

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 10/01/2025		Placard Color & Score YELLOW 48		
Program PR0330421 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name MALA TOWN MILPITAS LLC		Inspection Time 14:30 - 16:30			
Inspected By MAVERICK CHIN		Inspection Type ROUTINE INSPECTION		Consent By SUNNY				FSC Zilong Xu 07/14/2030

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			N
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				S
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						N
K22	Sewage and wastewater properly disposed		X		X			N
K23	No rodents, insects, birds, or animals			X				S

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		
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		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		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:

REPEAT VIOLATION

Follow-up By
10/06/2025

Employee observed handling bowls full of raw meat, then proceeded to grab bowls of cooked, ready-to-eat food to serve to customers at the pass-through window.

[CA] Employees must change gloves and properly wash hands following contact with raw animal products or potentially contaminated surfaces, prior to handling ready-to-eat food or clean, food contact surfaces.

[COS] Employee changed gloves and properly washed hands.

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

Inspector Observations:

REPEAT VIOLATION

Follow-up By
10/06/2025

Hand sink next to the dishwashing lacked a functional paper towel dispenser. Other hand sink in the kitchen lacked paper towels.

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

[COS] PIC fixed paper towel dispenser. Other paper towel dispenser restocked.

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

Inspector Observations:

REPEAT VIOLATION

Follow-up By
10/06/2025

1. Cut tomatoes and cut watercress (melon) measured 66F-68F while maintained out of temperature control at the self-service line. Per the PIC, items had been placed there less than 1 hour prior.

2. Two bags of bean sprouts measured 46F-48F in the two-door glass, upright cooler next to the prep sinks. Per an employee, items had been inside of the unit for 4 hours. Ambient of the unit measured 43F-45F, depending on location.

[CA] Potentially hazardous foods intended for cold holding shall be held at or below 41F to prevent the growth of bacteria.

[COS] Cut tomatoes and cut watercress relocated to lower portion of prep units at the service line. PIC agreed to keep tomatoes and watercress in upper prep inserts (in temperature control) in the future. Bean sprouts VC&D. See VC&D report.

K22 - 8 Points - Sewage and wastewater improperly disposed; 114197

Inspector Observations:

Right-side and left-side compartment of three compartment sink observed draining copious amounts of wastewater (entirety of filled sink-basin) from the bottom of their respective compartments onto the floor of the kitchen during active warewashing. Per the PIC, all three compartments of the three compartment sink have recently started discharging all of their wastewater onto the kitchen floor at sporadic intervals.

Follow-up By
10/06/2025

[CA] Liquid waste shall be disposed of through the approved plumbing system and shall discharge into the public

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sewerage or into an approved private sewage disposal system. A food facility may not operate if there is wastewater overflowing into the facility.

[SA] Wastewater mopped up/swept into the floor drain. PIC has scheduled a repairman to fix the sink by the end of the day.

Minor violation:

Floor sink directly under the three compartment sink clogged with various food and plastic debris, thus contributing to the overflow onto the kitchen floor cited above.

[CA] Floor sinks shall remain unobstructed/unclogged to allow for adequate and sanitary disposal of wastewater.

[COS] Floor sink unclogged.

Minor Violations

K04 - 3 Points - Improper eating, tasting, drinking or tobacco use in food preparation area; 113977

Inspector Observations:

Employee observed drinking in the kitchen.

[CA] No employee shall eat in the food prep, food contact storage, or food storage areas, use designated area. Employees shall drink from containers with tight fitting lids and straws to prevent contamination.

K13 - 3 Points - Food not in good condition/unsafe/adulterated; 113967, 113976, 113980, 113988, 113990, 114035, 114041, 114254(c), 114254.3

Inspector Observations:

Employee package of ice cream maintained inside of the ice in the ice machine.

[CA] Discontinue the storage of items inside ice that is intended for customer service (with the exception of the ice scoop) to prevent potential adulteration.

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:

REPEAT VIOLATION

Employee is washing dishes with soap and water in the middle compartment, rinsing in the left compartment. and then sanitizing in chlorine solution in the right compartment of the three compartment sink.

[CA] Food contact equipment shall be cleaned via wash, rinse, sanitize (in that specific order) to prevent contamination.

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

Inspector Observations:

5+ flies observed throughout the kitchen area.

