

# 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 FA0202438 - ERIK'S DELICAFE		Site Address 148 N MILPITAS BL, MILPITAS, CA 95035		Inspection Date 12/26/2025	
Program PR0305391 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 2 - FP13			Owner Name D & J ENTERPRISES		Inspection Time 14:10 - 15:20
Inspected By NHA HUYNH	Inspection Type ROUTINE INSPECTION		Consent By CLARE/LENO	FSC John Hannah 01/02/2027	

Placard Color & Score
YELLOW
80

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		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		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		
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	X	
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	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

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:**

**Chlorine sanitizer in the dishwasher was measured at 0 ppm. Active dishwashing was observed.**

**[Corrective Action] Chlorine sanitizer concentration in the dishwasher shall be maintained at 50 ppm.**

**[Suitable Alternative] Conduct warewash at the 3 compartment sink until dishwasher is serviced.**

Follow-up By  
12/30/2025

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

**Inspector Observations:**

**The floor sink at the dishwasher was observed overflowing. Per PIC, the floor sink drains slow.**

**[Corrective Action] Ensure the floor sink properly drains.**

**[Suitable Alternative] The overflow goes into the floor drain.**

Follow-up By  
12/30/2025

### Minor Violations

K33 - 2 Points - Nonfood contact surfaces not clean; 114115(c)

**Inspector Observations:**

**Grime and crystal formation observed on top of the dishwasher.**

**[Corrective Action] Thoroughly clean and maintain clean.**

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

**Inspector Observations:**

**Mold like substance observed in the floor sink at the soda fountain area.**

**[Corrective Action] Thoroughly clean and maintain clean.**

### Performance-Based Inspection Questions

Needs Improvement - Sewage and wastewater properly disposed.

### Measured Observations

Item	Location	Measurement	Comments
sliced tomatoes,	open top prep cooler	41.00 Fahrenheit	
sliced tomatoes, ham	3 door prep cooler - right	39.00 Fahrenheit	
soup	steam table	160.00 Fahrenheit	
hot water	3 compartment sink	120.00 Fahrenheit	
tureky breast, soup	walk-in cooler	37.00 Fahrenheit	
pasta	display cooler	41.00 Fahrenheit	
sliced tomatoes, turkey	3 door prep cooler - left	38.00 Fahrenheit	
chlorine sanitizer	dishwasher	0.00 PPM	

### Overall Comments:

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 **1/9/2026**. 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



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**Received By:** Leno  
person in charge

**Signed On:** December 26, 2025