

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 FA0266766 - MAX'S OF MANILA		Site Address 1535 LANDESS AV 139, MILPITAS, CA 95035		Inspection Date 10/07/2026		Placard Color & Score GREEN 88		
Program PR0393895 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name RUBYLIN INC		Inspection Time 09:40 - 12:20			
Inspected By ALELI CRUTCHFIELD		Inspection Type ROUTINE INSPECTION		Consent By WARREN				FSC Frederick Magsipoc 08/05/2028

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						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						
K08	Time as a public health control; procedures & records						X	
K09	Proper cooling methods					X		
K10	Proper cooking time & temperatures					X		S
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						

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	
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		
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		
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

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:

Observed handsink near the ice shaver to be obstructed with an ice pail.

[CA] Relocate ice pail and keep all handwash stations free of obstruction and accessible at all times.

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:

Observed mechanical dishwasher to have a chlorine sanitizer concentration of 0PPM. Mechanical dishwasher was not in active use.

[CA] Ensure that mechanical dishwasher achieves a sanitizer concentration of 50PPM during active dishwashing.

[SA] Operator demonstrated knowledge and ability to use three compartment sink as a dishwash station until mechanical dishwasher is repaired.

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

Inspector Observations:

Observed raw chicken thawing in standing water at prep sink, raw chicken thawing at ambient, and raw beef thawing at ambient. Average temperature of all these meats measured between 30F-40F. Per PIC, the meats were removed from the freezer around 12 hours prior and left overnight in order to be prepped for opening.

[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.

Inspectors discussed with PIC on new procedures to thaw all meats around 2pm according to one of the above processes to be able to season and prep. Once done with prep, place meats back into the freezer. When ready to cook, remove and boil the meats from frozen.

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

Inspector Observations:

1. Multiple containers of white powders in the dry storage room are unlabeled.

[CA] Working containers holding food or food ingredients that are removed from their original packages shall be identified with the common name of the food if not easily recognizable.

2. Observed boxes of food in the walk in freezer stored on the floor.

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

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

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Inspector Observations:

1. Observed plastic container without a handle in vinegar mixture being used as a scooper.

[CA] Ensure that scoops with handles are used when portioning from bulk containers. Scoops shall be stored inverted or in a manner so that the handle does not touch the food.

2. Observed ice scoop stored inside the ice machine.

[CA] Handle to ice scoop shall be stored so that it is not in direct contact with ice.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
WHOLE BOILED CHICKEN	TWO DOOR UPRIGHT COOLER UNIT NEAR DISHWASH STATION	40.00 Fahrenheit	
HOT WATER	THREE COMPARTMENT SINK	120.00 Fahrenheit	
SOUP	TWO DOOR UPRIGHT COOLER UNIT NEAR COOK LINE	39.00 Fahrenheit	
SANITIZER	THREE COMPARTMENT SINK	200.00 PPM	
COOKED SHRIMP	PREP COOLER TOP NEAR COOK LINE	38.00 Fahrenheit	
CUT TOMATOES	PREP COOLER TOP NEAR COOK LINE	38.00 Fahrenheit	
WARM WATER	HAND SINK NEAR COOK LINE	100.00 Fahrenheit	
COOKED RICE	RICE MAKER NEAR FRONT COUNTER	170.00 Fahrenheit	
COOKED SHREDDED BEEF	PREP COOLER BOTTOM NEAR COOK LINE	38.00 Fahrenheit	
AMBIENT TEMPERATURE	SINGLE DOOR FREEZER NEAR DISHWASHER	-0.20 Fahrenheit	IR
WARM WATER	HAND SINK NEAR FRONT COUTNER	100.00 Fahrenheit	
WARM WATER	HAND SINK NEAR PREP AREA	100.00 Fahrenheit	
NOODLE SOUP	SOUP KETTLE NEAR FRONT COUNTER	175.00 Fahrenheit	
AMBIENT TEMPERATURE	TWO DOOR UPRIGHT COOLER NEAR DISHWASHER	37.00 Fahrenheit	

Overall Comments:

Join inspection with Shannon R.

Report written by Shannon R.

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 **10/21/2026**. 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



Received By: Enelee
Supervisor
Signed On: October 07, 2026