

**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> FA0202520 - MIAN BAO HOUSE		<b>Site Address</b> 1718 N MILPITAS BL, MILPITAS, CA 95035		<b>Inspection Date</b> 08/08/2024	
<b>Program</b> PR0307626 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			<b>Owner Name</b> MBH GROUP INC		<b>Inspection Time</b> 14:35 - 16:00
<b>Inspected By</b> NHA HUYNH	<b>Inspection Type</b> ROUTINE INSPECTION	<b>Consent By</b> NHI	<b>FSC</b> Not Available		

<b>Placard Color &amp; Score</b> <b>GREEN</b> <b>68</b>
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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						
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						
K06 Adequate handwash facilities supplied, accessible			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				
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		
K31 Consumer self service does prevent contamination		
K32 Food properly labeled and honestly presented		X
K33 Nonfood contact surfaces clean		X
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		
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		X
K45 Floor, walls, ceilings: built,maintained, clean		
K46 No unapproved private home/living/sleeping quarters		
K47 Signs posted; last inspection report available	X	

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K48	Plan review	
K49	Permits available	X
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:**

**Egg tart, hawaiian chicken, cream bun, ham & cheese, ham & corn, and tuna bun observed left at room temperature. Per employee, the items are baked at the Oakland facility and brought over at 11:00 AM.**

**[Corrective Action] Maintain Potentially Hazardous Foods above 135 degrees Fahrenheit or below 41 degrees Fahrenheit.**

**[Suitable Alternative] Employee voluntarily discarded the food items into the trash.**

### Minor Violations

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

**Inspector Observations:**

**Lack of Food Safety Certification at facility.**

**[Corrective Action] Food facilities that prepare, handle, or serve non-prepackaged potentially hazard foods shall have a valid Food Safety Certificate available for review at all times.**

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

**Inspector Observations:**

**Lack of paper towels in the paper towel dispenser at the handwash sink in the kitchen and in the restroom. Loose paper towels nearby. Per employee, the key to open the paper towel dispenser is missing.**

**[Corrective Action] Ensure paper towels are maintained in the paper towel dispenser. Find key to open the dispenser or provide new paper towel dispenser.**

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

**Inspector Observations:**

**Bag of cheese in the walk-in cooler observed bloated. Almonds in the walk-in cooler observed with mold. Per employee, the walk-in cooler has been broken and the foods have not been discarded yet.**

**[Corrective Action] Discard the cheese and almonds.**

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

**Inspector Observations:**

**The hot water at the handwash sink at the service area comes out as a trickle due to improper installation of the hot water knob.**

**[Corrective Action] Properly install the hot water knob and ensure hot water is provided with adequate water pressure.**

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:**

**Cooking oil and boxes of lychee observed stored directly on the floor near the unused back door.**

**[Corrective Action] Store foods at least 6 inches above the floor on approved shelving.**

K32 - 2 Points - Food improperly labeled & not honestly presented: 114087, 114089, 114089.1(a, b), 114090, 114093.1

**Inspector Observations:**

**Some items in containers at the service area are missing labels or missing information.**

**[Corrective Action] Food prepackaged in a food facility shall bear a label with the following:**

- 1) common name of the food,**
- 2) list of ingredients in descending order of predominance by weight,**
- 3) quantity of contents,**
- 4) name and place of business of the manufacturer, packer, or distributor.**

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

**Inspector Observations:**

**Grime observed on the rubber seals on the 2 door upright freezer by the back door.  
[Corrective Action] Thoroughly clean and maintain clean.**

K44 - 2 Points - Premises not clean, not in good repair; No personal/chemical storage; inadequate vermin-proofing; 114067(j), 114123, 114143 (a,b), 114256, 114256.1, 114256.2, 114256.4, 114257, 114257.1, 114259, 114259.2, 114259.3, 114279, 114281, 114282

**Inspector Observations:**

**Multiple broken and unused equipments in the facility.  
[Corrective Action] Remove broken and unused equipments from the premise.**

K47 - 2 Points - Signs not posted; last inspection report not available; 113725.1, 113953.5, 113978, 114381(e)

**Inspector Observations:**

**Expired health permit posted.  
[Corrective Action] Post the current valid health permit in public view.**

K49 - 2 Points - Permits not available; 114067(b,c), 114381(a), 114387

**Inspector Observations: --48 HOUR NOTICE--**

**Our records indicate this facility is operating without a valid permit and has a delinquent account. Your balance due is \$ 0000.00. Payment must be made immediately to DEH at the address at the top of this report or via our website at [www.Ehinfo.org](http://www.Ehinfo.org).**

**A facility that submits payment of the outstanding balance within 48 hours (2 business days) of this notice will be issued and mailed an operating permit by this department. Failure to comply within 48 hours will result in facility closure and additional enforcement, including but not limited to reinspection(s) and additional cost recovery fees.**

**A facility found to be in continued operation without a permit may incur a penalty of three (3) times the operating permit fee, and fee(s) for re-inspection(s) charged at the current hourly rate approved by the Santa Clara County Board of Supervisors. Penalties and fees incurred due to enforcement activities must be paid in full prior to the issuance of an operating permit.**

**Performance-Based Inspection Questions**

N/A

**Measured Observations**

Item	Location	Measurement	Comments
pork bun	hot holding steamer	146.00 Fahrenheit	
half and half	2 sliding door upright cooler	41.00 Fahrenheit	
macarons	grab and go cooler	41.00 Fahrenheit	
hot water	3 compartment sink	120.00 Fahrenheit	
ambient air	2 door upright cooler	34.00 Fahrenheit	near back door
cakes	display cooler	38.00 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 **8/22/2024**. 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



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**Received By:** Nhi Ha  
Employee

**Signed On:** August 08, 2024