

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 FA0300540 - FRESH BYTES CAFE		Site Address 500 EL CAMINO REAL 402, SANTA CLARA, CA 9505		Inspection Date 10/16/2025		Placard Color & Score GREEN 87		
Program PR0441171 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name BON APPETIT MANAGEMEN		Inspection Time 10:30 - 11:45			
Inspected By KATHY VO		Inspection Type ROUTINE INSPECTION		Consent By JENNIFER POSITERI				FSC Paulo Camama 03/20/2026

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						S
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						S
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		
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	
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: Measured cooked boba stored on preparation counter at 99F. Per employees, boba was cooked 1 hour prior to temperature measurement. [CA] Potentially Hazardous Foods shall be kept at 41F or below or 135F or above. [SA] Boba will be served within the next 4 hours. Per employee, boba is replaced about every hour. Completed TPHC documentation for boba on-site.

Minor Violations

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

Inspector Observations: Measured the maximum water temperature at the 3-compartment and preparation sink at 108F. [CA] Hot water shall be supplied at a minimum temperature of at least 120°F measured from the faucet throughout facility (100-108°F at handwash sinks).

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

Inspector Observations: Facility Environmental Health permit is not posted in public view. [CA] The most current Environmental Health permit shall be posted in public view at all times.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
water	3-compartment sink	108.00 Fahrenheit	
fried chicken	next to fryer	135.00 Fahrenheit	
sandwiches	2-door under counter cooler	41.00 Fahrenheit	
milk	2-door under counter cooler	41.00 Fahrenheit	
pasta salad	4-drawer cooler	41.00 Fahrenheit	
water	preparation sink	108.00 Fahrenheit	
water	handwash sink	100.00 Fahrenheit	
ground beef	steam table	168.00 Fahrenheit	
pasta salad	2-door preparation unit	41.00 Fahrenheit	
cooked vegetables	steam table	163.00 Fahrenheit	
pulled pork	hot holding on grill	173.00 Fahrenheit	
boba	preparation counter	99.00 Fahrenheit	
eggs	2-door under counter cooler	41.00 Fahrenheit	

Overall Comments:

Completed TPHC documentation for boba during inspection.

This report was written and signed at the end of site inspections.

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 **10/30/2025**. 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: Jennifer Positeri
Retail Manager

Signed On: October 16, 2025