

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 FA0202551 - VBIRYANIZ		Site Address 18 S ABBOTT AV, MILPITAS, CA 95035		Inspection Date 08/16/2022		Placard Color & Score <div style="font-size: 2em; font-weight: bold; text-align: center;">RED</div> <div style="font-size: 3em; font-weight: bold; text-align: center;">48</div>			
Program PR0305351 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name NAMO FOODS INC.		Inspection Time 11:45 - 14:15				
Inspected By FRANK LEONG		Inspection Type ROUTINE INSPECTION		Consent By SRI SARANU				FSC SRINI SURAPANENI 05/01/2027	

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						
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						
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					N

GOOD RETAIL PRACTICES		OUT	COS
K24	Person in charge present and performing duties	X	
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	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		
K37	Vending machines		
K38	Adequate ventilation/lighting; designated areas, use		
K39	Thermometers provided, accurate	X	
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	X	
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

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

Inspector Observations: In the kitchen area, on a storage cart, measured fried corn, fried chicken, and fried cauliflower at 76F. Per operator, fried corn, fried chicken, and fried cauliflower has been removed from refrigeration for 3 hours. In the kitchen area, at the 2 door undercounter refrigerator, measured raw chicken at 53F, cooked chickpeas at 57F, and yogurt at 52F. Measured ambient air temperature of 2 door undercounter refrigerator at 60F. Per operator, raw chicken has been stored in the unit for 2.5 hours, cooked chickpeas stored from the previous night, and yogurt stored for 1.5 hours. In the alcove below the staircase to the upstairs storage room, measured raw shelled eggs at 80F. Per operator, raw shelled eggs was removed from refrigeration 2 hours prior. At the upstairs storage room, in the reach in refrigerator/freezer, measured a container of sliced paneer at 62F. Per operator, paneer was sliced and stored in the reach in refrigerator/freezer the previous night. Measured ambient air temperature of refrigerator section of reach in refrigerator/freezer at 65F. [CA] Ensure potentially hazardous foods are held cold at or below 41F to prevent bacterial growth or held hot at or above 135F to prevent bacterial growth. [SA] Raw chicken, cooked chickpeas, and sliced paneer was VC&D due to time and temperature abuse. Fried chicken, fried corn, fried cauliflower, and raw shelled eggs was discarded by operator due to closure of facility. Yogurt was moved to nearby functioning refrigeration to return to proper holding temperatures.

Follow-up By
08/19/2022

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

Inspector Observations: In the kitchen area, observed a lack of time labels placed on pots of biryani, container of curry eggs, and containers of yogurt and curry sauce. Per operator, biryani was removed from cooktop 1.5 hours prior, curry eggs removed for 30 minutes, and containers of yogurt and curry sauce removed for 2 hours. [CA] Ensure when food is maintained using time only, rather than time and temperature, that it is time labeled when removed from temperature control, and served within 4 hours, or discarded. [SA] Instructed operator to place time labels on food items found without time labeling. Food items later discarded due to facility closure.

Follow-up By
08/19/2022

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

Inspector Observations: In the kitchen area, on a storage cart, observed fried chicken cooling at 126F, and fried cauliflower cooling at 86F. Per operator, fried chicken has been cooling for 1.5 hours, and fried cauliflower has been cooling for 3.5 hours. [CA] Potentially hazardous foods shall be RAPIDLY cooled from 135F to 70F within 2 hours, and then from 70F to 41F within 4 hours. Cooling shall be facilitated by one or more of the following methods: using shallow containers; in an ice bath; by adding ice; separated into smaller portions; and/or using rapid colling technology. [SA] Fried cauliflower was VC&D due to improper cooling, and fried chicken was moved to shallow containers for cooling in refrigeration.

Follow-up By
08/19/2022

K23 - 8 Points - Observed rodents, insects, birds, or animals; 114259.1, 114259.4, 114259.5

Inspector Observations: In the kitchen area, by the back prep tables/food storage shelves, around the hanging bracket of the fire extinguisher, observed multiple live cockroaches of all life stages. At the front prep/warewash area, observed two live adult cockroaches on the shelving bracket above the prep sink. [CA] Ensure facility is kept free of cockroach activity. The premises of each food facility shall be kept free of cockroaches. A food facility shall not operate when there is a cockroach infestation that may have resulted in the contamination of food contact surfaces, food packaging, utensils, food equipment, or adulteration of food(s). The food facility shall cease operation of the food facility immediately. The food facility shall remain closed until: there is no longer evidence of cockroach infestation; all contaminated surfaces have been cleaned and sanitized; and contributing factors such as cleaning, repairs, and the elimination of harborages have been resolved. Contact district inspector at 408-918-1955 to reschedule inspection. All subsequent inspections after the first follow-up are charged at \$219.00 per hour.

