

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 FA0300583 - R & B TEA - NITRO		Site Address 60 S ABEL ST, MILPITAS, CA 95035		Inspection Date 11/14/2024		Placard Color & Score GREEN 86		
Program PR0441202 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 1 - FP12			Owner Name ALAN NGUYEN		Inspection Time 12:30 - 13:50			
Inspected By NHA HUYNH		Inspection Type ROUTINE INSPECTION		Consent By ANH/HOANG				FSC Hayabusa Tang 01/24/2029

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						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							
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		
K34	Warewash facilities: installed/maintained; test strips	X	
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		
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		
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

No major violations were observed during this inspection.

Minor Violations

K06 - 3 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

Inspector Observations:

Lack of paper towel dispenser at the handwash sink at the service area. Loose roll of paper towels observed near the handwash sink.

[Corrective Action] Install a paper towel dispenser at the handwash sink at the service area.

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, 114125(b), 114141

Inspector Observations:

Chlorine sanitizer concentration in the 3 compartment sink was measured at 10 ppm.

[Corrective Action] Maintain chlorine sanitizer concentration at 100 ppm in the 3 compartment sink.

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:

The facility does not have chlorine test strips to check chlorine sanitizer concentration.

[Corrective Action] Provide chlorine test strips at the facility to be able to monitor chlorine sanitizer concentration.

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:

Observed cooking equipment outside by the back door. Per employee, the cooking equipment is used to cook personal foods.

[Corrective Action] Discontinue bringing personal cooking equipment to cook outside at the back area of facility.

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:

Pressurized cylinders under the prep sink observed not secured to a rigid structure.

[Corrective Action] Secure the pressurized cylinders to a rigid structure.

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:

The drain pipe at the handwash sink and the prep sink at the back area is not properly installed to drain into the floor sink. Both drain pipes are resting on the floor and is easily knocked out of position and water will spill onto the floor.

[Corrective Action] Repair the drain pipes to mount onto the wall and properly drain into the floor sink. Both drain pipes may be connected into 1 pipe. Ensure there is at least a 1 inch air gap between the rim of the floor sink at the end of the pipe.

Follow-up By
11/22/2024

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

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Measured Observations

Item	Location	Measurement	Comments
ambient air	3 door nitro refrigerator	39.00 Fahrenheit	
watermelon	2 door prep cooler - large	40.00 Fahrenheit	
hot water	3 compartment sink	133.00 Fahrenheit	
chlorine sanitizer	3 compartment sink	10.00 PPM	
beef stew	single door upright coole	39.00 Fahrenheit	
hot water	handwash sink	100.00 Fahrenheit	
half and half	2 door upright cooler	42.00 Fahrenheit	
milk	2 door prep cooler - small	41.00 Fahrenheit	

Overall Comments:

Facility cooks food such as spicy popcorn chicken, cheesy corn dogs, shrimp tempura. Beef stew and chicken curry are made at the R & B Fremont location. Facility permit will be re-classified from Risk Category 1 to Risk Category 2.

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: Hoang Duong
Employee
Signed On: November 14, 2024