

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 FA0262297 - HOME EAT		Site Address 88 S 4TH ST 150, SAN JOSE, CA 95112		Inspection Date 08/27/2025		Placard Color & Score RED 30		
Program PR0384702 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name HOME EAT, LLC		Inspection Time 15:00 - 18:00			
Inspected By ALEXANDER ALFARO		Inspection Type ROUTINE INSPECTION		Consent By MARCUS				FSC Zhaokun Yang 04/27/2028

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						
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						N
K06	Adequate handwash facilities supplied, accessible		X		X			N
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						
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					N
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	X	X
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	X	
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	X	
K39	Thermometers provided, accurate	X	
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	X	
K45	Floor, walls, ceilings: built, maintained, clean		
K46	No unapproved private home/living/sleeping quarters		
K47	Signs posted; last inspection report available	X	

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K48	Plan review		X
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 area outside the walk-in lacked soap. Handwash sink at the bar area lacked paper towels.

Note: Handwash sink next to the dishwashing area lacked a hot water handle and could not provide hot water. See K41m.

[CA] Handwashing facilities shall be equipped with handwashing cleanser and single-use sanitary towels in dispensers.

[COS] Soap and paper towels provided.

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

Inspector Observations:

Numerous potentially hazardous foods measured in the range of 48F-60F in the following locations:

- Both walk-in refrigerators (various raw and cooked meats, cooked vegetables, etc.)
- In multiple bus bins maintained out in ambient temperature (various raw and cooked meats)
- In the upper prep inserts at the cook-line (various raw meats, cooked vegetables, bean sprouts, etc.)
- In the glass sliding-door upright at the cook-line
- In the glass display cold holding case at the dining area

***Many of the listed foods had been at greater than 41F for greater than 4 hours, as per the PIC and staff**

[CA] Potentially hazardous food shall be held at or below 41F, or at or above 135F. Foods shall be properly cooled prior to being placed into units, as prep and upright units are not meant to lower temperature, but rather only to maintain temperature at or below 41F.

[COS] Numerous potentially hazardous foods in both walk-ins was VC&D (raw chicken, duck neck, duck wings, pork shoulder, cooked vegetables, etc.). Several containers of raw and cooked meats maintained out in ambient were VC&D. Multiple prep inserts full of cooked or raw meat were VC&D. See VC&D report. Other foods that were still frozen, foods that had been in non-functioning units for less than 4 hours, and food that had been recently delivered were relocated to other working refrigeration units.

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 spraying dirty tubs previously filled with raw meat with a hot-water sprayer (thereby skipping the sanitizing step), and stacking them up to dry. Employee stated that the dishes were fully cleaned.

[CA] Manual sanitization shall be accomplished in the final sanitizing rinse by contacting a chlorine solution of 100 PPM concentration for at least 30 seconds or by contacting a quaternary ammonium solution of 200 PPM concentration for at least 60 seconds.

[COS] Employee was instructed to take tubs to the 3 compartment sink to be properly washed, rinsed, and sanitized.

K22 - 8 Points - Sewage and wastewater improperly disposed; 114197

Inspector Observations:

Floor sink, floor drain underneath/in front of the cook-line, hand sink in the bar area, and floor sink underneath the 3 compartment dishwashing sink observed to be backing up with dirty water (i.e. unable to drain).

[CA] Food facility shall not operate if there is sewage overflowing or backing up in the food facility. The food facility,

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or impacted areas, shall remain closed until all plumbing problems have been corrected and all contaminated surfaces have been cleaned and sanitized.

Minor Violations

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

Inspector Observations:

Facility lacks TPHC procedures for their cooked boba pearls.

[CA] Provide written procedures and time marking for PHFs utilizing time as a public health control (TPHC).

K13 - 3 Points - Food not in good condition/unsafe/adulterated; 113967, 113976, 113980, 113988, 113990, 114035, 114041, 114254(c), 114254.3

Inspector Observations:

Black residue buildup observed on the interior panel of the ice machine.

[CA] Clean and sanitize to prevent contamination of food.

K21 - 3 Points - Hot and cold water not available; 113953(c), 114099.2(b), 114163(a), 114189, 114192, 114192.1, 11419

Inspector Observations:

Handwash sink next to the dishwashing area lacked a hot water handle. Hand sink is not capable of outputting hot water, and measured 74F.

[CA] Handwashing facilities shall be equipped to provide minimum 100°F water under pressure for a minimum of 15 seconds.

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

Inspector Observations:

10+ flies observed in the kitchen area.

[CA] Food facility shall be kept free of non-disease carrying insects, weevils, ants, gnats, and fruit flies.

K26 - 2 Points - Unapproved thawing methods used; frozen food; 114018, 114020, 114020.1

Inspector Observations:

Large amounts of chicken that measured 60F-64F observed to be thawing in standing water in the 3 compartment prep sink outside of one of the walk-ins.

[CA] Frozen potentially hazardous food shall only be thawed in one of the following ways: 1) under refrigeration that maintains the food temperature at 41°F or below, 2) completely submerged under potable running water for a period not to exceed two hours at a water temperature of 70°F or below, and with sufficient water velocity to agitate and flush off loose particles into the sink drain, 3) in a microwave oven if immediately followed by immediate preparation, 4) as part of a cooking process.

[COS] Employees were instructed to immediately begin preparing and cooking chicken.

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:

Large amounts of raw meat stored above raw vegetables in one of the walk-in coolers.

[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)

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Inspector Observations:

Multiple food items stored directly on the floor in the walk-ins and dry storage areas. Numerous food containers uncovered.

