

# 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<br>FA0253428 - XING FU TANG                                     |                                       | Site Address<br>1735 N MILPITAS BL, MILPITAS, CA 95035 |                                      | Inspection Date<br>04/05/2024 |                                  |
| Program<br>PR0368985 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10 |                                       |  | Owner Name<br>CALI XFT S CORPORATION |                               | Inspection Time<br>14:20 - 15:50 |
| Inspected By<br>NHA HUYNH  | Inspection Type<br>ROUTINE INSPECTION |  | Consent By<br>GUSTAVO                | FSC Wendy Li<br>02/28/2027    |                                  |

|                       |
|-----------------------|
| Placard Color & Score |
| <b>GREEN</b>          |
| <b>81</b>             |

| 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     |       | 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                                 | 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                                    |     |     |
| 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

K08 - 8 Points - Improperly using time as a public health control procedures & records; 114000

**Inspector Observations:**

**Red boba at the drink making area was observed at room temperature without any time markings or timer.**  
**[Corrective Action] When time only, rather than time and temperature is used as a public health control, PHFs shall be time marked to indicate when item is removed from temperature control, discarded if not consumed or served within 4 hours, and written procedures shall be readily available for review.**  
**[Suitable Alternative] Red boba will be dumped at 3:30 pm.**

### Minor Violations

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

**Inspector Observations:**

**Food Handler's Card not available for review for some employees.**  
**[Corrective Action] Each food handler shall maintain a valid food handler card for the duration of his or her employment as food handler. A valid food handler card shall be provided within 30 days of after the date of hire.**

K07 - 3 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

**Inspector Observations:**

**Milk at the work counter was measured at 49 degrees Fahrenheit.**  
**[Corrective Action] Maintain cold Potentially Hazardous Foods at or below 41 degrees Fahrenheit. Advised operator to keep the jug of milk in an ice bath.**

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

**Inspector Observations:**

**Observed on the menu, gold flakes or gold leaves used in the drinks.**  
**[Corrective Action] Discontinue using gold flakes or gold leaves in drinks. Gold is not an approved food or additive.**

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:**

**Handle of ice scoops in the ice bin at the drink making area observed in direct contact with ice.**  
**[Corrective Action] Store scoops in a way that the handle does not come into contact with the ice or store in a clean dry location.**

### Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

### Measured Observations

| Item              | Location                   | Measurement       | Comments |
|-------------------|----------------------------|-------------------|----------|
| soft serve slurry | soft serve machine         | 41.00 Fahrenheit  |          |
| milk              | walk-in cooler             | 37.00 Fahrenheit  |          |
| hot water         | 3 compartment sink         | 120.00 Fahrenheit |          |
| hot water         | handwash sink              | 100.00 Fahrenheit |          |
| brown boba        | wok                        | 141.00 Fahrenheit |          |
| milk              | 3 door undercounter cooler | 36.00 Fahrenheit  |          |
| milk              | on the work counter        | 49.00 Fahrenheit  |          |

### Overall Comments:

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|   |   |   |
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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 **4/19/2024**. 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.

## 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:** Kevin Lei  
PIC  
**Signed On:** April 05, 2024