

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 FA0230408 - MALA TOWN		Site Address 438 BARBER LN, MILPITAS, CA 95035		Inspection Date 01/14/2025		Placard Color & Score YELLOW 43			
Program PR0330421 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name MALA TOWN MILPITAS LLC		Inspection Time 13:20 - 16:10				
Inspected By GLENCIJOY DAVID		Inspection Type ROUTINE INSPECTION		Consent By CARMEN				FSC Zezhou Suo 04/11/2027	

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		X			N
K06	Adequate handwash facilities supplied, accessible		X		X			
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		X			
K14	Food contact surfaces clean, sanitized			X				N
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	X	
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	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		
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	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

K05 - 8 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

Inspector Observations: *Employee washing dishes touched clean containers after touching dirty containers. Employee did not wash hands or change gloves. Employee went from wiping the counter to touching clean pans. Employee did not wash hands or change gloves. [CA] Properly wash hands with soap, warm water and dry using single use paper towels as required. Gloves shall be properly used and changed when required. [COS] Employees were directed to properly wash hands with soap and paper towels. Employee was told to wash, rinse, and sanitize all dishes that were contaminated.*

Follow-up By 01/16/2025

K06 - 8 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

Inspector Observations: *One handwash sink was blocked by employee using sink to fill a pitcher. Other handwash sink had a container in the basin and was blocked by a prep table and pots of broth. No handwash sink was available. [CA] Handwashing facility shall be clean, unobstructed, and accessible at all times. [COS] Employee removed pitcher to make one handwash sink available.*

Follow-up By 01/16/2025

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

Inspector Observations: *Measured raw shell eggs at 61F on shelf. Employee states that eggs have been there since 11AM. Measured tomato broth at 80F and beef bone broth at 72F on floor. Measured beef bone broth at 73F on rack. Employee states that broth have been off the stove for less than two hours. Measured shrimp balls at 50F on top of inserts at third self-service cooler. Employee states that shrimp balls have been out for less than one hour. [CA] PHFs shall be held at 41°F or below or at 135°F or above. [COS] Raw shell eggs will be returned to vendor. Broths were placed on burners to reheat. Shrimp balls were placed into inserts of self-service cooler.*

Follow-up By 01/16/2025

K13 - 8 Points - Food not in good condition/unsafe/adulterated; 113967, 113976, 113980, 113988, 113990, 114035, 114041, 114254(c), 114254.3

Inspector Observations: *A pot of frozen tea for tea eggs was adulterated. An employee stacked a container that was stored directly on the floor directly into the pot of frozen tea. [CA] Food is adulterated if it bears or contains any poisonous or deleterious substance that may render it impure or injurious to health and shall be discarded immediately. [COS] Frozen tea was voluntarily discarded.*

Follow-up By 01/16/2025

Minor Violations

K09 - 3 Points - Improper cooling methods; 114002, 114002.1

Inspector Observations: *Cooked onions cooling in deep, plastic container with tight lid. [CA] Cool foods using approved containers which facilitate heat transfer, such as metal. 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. Properly cool PHF's using shallow containers, using no more than 2 inches for solid foods and no more than 4 inches for liquids.*

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

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Inspector Observations: Employee is washing dishes with soap and water, sanitizing in chlorine solution, and then rinsing. [CA] Manual warewashing shall be accomplished by using a three-compartment sink where the utensils are first precleaned, washed with hot soapy water, rinsed with hot water, sanitized with an approved method, and air dried. Use 1 TBS of bleach (5.25%) per 1 gal. of water for chlorine solution (100 PPM). Use 1 tbs of quaternary ammonium (10%) per 2 gal. of water for quaternary ammonium (200 PPM).

Measured chlorine at 200 ppm in second compartment of three compartment sink. [CA] Manual sanitization shall be accomplished in the final sanitizing rinse by contacting a chlorine solution of 100 PPM concentration for at least 30 seconds or by contacting a quaternary ammonium solution of 200 PPM concentration for at least 60 seconds.