[CA] Food facility shall be kept free of non-disease carrying insects, weevils, ants, gnats, and fruit flies.

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

Inspector Observations:

REPEAT VIOLATION

Scallion and containers of sauces are stored on counter at consumer self-service area with no sneeze guards 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.

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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:

Ambient of the 2-door glass upright next to the prep sinks measured 43F-45F depending on location.

[CA] Refrigeration must be capable of maintaining potentially hazardous foods at or below 41F.

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:

Stock pots maintained on the front burners of the two, double stock pot ranges at the cook-line.

Facility's permit condition states the following:

DUE TO LACK OF 6-INCH OVERHANG AT THE 2 DOUBLE STOCK POT RANGES, POTS USED TO COOK FOOD MAY NOT BE KEPT AT FRONT BURNER. 6-INCH OVERHANG BETWEEN INSIDE EDGE OF HOOD AND COOKING SURFACE MUST BE MAINTAINED FOR COMPLETE SMOKE/STEAM CAPTURE.

[CA] Facility is in direct violation of facility permit condition. Discontinue the use of the front two burners to cook food.

Contact DEH plan check at dehplancheck@deh.sccgov.org if facility wishes to make any structural or equipment-based changes prior to making said changes.

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

Inspector Observations:

Grease buildup observed on the ceiling above where the two stock pots that are not covered by the 6-inch ventilation overhang are located.

[CA] Walls, floors, and ceilings shall be maintained clean. See K36m.

Performance-Based Inspection Questions

Needs Improvement - Food contact surfaces clean, sanitized.
Needs Improvement - Sewage and wastewater properly disposed.
Needs Improvement - Proper hot and cold holding temperatures.
Needs Improvement - Hands clean/properly washed/gloves used properly.
Needs Improvement - Hot and cold water available.

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Measured Observations

Item	Location	Measurement	Comments
chili sauce	stovetop	147.00 Fahrenheit	
rehydrated mushrooms	2-door glass upright-right	39.00 Fahrenheit	
octopus	self-service cooler-2	41.00 Fahrenheit	
shrimp	walk-in cooler	38.00 Fahrenheit	
noodles	2-door glass upright-left	39.00 Fahrenheit	
pre-cooked mussels	walk-in cooler	34.00 Fahrenheit	
warm water	hand sink 1,2 /bathroom hand sink	100.00 Fahrenheit	
bean sprouts	2-door glass upright- left	40.00 Fahrenheit	
chlorine sanitizer	wiping cloth bucket	100.00 PPM	
hot water	3 comp sink/prep sink 1, 2	120.00 Fahrenheit	
garlic in oil	2-door glass upright	40.00 Fahrenheit	
raw beef	glass upright behind self-service line	40.00 Fahrenheit	
fish	self service cooler-4	41.00 Fahrenheit	
frozen raw pork	walk-in cooler (freezer section)	18.00 Fahrenheit	
quail eggs	self-service cooler-1	40.00 Fahrenheit	
peanut sauce	under-counter cooler near ice machine	40.00 Fahrenheit	
tea eggs	2-door glass upright-right	40.00 Fahrenheit	
chlorine sanitizer	3 comp sink	100.00 PPM	
beef broth	stovetop	167.00 Fahrenheit	
fish balls	self-service cooler-3	39.00 Fahrenheit	
bean sprouts	glass upright to the left of self-service line	40.00 Fahrenheit	
shrimp balls	self-service cooler-3	39.00 Fahrenheit	
wontons	walk-in cooler	36.00 Fahrenheit	
raw beef	self-service cooler-1	41.00 Fahrenheit	

Overall Comments:

Two or more major violations were cited during the routine inspection.

A follow-up inspection will be conducted in the next 1 to 3 business days to verify compliance with all of the cited major violations.

Subsequent follow-up inspections after the first shall be billed at \$298/hour, one hour minimum, during normal business hours (7:30 AM to 4:30 PM), or \$645 for a minimum of 2 hours, during non-business hours and in accordance with the inspector's availability.

The posted placard is property of the Santa Clara County Department of Environmental Health and shall not be removed, covered-up, relocated, tampered with, camouflaged, or copied. Failure to comply may result in a fine and enforcement action as per county ordinance section B11-55.

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 **10/15/2025**. 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: Zhiyang Xia
Shift Leader

Signed On: October 01, 2025