

**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**

<b>Facility</b> FA0230429 - XIAN KITCHEN		<b>Site Address</b> 300 BARBER CT, MILPITAS, CA 95035		<b>Inspection Date</b> 04/30/2024	
<b>Program</b> PR0330442 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			<b>Owner Name</b> SAM CHIN INTERNATIONAL I		<b>Inspection Time</b> 13:55 - 15:30
<b>Inspected By</b> ALEXANDER ALFARO	<b>Inspection Type</b> ROUTINE INSPECTION	<b>Consent By</b> HUANG	<b>FSC</b> Guowen Huang 1/25/2029		

<b>Placard Color &amp; Score</b>
<b>GREEN</b>
<b>83</b>

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						S
K07 Proper hot and cold holding temperatures		X		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						
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		
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	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		
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

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

**Inspector Observations:**

**1. In the kitchen area, on a cart near the cook line, several potentially hazardous foods (chicken, cooked potatoes, bean sprouts, and tofu) were being held without temperature control and measured between 50-60°F at 2:10 pm. Per staff they removed them from the walk in cooler around noon.**

**2. Soups were found in a hot holding unit measuring between 80-100°F. Per staff they had placed the soups there roughly 2 hours prior. Staff explained they recently changed their hours of operation and now are open from 11:30 am - 3:00pm and that they throw away the soups when they close. No written procedures are available nor are there any time marks for the soups.**

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

**[COS] 1. Food items were placed into the walk in cooler for rapid cooling. Discussed possibility of placing items on ice to have near the cook line.**

**[COS] 2. Staff agreed to discard food items at the end of 4 cumulative hours.**

**Minor Violation:**

**3. In the waiter station, at a prep cooler, several PHFs were found ranging between 41-45°F. Per staff they had been placed there less than 3 hours ago.**

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

**[COS] Lids were placed on the top section of cooler to facilitate proper cold holding temperatures.**

### Minor Violations

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

**Inspector Observations:**

**\*REPEAT VIOLATION\***

**Food handler cards are not available for review.**

**[CA] 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.**

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

**Inspector Observations:**

**Chicken was found thawing on a prep table at room temperature.**

**[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.**

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

**Inspector Observations:**

**1. In the walk in cooler food was found stored on the floor.**

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

**2. Bulk food items are not stored in approved containers with lids in the dry storage area.**

**[CA] Store open bulk foods in approved NSF containers with tight fitting lids.**

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:**

**There is a leak at the atmospheric pressure valve on the mop sink faucet.**

**[CA] Maintain all plumbing in good repair.**

**Performance-Based Inspection Questions**

All responses to PBI questions were satisfactory.

**Measured Observations**

Item	Location	Measurement	Comments
Chicken	Cart	55.00 Fahrenheit	Moved to walk in
Water	Hand Washing Sinks - All	100.00 Fahrenheit	
Chlorine	Ware Wash Machine	50.00 PPM	
Water	Three Compartment Sink & Prep Sink	120.00 Fahrenheit	
Chicken	Delivered	30.00 Fahrenheit	
Bean Sprouts	Prep Table	50.00 Fahrenheit	Placed on ice
Soups	Hot Hold Unit	90.00 Fahrenheit	Discard at end of 4 hours.
Potatoes	Cart	60.00 Fahrenheit	Moved to walk in
Chicken	Counter	34.00 Fahrenheit	Thawing
Ambient	Waiter Station Prep Cooler -Bottom	38.00 Fahrenheit	
Beef, chicken, noodles	Waiter Station Prep Cooler	44.00 Fahrenheit	Ranged between 41-45F. Lid placed to facilitate proper cold holding.

**Overall Comments:**

**NOTE: Discussed with owner whether they would like to use TPHC for their soups. Owner stated they will continue to use temperature control. Ensure to maintain potentially hazardous foods at 41°F or below or at 135°F or above. TPHC guidelines were not provided.**

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 **5/14/2024**. 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:** Guowen Huang

Owner

**Signed On:** April 30, 2024