Clean, wet utensils and containers are stacked directly on top of one another and stored in a way that does not facilitate air drying. [CA] Equipment and utensils must be air dried or properly stored to facilitate drying after sanitizing.

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

Inspector Observations: Measured hot water at 105F in prep sink. [CA] Hot water shall be supplied at a minimum temperature of at least 120°F measured from the faucet throughout facility except at handwash sinks.

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

Inspector Observations: One compartment of three compartment sink does not have a drain line and is draining into a floor sink. Accumulation of water near floor sink. [CA] Repair plumbing fixture to ensure liquid waste be disposed of through the approved plumbing system and shall discharge into the public sewerage.

K23 - 3 Points - Observed rodents, insects, birds, or animals; 114259.1, 114259.4, 114259.5

Inspector Observations: Flies and moths present in prep area and storage area. [CA] Food facility shall be kept free of insects, flies, weevils, ants, gnats, and fruit flies.

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

Inspector Observations: Thawing fish in container at room temperature. Thawing shrimp in standing water in prep sink.

[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.

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

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

Inspector Observations: Sauces are stored on counter with no sneeze guard or lids. [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.

Customers use one utensil for all self-service foods (vegetables, fish, noodles, raw meat). [CA] Provide dispensing utensil for each food item offered at consumer self-service counter to prevent cross 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: *Equipment stored directly on the floor. [CA] Properly store utensils and equipment in a clean and sanitary manner where they are not exposed to splash, dust, or other contamination.*

Bowls and cups with no handles used as scoops for bulk foods. [CA] Provide scoop with handle and store scoop handle in such a way that the handle does not come in direct contact with food to prevent contamination.

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

Inspector Observations: *Accumulation of water and debris on floors in prep area. [CA] Floors in food preparation area shall be kept clean.*

Performance-Based Inspection Questions

Needs Improvement - Hands clean/properly washed/gloves used properly.
Needs Improvement - Food contact surfaces clean, sanitized.

Measured Observations

Item	Location	Measurement	Comments
brown sauce	reach in cooler - near ice machine	41.00 Fahrenheit	
sausage	self-service cooler - 4	41.00 Fahrenheit	
hot water	three compartment sink	120.00 Fahrenheit	
fish	rack	43.00 Fahrenheit	prep
wontons	walk in freezer	27.00 Fahrenheit	
raw shell eggs	shelf	61.00 Fahrenheit	
szechuan broth	floor	148.00 Fahrenheit	
octopus	self-service cooler - 2	41.00 Fahrenheit	
onions	reach in cooler	63.00 Fahrenheit	cooling
beef	self-service cooler - 4	40.00 Fahrenheit	
shrimp	prep sink	45.00 Fahrenheit	prep
soft tofu	self-service cooler - 1	41.00 Fahrenheit	
fried tofu	self-service cooler - 3	41.00 Fahrenheit	
beef	upright cooler	33.00 Fahrenheit	
fried tofu	self-service cooler - 2	41.00 Fahrenheit	
shrimp balls	self-service cooler - 3	50.00 Fahrenheit	
octopus	clear door cooler - left	41.00 Fahrenheit	
bean sprouts	clear door cooler - right	45.00 Fahrenheit	prep
wonton	self-service cooler - 3	41.00 Fahrenheit	
tomato broth	floor	80.00 Fahrenheit	
hot water	handwash sink	100.00 Fahrenheit	
hot water	prep sink	105.00 Fahrenheit	
beef bone broth	rack	73.00 Fahrenheit	
chlorine	three compartment sink	200.00 PPM	
quail eggs	self-service cooler - 1	41.00 Fahrenheit	
fish	self-service cooler - 4	41.00 Fahrenheit	
noodles	clear door cooler - left	41.00 Fahrenheit	
beef	stove	165.00 Fahrenheit	
fish cake	self-service cooler - 2	41.00 Fahrenheit	
shrimp balls	clear door cooler - left	41.00 Fahrenheit	
beef bone broth	floor	72.00 Fahrenheit	

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 **1/28/2025**. 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.

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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: Carmen
PIC
Signed On: January 14, 2025