

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 01/21/2025		Placard Color & Score YELLOW 57		
Program PR0384702 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name HOME EAT, LLC		Inspection Time 15:35 - 17:30			
Inspected By ALEXANDER ALFARO		Inspection Type ROUTINE INSPECTION		Consent By SIMON - SERVER/KAJ - GENERAL MANAGER				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						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						S
K06	Adequate handwash facilities supplied, accessible		X		X			N
K07	Proper hot and cold holding temperatures		X		X			
K08	Time as a public health control; procedures & records			X	X			
K09	Proper cooling methods		X		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						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		
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		
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		
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	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:

1. In the cook line area, at the hand sink, there were no paper towels to dry hands.
2. In the server station, at the hand sink, there were no paper towels to dry hands.
3. In the back kitchen area, at the hand sink, there were no paper towels to dry hands.
4. In the front bar area, at the hands sink, there were no paper towels to dry hands.

[CA] Single-use sanitary towels shall be provided in dispensers; heated-air hand drying device may be substituted for single-use towels.

[COS] Staff provided paper towel rolls to dry hands.

5. In the front bar area, at the hand sink, there was no soap available.

[CA] Provide handwashing cleanser in dispenser at handwash stations at all times.

[SA] Staff provided a bottle of soap for use.

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

Inspector Observations:

1. In the dining area, at the cold hold tables, all PHFs were measured above 41 °F for longer than 4 hours.
2. In the dining area, at the two 2 door display coolers, PHFs were measured between 47-52°F for longer than 4 hours.
3. In the banquet area that is being used as a production area, on a table, braised poultry was measured between 80-100°F. Per PIC, they have been there for about 2 hours.

[CA] PHFs shall be held at 41°F or below or at 135°F or above.

[COS] 1. & 2. Items were VC&D. See VC&D report.

[SA] 3. PIC agreed to place items on TPHC and discard after 4 hours.

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

Inspector Observations:

In the larger walk in cooler, on a shelf, pork was found cooling and measured around 50°F at the edges of the pot and 100°F at the middle. Per cook, they have been cooling the pork for 4 hours.

[CA] After heating or hot holding, Potentially Hazardous Foods (PHFs) shall be cooled rapidly from 135°F to 70°F within 2 hours and from 70°F to 41°F within 4 hours. Approved cooling methods include: 1) Placing the food in shallow pans 2) Separating the food into thinner or smaller portions. 3) Using rapid cooling equipment (Ex. blast chiller) 4) Using containers that facilitate heat transfer (ex. stainless steel) 5) Adding ice as an ingredient. 6) Using ice paddles 7) Using an ice bath and stirring frequently 8) Accordance with a HACCP plan. Cooling foods shall have enough space around the containers for cold air to circulate, be loosely covered, or uncovered and stirred as frequently needed to evenly cool.

[COS] Items were VC&D. See VC&D report.

Follow-up By
01/24/2025

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Minor Violations

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

Inspector Observations:

Facility is using TPHC for boba without written procedures.

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

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

Inspector Observations:

In the restroom, at both hand sinks, the hot water valve was turned off.

[CA] Handwashing facilities equipped with a mixing valve that is not readily adjustable at the faucet, shall provide warm water at least 100°F, but not greater than 108°F.

K22 - 3 Points - Sewage and wastewater improperly disposed; 114197

Inspector Observations:

In the area with the mop sink there was a floor drain that was not draining. Using the mop sink drain did not lead to a back up of the floor drain.

[CA] Clean and maintain all drains so they may operate as intended.

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:

1. In the smaller walk in cooler, near the scallion pancake stations, raw meats were found stored above ready to eat foods.

[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.

[COS] Staff rearranged the items at time of the inspection.

2. Facility is preparing foods in the banquet hall area.

[CA] Food preparation shall only occur in approved areas.

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

Inspector Observations:

In all of the walk in freezers and in the small walk in cooler near the cook line food was found stored on the floor.

[CA] Food shall be stored at least 6 inches above the floor 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. Facility has added non ANSI accredited equipment such as a sauce dispenser/packager and a vegetable cutting machine.

[CA] New and/or replacement food equipment shall be certified or classified for sanitation by an American National Standards Institute (ANSI) accredited certification program (e.g. NSF, UL EPH, UL Sanitation, CSA Sanitation, or ETL Sanitation).

2. Facility is using cardboard to line the floor near the fryer area.

[CA] Use approved materials and equipment only.

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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:

1. In the server area, at the rice utensil, the water was measured at 66°F

[CA] Utensils shall be stored in the following manner: 1) in the food with their handles above the top of the food and the container, 2) in running water, 3) in a container of water at 135°F or above, 4) at room temperature if washed within 4 hours of initial use.

2. Facility is reusing old food containers to store food items.

[CA] Single use food container (e.g. soy sauce container, milk carton, apple juice container, can food, wine bottle) shall not be reused to store food.

K48 - 2 Points - Plan review unapproved; 114380

Inspector Observations:

Facility has added numerous amounts of new refrigerators and freezers (15+) along with a vegetable cutting machine and a sauce dispensing/sealing machine.

Note: Per cook, they referred to the sauce sealing machine as a vacuum sealer. Sauce packets did not appear to be vacuum sealed but rather looked heat sealed. Sauces sealed include Garlic Sauce, Peanut Sauce, Chili Sauce.

[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.

Performance-Based Inspection Questions

Needs Improvement - Adequate handwash facilities: supplied or accessible.

Measured Observations

Item	Location	Measurement	Comments
Water	Rice Utensil Holder	66.00 Fahrenheit	
Pork - Cooked	Final Cook	170.00 Fahrenheit	
Pork - Raw	Walk in Cooler	40.00 Fahrenheit	
Braised Duck	Display Cooler	52.00 Fahrenheit	
Chicken - Raw	Upright Cooler	39.00 Fahrenheit	
Chicken - Fried	Final Cook	180.00 Fahrenheit	
Rice	Rice Cooker	150.00 Fahrenheit	
Pork Bone	Walk in Cooler	53.00 Fahrenheit	Outer Pot - 53F Inner Pot - 100F 4 hours cooling. See VC&D report.
Braised Chicken	Display Cooler	47.00 Fahrenheit	
Water	Three Compartment Sink	120.00 Fahrenheit	
Chlorine - Sanitizer	Dishwasher	50.00 PPM	
Water	Hand Sinks - Kitchen	100.00 Fahrenheit	
Water	Hand Sink - Restroom	67.00 Fahrenheit	

Overall Comments:

A follow up inspection shall be conducted within 3 business days to determine compliance with violations noted. The first follow up inspection is free of charge. Any and all subsequent follow up inspections shall be charged at the approved hourly rate of \$298.00/hr, minimum of one hour, during normal business hours: Monday through Friday 7:30am to 4:30pm or \$645/hour minimum two hour during non business hours, and upon inspector availability.

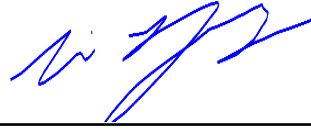
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When required to determine compliance, a single reinspection will be conducted without additional charge. If subsequent reinspections are required, an hourly fee (minimum one hour) at the current rate approved by the Board of Supervisors will be assessed 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 2/4/2025. 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.

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: Kai Yang
General Manager
Signed On: January 21, 2025