

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 FA0230881 - WAGYU GRILL AYCE SUSHI BBQ & BAR		Site Address 500 BARBER LN, MILPITAS, CA 95035		Inspection Date 08/18/2026		Placard Color & Score YELLOW 51		
Program PR0330976 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name GUO, SHAN BAO		Inspection Time 15:50 - 17:30			
Inspected By MAVERICK CHIN		Inspection Type ROUTINE INSPECTION		Consent By SHELLY AND JOO ANNE				FSC Joo Ann Pee 12/28/2028

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						
K07	Proper hot and cold holding temperatures		X		X			S
K08	Time as a public health control; procedures & records		X		X			N
K09	Proper cooling methods			X	X			N
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		X			S
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				S
K22	Sewage and wastewater properly disposed	X						
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	X	
K28	Fruits and vegetables washed		
K29	Toxic substances properly identified, stored, used		
K30	Food storage: food storage containers identified	X	
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		
K36	Equipment, utensils, linens: Proper storage and use		
K37	Vending machines		
K38	Adequate ventilation/lighting; designated areas, use	X	
K39	Thermometers provided, accurate		
K40	Wiping cloths: properly used, stored		
K41	Plumbing approved, installed, in good repair; proper backflow devices	X	
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

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

Inspector Observations:

Potentially hazardous foods, including whole fish, beef tongue, short rib, and wagyu measured between 52F and 56F while maintained in the walk-in cooler. Ambient of the unit measured 55F via probe. Observed the door cracked ajar at the start of the inspection. Per the PIC, the employee in charge of slicing meat may have accidentally left the door open for the last 15 minutes.

**Note: Other potentially hazardous foods in the unit were still frozen, in the process of thawing*

At the sushi line, chopped fish measured 54F. Per an employee, he had finished preparing the fish less than 15 minutes prior.

At the sushi area, salmon and tuna measured 52F while maintained on plates above the fill limits of the inserts in the upper portion of the prep cooler.

At the meat slicing area, raw sliced beef measured between 52F and 53F while maintained on plates above the fill limits of the inserts in the upper portion of the prep cooler.

At the prep cooler across from the fryer station, poached sliced egg measured 61F while maintained on a plate above the fill limit of the inserts of the upper portion of the prep cooler.

Per staff, all items had been prepared and placed into the units less than 2 hours prior

[CA] Potentially hazardous foods shall be held at 41F or below, or at 135F or above to prevent the growth of bacteria.

[COS] After leaving the door of the meats walk-in cooler closed for approximately 30 minutes, ambient measured 47F via probe. Instructed staff to relocate all potentially hazardous foods to the connected walk-in freezer. Continue to monitor using available probe and internal thermometers. Chopped fish and other potentially hazardous foods maintained above the fill limit line were relocated to adequate refrigeration.

Follow-up By 08/21/2026

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

Inspector Observations:

Fried takoyaki, gyoza, shrimp tempura, steamed oyster, and multiple bowls of fried chicken karage subjected to time as a public health control did not have their timers running while maintained in ambient on a prep table at the middle cook-line near the fryer. Per staff, items had been fried within the last 45 minutes.

[CA] 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.

[COS] Employees started the respective timers, minus the amount of time that had already passed.

Follow-up By 08/21/2026

K14 - 8 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:

1. At the bar, observed an employee skipping the sanitizing step during manual warewashing.

[CA] Manual sanitization shall be accomplished in the final sanitizing rinse by contacting a chlorine solution of 100 PPM concentration for at least 30 seconds or by contacting a quaternary ammonium solution of 200 PPM concentration for at least 60 seconds.

[COS] Instructed PIC to add bleach. Chlorine sanitizer measured 100ppm. Affected dishes were sanitized.

2. At the mechanical dishwasher, chlorine sanitizer measured 0 ppm during active warewashing.

Follow-up By 08/21/2026

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[CA] Maintain chlorine in mechanical warewash machine at 50 PPM.

[COS] Employee primed machine. Chlorine sanitizer remeasured 50 ppm.

3. Observed accumulation of old meat on the meat slicer. Meat slicer not actively in use. Per the PIC, meat slicer is washed once a day, at the end of the day.

[CA] Ensure meat slicer is sanitized at minimum every 4 hours.

Minor Violations

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

Inspector Observations:

Food handler cards could not be provided for at least 5 of the employees present.

[CA] 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.

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

Inspector Observations:

Observed employee eating in the kitchen area. Observed an employee's opened monster energy on an upper shelf in the walk-in cooler, an open employee bowl of food at a shelf near the warewashing area, and an employee gatorade maintained on top of the mechanical dishwasher.

[CA] No employee shall 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 possible contamination. Ensure employee food and personal belongings are stored separate and away from areas of food preparation or food storage.

K05 - 3 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

Inspector Observations:

Observed employee at the fryer line scratching his neck and hair, then attempted to continue food preparation before being stopped. Per the PIC, she has repeatedly instructed these employees to wash their hands after touching their face/hair.