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

K31 - 2 Points - Consumer self service does not prevent contamination; 114063, 114065

Inspector Observations:

Utensils for consumer self service observed to be stored with their heads facing upwards at each table in the dining area.

[CA] Utensils shall be stored with their heads down 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. Ambient of one walk-in cooler measured 52F. Ambient of the other walk-in cooler measured 56F. Ambient of the glass one-door upright at the cook-line measured 49F.

[CA] Refrigeration must be capable of maintaining PHFs at 41°F or below.

2. Facility has removed their faucet at the 3 compartment dishwashing sink.

[CA] Reinstall faucet. Facility must have access to hot and cold water at the three compartment sink, regardless of the presence of a mechanical dishwasher.

3. Cutting boards are stained and scored in a manner that does not allow for cleaning.

[CA] Replace cutting boards when they become too worn/scored to be cleaned.

4. Cardboard is being used to line the floor.

[CA] Discontinue the use of cardboard.

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:

Knives stored between counter and wall.

[CA] Knives and equipment contacting food shall be stored in a sanitary location.

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

Inspector Observations:

Large amount of grease buildup on hood screens. Gaps between hood screens greater than 1 inch wide observed in several locations above the cook-line.

[CA] Clean hood screens and eliminate gaps to allow for adequate ventilation of heat/grease.

K39 - 2 Points - Thermometers missing or inaccurate; 114157, 114159

Inspector Observations:

Multiple refrigeration units are missing thermometers inside or have non-functional thermometers inside.

[CA] A thermometer +/- 2°F shall be provided and correctly located in each hot and cold holding unit containing potentially hazardous foods.

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

Inspector Observations:

Numerous dry soiled wiping cloths maintained out on various counters.

[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

Inspector Observations:

Hot water faucet handle at the handwash sink next to the dishwashing area is missing. Sink is not able to provide hot water.

[CA] Replace and/or repair handle so that the handwash sink is able to provide warm water.

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:

Old equipment stored in the back of the facility.

[CA] Remove unused equipment to prevent the harborage of vermin.

K47 - 2 Points - Signs not posted; last inspection report not available; 113725.1, 113953.5, 113978, 114381(e)

Inspector Observations:

1. Health permit not posted in public view.

[CA] The health permit issued by this department shall be posted in a conspicuous place in the food facility.

K48 - 2 Points - Plan review unapproved; 114380

Inspector Observations:

REPEAT VIOLATION

Facility was preparing and handling open foods in the banquet area (packaging foods).

[CA] A person proposing to build or remodel a food facility shall submit plans and specifications for review and shall receive plan approval prior to starting any new construction or remodeling. Contact DEH at 408-918-3400 or at www.ehinfo.org to obtain plan check requirements. Submit plans within 48 hours. Failure to comply may result in further enforcement, including, but not limited to, impoundment of equipment.

Performance-Based Inspection Questions

Needs Improvement - Sewage and wastewater properly disposed.
Needs Improvement - Proper hot and cold holding temperatures.
Needs Improvement - Hands clean/properly washed/gloves used properly.
Needs Improvement - Adequate handwash facilities: supplied or accessible.
Needs Improvement - Food contact surfaces clean, sanitized.

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Measured Observations

Item	Location	Measurement	Comments
ambient	glass display cooler in dining area	39.00 Fahrenheit	
ambient	glass sliding one-door upright next to cook-line	49.00 Fahrenheit	
bean sprouts	prep unit across from cook-line 3 (lower)	38.00 Fahrenheit	
ambient	walk-in cooler 1	52.00 Fahrenheit	
ambient	upright coolers 1/2/3/4/5/6/7/8/9/10, etc.	41.00 Fahrenheit	
ambient	under-counter coolers 1/2/3, etc.	41.00 Fahrenheit	
chlorine sanitizer	dishwasher	50.00 PPM	
hot water	3 compartment prep sink	120.00 Fahrenheit	
cooked beef	prep unit across from cook-line 2 (lower)	41.00 Fahrenheit	
raw chicken	prep unit across from cook-line 1 (lower)	40.00 Fahrenheit	
frozen chicken	walk-in freezer	8.00 Fahrenheit	
warm water	hand sink 1/2/3/4	100.00 Fahrenheit	
ambient	upright freezers 1/2/3, etc.	10.00 Fahrenheit	
ambient	walk-in cooler 2	56.00 Fahrenheit	

Overall Comments:

FACILITY IS HEREBY CLOSED OWING TO SEWAGE BACKUP.

A food facility shall not operate if there is sewage overflowing or backing up in the food facility. The food facility, or impacted areas, shall remain closed until all plumbing problems have been corrected and all contaminated surfaces have been cleaned and sanitized.

CEASE AND DESIST ALL OPERATIONS.

Call or email to schedule a follow-up inspection.

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.

Joint inspection with Maverick Chin.

Report written by Maverick.

CLOSURE / PERMIT SUSPENSION NOTICE

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 9/10/2025. 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.

This notice is to inform you that as of this date the Environmental Health Permit for the above mentioned food facility is hereby suspended and all operations therewith are ordered to cease. This action is taken in accordance with Section 114409 of the California Health and Safety Code which states 'If any imminent health hazard is found, unless the hazard is immediately corrected, an enforcement officer may temporarily suspend the permit and order the food facility or cottage food operation immediately closed.'

You have the right to make a written request for a hearing within 15 days after receipt of this notice to show just cause why the permit suspension is not warranted. Failure to request such a hearing within the 15-day period shall be deemed a waiver of the right to a hearing. After these violations have been corrected, you must call the Department of Environmental Health for a reinspection to reinstate the permit to operate. Phone #: (408)918-3400.

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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



Received By: Marcus
General Manager

Signed On: August 27, 2025