

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 FA0266766 - MAX'S OF MANILA		Site Address 1535 LANDESS AV 139, MILPITAS, CA 95035		Inspection Date 11/08/2022	
Program PR0393895 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name RUBYLIN INC		Inspection Time 13:30 - 15:00
Inspected By FRANK LEONG	Inspection Type ROUTINE INSPECTION		Consent By HAJE AMIGABLE	FSC CRISTINA DUGANDO 09/03/2025	

Placard Color & Score
GREEN
89

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						
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		
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		
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		
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

No major violations were observed during this inspection.

Minor Violations

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

Inspector Observations: By the employee service station, at the handwash station, observed hand soap dispenser was non-self dispensing due to battery outage. Hand soap dispenser was still able to dispense soap with interior push tab. [CA] Ensure hand soap dispensers are fully-functioning at all times and able to provide hand soap to allow for proper handwashing.

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

Inspector Observations: In the kitchen area, measured container of cooked eggplant cooling in an ice bath container at 60F. Observed container was not in contact with ice bath. Per operator, eggplant was cooked 20 minutes prior. [CA] Potentially hazardous foods that are cooling in an ice bath shall have container submerged up to the food level within the container. [SA] Additional ice and water was placed in ice bath to facilitate cooling.

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: At the warewash machine, measured chlorine sanitizer at 25 PPM. [CA] Ensure chlorine sanitizer is maintained at 50 PPM to allow for proper cleaning and sanitizing of utensils and equipment.

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

Inspector Observations: By the warewash area, next to the 2 door reach in refrigerator, observed standing water and accumulation of food debris below shelving. At the employee service area, behind the CO2 tanks, observed accumulation of food debris on the floor. [CA] Ensure facility floors are regularly cleaned and maintained to prevent harborage of vermin.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
chopped tomatoes	2 door prep unit	38.00 Fahrenheit	
kare kare	reach in refrigerator	41.00 Fahrenheit	
raw beef	2 door reach in refrigerator	36.00 Fahrenheit	
chlorine sanitizer	warewash machine	25.00 PPM	
cooked pork	2 door prep unit	41.00 Fahrenheit	
cooked pork knuckle	cooling rack	162.00 Fahrenheit	
cooked pork	reach in refrigerator	41.00 Fahrenheit	
warm water	handwash sink	100.00 Fahrenheit	
cooked whole chicken	2 door reach in refrigerator	36.00 Fahrenheit	
cooked eggplant	ice bath	60.00 Fahrenheit	
hot water	3 compartment sink	120.00 Fahrenheit	
sliced oranges	ice bath	41.00 Fahrenheit	
tofu	sliding 2 door reach in refrigerator	43.00 Fahrenheit	+/-2
cooked shrimp	2 door prep unit	41.00 Fahrenheit	
hard boiled eggs	ice bath	40.00 Fahrenheit	

Overall Comments:

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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 **11/22/2022**. 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: HAJE AMIGABLE
SUPERVISOR

Signed On: November 08, 2022