Follow-up By
08/19/2022

Minor Violations

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

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Inspector Observations: *Observed employees are not knowledgeable in food temperature control, cooling, and time labeling procedures. Food handler cards are unavailable upon request. [CA] All food employees shall have adequate knowledge of, and shall be properly trained in, food safety as it relates to their assigned duties. 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.*

Follow-up By
08/19/2022

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

Inspector Observations: *Observed napkins are provided for use as paper towels. [CA] Ensure paper towels are provided in a paper towel dispenser to allow for proper handwashing.*

Follow-up By
08/19/2022

K24 - 2 Points - Person in charge not present and not performing duties; 113945-113945.1, 113984.1, 114075

Inspector Observations: *Person in charge of facility is unavailable to manage food prep operation. [CA] A "person in charge" who is responsible for operation of facility shall be present at the food facility during all hours of operation. The "person in charge" shall have knowledge of safe food handling practices and the major food allergens as they relate to the specific food preparation activities that occur at the food facility.*

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

Inspector Observations: *In the kitchen area, in the alcove below the staircase, observed open dry food containers without lids. On the floor of the staircase towards the upstairs storage room, observed open bags of dry bulk food stored. [CA] Ensure all food is stored at least 6" above the floor on approved shelving. Open bags of dry bulk food shall be transferred to a food storage container and covered with a fitted lid.*

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

Inspector Observations: *By the front counter, observed open trays of baked desserts/treats for self-service are not protected with a sneeze guard. [CA] Food on display shall be protected from contamination by the use of packaging, counter, service line, or sneeze guards that intercept a direct line between the consumer's mouth and the food being displayed, containers with tight-fitting securely attached lids, display cases, mechanical dispensers, or other effective means.*

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: *In the kitchen area, measured ambient air temperature of 2 door undercounter refrigerator at 60F. In the upstairs storage room, measured ambient air temperature of reach in refrigerator/freezer at 65F in the refrigerator compartment. [CA] Ensure refrigeration is repaired/replaced and able to maintain potentially hazardous foods at 41F or below.*

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

Inspector Observations: *In the kitchen area, thermometers are unavailable to monitor temperatures of refrigeration, and cooling food items. [CA] An accurate easily readable metal probe thermometer (accurate to +/- 2°F) that is designed to measure the temperature of thin masses shall be provided and readily available to accurately measure the temperatures of potentially hazardous foods.*

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: *Outside the back of the facility, observed cardboard boxes are not placed into a recycling bin. [CA] Ensure all garbage and recycling are placed in garbage bins or dumpsters with a covered lid.*

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

Inspector Observations: *In the kitchen and back area, observed accumulation of food debris around the cookline, and on the floors/walls at the dry storage shelves and prep tables. [CA] Ensure facility floors and walls are regularly cleaned and maintained to prevent harborage of vermin.*

Performance-Based Inspection Questions

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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 - No rodents, insects, birds, or animals.

Measured Observations

Item	Location	Measurement	Comments
ambient air temperature	reach in refrigerator/freezer	65.00 Fahrenheit	
mango lassi	reach in refrigerator	41.00 Fahrenheit	
curry sauce	2 door reach in refrigerator	41.00 Fahrenheit	
yogurt	2 door undercounter refrigerator	52.00 Fahrenheit	
warm water	handwash sink	100.00 Fahrenheit	
sliced paneer	reach in refrigerator/freezer	62.00 Fahrenheit	
curry sauce	2 door prep unit	41.00 Fahrenheit	
fried cauliflower	storage cart	76.00 Fahrenheit	
fried corn	storage cart	76.00 Fahrenheit	
cooked chicken	2 door prep unit	41.00 Fahrenheit	
fried chicken	storage cart	126.00 Fahrenheit	
raw shelled eggs	alcove below staircase	80.00 Fahrenheit	
hot water	3 compartment sink	120.00 Fahrenheit	
cooked goat	2 door reach in refrigerator	39.00 Fahrenheit	
ambient air temperature	2 door undercounter refrigerator	60.00 Fahrenheit	
fried chicken	storage cart	76.00 Fahrenheit	
raw chicken	2 door undercounter refrigerator	53.00 Fahrenheit	
raw shelled eggs	reach in refrigerator	41.00 Fahrenheit	
fried cauliflower	storage cart	86.00 Fahrenheit	
cooked chicken	2 door reach in refrigerator	39.00 Fahrenheit	
cooked chickpeas	2 door undercounter refrigerator	57.00 Fahrenheit	

Overall Comments:

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 **8/30/2022**. 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.

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

J. Siroghe

Received By: SIREESHA VALLAPANENI
CASHIER
Signed On: August 16, 2022