

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 FA0282859 - CHICK & TEA		Site Address 1723 N MILPITAS BL, MILPITAS, CA 95035		Inspection Date 05/07/2026	
Program PR0424293 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			Owner Name FRANK CHENG JR.		Inspection Time 13:30 - 14:50
Inspected By NHA HUYNH	Inspection Type ROUTINE INSPECTION		Consent By FRANKIE	FSC Xueying Wu 01/22/2031	

Placard Color & Score
GREEN
81

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				
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		
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	X	
K35 Equipment, utensils: Approved, in good repair, adequate capacity	X	
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

No major violations were observed during this inspection.

Minor Violations

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

Inspector Observations:

Employee Food Handler's Card observed expired.

[Corrective Action] Maintain Food Handler's Card current and valid.

K06 - 3 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

Inspector Observations:

The dual stock pot burner is right next to the handwash sink in the kitchen which makes access hard.

[Corrective Action] Move the dual stock pot so that the handwash sink is easily accessible.

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, 14125(b), 114141

Inspector Observations:

Chlorine sanitizer in the 3 compartment sink was measured at 50 ppm.

[Corrective Action] Maintain chlorine sanitizer concentration at 100 ppm.

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

Inspector Observations:

Pork chops thawing in stagnant water at the prep sink.

[Corrective Action] 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.**

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

Inspector Observations:

Heavy dust accumulation on the ventilation guard at the entry way to the back area.

[Corrective Action] Thoroughly clean.

K34 - 2 Points - Warewashing facilities: not installed or maintained; no test strips; 114067(f,g), 114099, 114099.3, 114099.5, 114101(a), 114101.1, 114101.2, 114103, 114107, 114125

Inspector Observations:

Facility does not have chlorine test strips.

[Corrective Action] Provide chlorine test strips.

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:

The ice machine was observed elevated using 4x6 woods.

[Corrective Action] Discontinue using wood to elevate ice machine. Use longer legs.

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

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Inspector Observations:

1. Water leak observed under the 3 compartment sink.

[Corrective Action] Repair to stop the leak.

2. Water leak observed at the base of the faucet's spout at the 3 compartment sink.

[Corrective Action] Repair to stop the leak.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
eggs	2 door upright cooler	41.00 Fahrenheit	hallway
pork sausage	single door upright cooler	41.00 Fahrenheit	
pork sausage	single door prep cooler	41.00 Fahrenheit	kitchen
milk	single door prep cooler	41.00 Fahrenheit	service area
eggs	hot holding unit	170.00 Fahrenheit	
pork	2 door upright cooler	40.00 Fahrenheit	
chlorine sanitizer	3 compartment sink	50.00 PPM	
hot water	3 compartment sink	123.00 Fahrenheit	
hot water	handwash sink	110.00 Fahrenheit	

Overall Comments:

Foods left at room temperature are discarded after lunch service and dinner service.

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 **5/21/2026**. 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.

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: Frank Cheng
operator

Signed On: May 07, 2026