips could not be provided.

[CA] Testing equipment and materials shall be provided to adequately measure the applicable sanitization method used during manual or mechanical warewashing.

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:

Ambient of the left-side prep cooler at the cook-line measured 44F via probe.

[CA] Refrigeration shall be capable of maintaining potentially hazardous foods at 41F or below.

Performance-Based Inspection Questions

Needs Improvement - Demonstration of knowledge; food manager certification.
Needs Improvement - Proper hot and cold holding temperatures.
Needs Improvement - Proper cooling methods.
Needs Improvement - Time as a public health control; procedures & records.
Needs Improvement - Food contact surfaces clean, sanitized.

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Measured Observations

Item	Location	Measurement	Comments
lobster balls, fish balls	prep cooler - right	41.00 Fahrenheit	
ambient	prep cooler - left	44.00 Fahrenheit	
hot water	three compartment sink	120.00 Fahrenheit	
beef sausage	heat lamp - front service	143.00 Fahrenheit	
hot water	prep sink	120.00 Fahrenheit	
tofu	prep cooler - right	38.00 Fahrenheit	
cooked boba pearls	container - tea station - front service	2.00 Hours	TPHC
french fries	heat lamp - front service	135.00 Fahrenheit	
milk	walk-in cooler	39.00 Fahrenheit	
shrimp	prep cooler - right	38.00 Fahrenheit	
pork intestine	prep cooler - right	39.00 Fahrenheit	
raw fish	sliding clear door cooler - left	40.00 Fahrenheit	
beef broth	cook-line		
fried chicken	stovetop	167.00 Fahrenheit	
	sliding clear door cooler - right	41.00 Fahrenheit	
	cook-line		
chicken feet	cold hold insert - front service	52.00 Fahrenheit	52F-54F
warm water	hand sinks	100.00 Fahrenheit	
raw chicken	walk-in cooler	39.00 Fahrenheit	
chicken feet	two-door under-counter cooler - front service - right	41.00 Fahrenheit	
saucers	two-door under-counter cooler - center cook-line	39.00 Fahrenheit	
frozen beef	walk-in freezer	1.00 Fahrenheit	
chlorine sanitizer	three compartment sink	10.00 PPM	10ppm-25ppm

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 5 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 6/22/2026. 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.

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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

John

Received By: Wenjie Guo (John)

Manager

Signed On: June 08, 2026