Follow-up By
08/21/2026

[CA] Employees shall wash their hands in all of the following scenarios:

- (1) Immediately before engaging in food preparation, including working with nonprepackaged food, clean equipment and utensils, and unwrapped single-use food containers and utensils.**
- (2) After touching bare human body parts other than clean hands and clean, exposed portions of arms.**
- (3) After using the toilet room.**
- (4) After caring for or handling any animal allowed in a food facility pursuant to this part.**
- (5) After coughing, sneezing, using a handkerchief or disposable tissue, using tobacco, eating, or drinking.**
- (6) After handling soiled equipment or utensils.**
- (7) During food preparation, as often as necessary to remove soil and contamination and to prevent cross-contamination when changing tasks.**
- (8) When switching between working with raw food and working with ready-to-eat food.**
- (9) Before initially donning gloves for working with food.**
- (10) Before dispensing or serving food or handling clean tableware and serving utensils in the food service area.**
- (11) After engaging in other activities that contaminate the hands.**

[COS] Instructed employee to de-glove and properly wash his hands.

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

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Inspector Observations:

In the walk-in cooler, tea egg in soy sauce measured between 50F and 53F while maintained in a large container kept tightly wrapped with plastic. Per one of the cooks, it had been boiled approximately 4 hours prior.

Follow-up By
08/21/2026

[CA] After heating or hot holding, Potentially Hazardous Foods (PHFs) shall be cooled rapidly from 135°F to 70°F within 2 hours and from 70°F to 41°F within 4 hours. Approved cooling methods include: 1) Placing the food in shallow pans 2) Separating the food into thinner or smaller portions. 3) Using rapid cooling equipment (Ex. blast chiller) 4) Using containers that facilitate heat transfer (ex. stainless steel) 5) Adding ice as an ingredient. 6) Using ice paddles 7) Using an ice bath and stirring frequently 8) Accordance with a HACCP plan. Cooling foods shall have enough space around the containers for cold air to circulate, be loosely covered, or uncovered and stirred as frequently needed to evenly cool.

[COS] Tea egg in soy sauce was uncovered and relocated to the walk-in freezer for rapid cooling.

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

Inspector Observations:

Water measured at a maximum of 111F from the faucet of the three compartment sink at the bar.

[CA] Hot water shall be supplied at a minimum temperature of at least 120°F measured from the faucet throughout facility except at handwash sinks.

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:

In the walk-in cooler, observed raw beef stored above vegetables.

[CA] All food shall be separated and protected from cross-contamination. Store all raw meat or other raw products of animal origin below ready-to-eat food items.

K30 - 2 Points - Food storage containers are not identified; 114047, 114049, 114051, 114053, 114055, 114067(h), 114069 (b)

Inspector Observations:

In the walk-in freezer, observed numerous cases of meat stored directly on the floor.

[CA] Food shall be stored at least 6 inches above the floor to prevent contamination.

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

Inspector Observations:

At the consumer self service area, peanuts offered for self service lack lids, sneeze guards, or any other method of preventing sneeze/splash contamination.

[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.

K38 - 2 Points - Inadequate ventilation and lighting in designated area; 114149, 114149.1, 114149.2, 114149.3, 114252, 114252.1

Inspector Observations:

At the sushi preparation area, observed the toaster oven used to toast unagi lacks any form of overhead ventilation.

[CA] Provide approved exhaust hood ventilation over all cooking equipment as required to effectively remove cooking odors, smoke, steam, grease, heat, and vapors.

Submit plans to DEH Plan Check.

K41 - 2 Points - Plumbing unapproved, not installed, not in good repair; improper backflow devices; 114171, 114189.1, 114190, 114192, 114193, 114193.1, 114199, 114201, 114269

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Inspector Observations:

Observed a persistent leak in the pipe underneath the two compartment preparation sink located to the right of the fryer line. Observed the water being collected in a large tub maintained on the floor beneath.

[CA] Repair plumbing to prevent the attraction of vermin.

Performance-Based Inspection Questions

Needs Improvement - Proper cooling methods.

Needs Improvement - Time as a public health control; procedures & records.

Needs Improvement - Hands clean/properly washed/gloves used properly.

Measured Observations

Item	Location	Measurement	Comments
chlorine sanitizer	mechanical dishwasher	0.00 PPM	corrected to 50 ppm
tea eggs	prep cooler - cook-line	39.00 Fahrenheit	
wagyu	two-door under-counter freezer - meat prep	31.00 Fahrenheit	
warm water	hand sinks	100.00 Fahrenheit	
frozen beef	walk-in freezer	0.00 Fahrenheit	
tuna	upright cooler - sushi area	38.00 Fahrenheit	
raw sliced beef	prep cooler - meat prep	38.00 Fahrenheit	
salmon	upright cooler - sushi area	37.00 Fahrenheit	
wagyu	meats walk-in cooler	52.00 Fahrenheit	
raw shell eggs	walk-in cooler	37.00 Fahrenheit	
water	three compartment sink - bar	111.00 Fahrenheit	
hot water	three compartment sink - kitchen	100.00 Fahrenheit	
unagi	prep cooler - sushi	38.00 Fahrenheit	
shrimp	prep cooler - cook-line	40.00 Fahrenheit	
whole fish	meats walk-in cooler	54.00 Fahrenheit	
cubed beef	walk-in cooler	37.00 Fahrenheit	
short rib	meats walk-in cooler	56.00 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 \$282/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 **9/1/2026**. 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: Joo Ann Pee
Manager
Signed On: August 18, 2026