

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 FA0200595 - MARINA FOOD II-MARKET		Site Address 10122 BANDLEY DR, CUPERTINO, CA 95014		Inspection Date 09/30/2025		Placard Color & Score YELLOW 64		
Program PR0304955 - NO FOOD PREP > 20,000 SQ FT - FP08			Owner Name DAKOTA BROTHERS INC		Inspection Time 11:45 - 14:25			
Inspected By SUHKREET KAUR		Inspection Type ROUTINE INSPECTION		Consent By TONY				FSC Not Available

RISK FACTORS AND INTERVENTIONS		IN	OUT		COS/SA	N/O	N/A	PBI
			Major	Minor				
K01	Demonstration of knowledge; food safety certification					X		N
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		X			N
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		X			N
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	X	
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	X	
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	X	
K41	Plumbing approved, installed, in good repair; proper backflow devices		
K42	Garbage & refuse properly disposed; facilities maintained	X	
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	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

K06 - 8 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

Inspector Observations: *Lack of soap and paper towel at hand wash sink in bakery area. Lack of soap at hand wash sink in seafood area.*

[CA] *Provide single use paper towels and soap in dispensers at all times.*

[COS] *Soap and paper towels provided.*

Follow-up By
10/03/2025

K16 - 8 Points - Not in compliance with shell stock tags, condition; 114039-114039.5

Inspector Observations: *Lack of tags for clams display at seafood area.*

Lack of tags for oysters displayed at seafood area. Per manager, oysters with tags available in seafood walk in cooler are from the same batch as the ones displayed at front seafood area.

Available tags are not kept in chronological order.

[CA] *Molluscan shellfish shall have shellstock tags and shall be properly stored and displayed, all shellstock tags shall be kept in chronological order for 90 days after harvest date.*

[COS] *Manager provided an invoice dated 9/29/2025. Ensure tags or tag copies are kept with displayed shellfish.*

Follow-up By
10/03/2025

Minor Violations

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: *Observed cutting boards in meat area not clean to sight and not in use at the time of the inspection.*

[CA] *All food-contact surfaces and utensils shall be cleaned as required. Recommend replacing the cutting boards if they are not easily cleanable.*

K23 - 3 Points - Observed rodents, insects, birds, or animals; 114259.1, 114259.4, 114259.5

Inspector Observations: *Observed few flies near meat three compartment sink.*

[CA] *Food facility shall be kept free of non-disease carrying insects, weevils, ants, gnats, and fruit flies.*

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: *Observed employee cutting and packing produce outside at back area of the facility.*

[CA] *Food preparation shall only occur in approved areas. Food preparation shall be conducted within an approved fully enclosed food facility.*

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

Inspector Observations: *Flour containers and sugar bags are maintained open in bakery area.*

[CA] *Store open bulk foods in approved NSF containers with tight fitting lids.*

K35 - 2 Points - Equipment, utensils - Unapproved, unclean, not in good repair, inadequate capacity; 114130, 114130.1, 114130.2, 114130.3, 114130.4, 114130.5, 114132, 114133, 114137, 114139, 114153, 114155, 114163, 114165, 114167, 114169, 114175, 114177, 114180, 114182

Inspector Observations: *Observed cardboards used as shelf liners in walk in coolers.*

[CA] *Discontinue the use of cardboard boxes to line shelves/flooring, use approved equipment made of materials that is easily cleanable, durable, smooth, and nonabsorbent.*

Walls for walk in cooler for produce are broken inside the cooler on the side of the entry door.

[CA] *Repair the walls. Equipment and utensils shall be designed and constructed to be durable and retain characteristic qualities under normal use conditions.*

K40 - 2 Points - Wiping cloths: improperly used and stored; 114135, 114185.1 114185.3(d,e)

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Inspector Observations: *Wiping towels are stored in water with 0 ppm sanitizer.*

[CA] *Wiping towels shall be stored in sanitizing solution of an approved concentration when not in use (100 ppm - chlorine, 200 ppm - quaternary ammonium).*

K42 - 2 Points - Garbage and refuse improperly disposed; 114244, 114245, 114245.1, 114245.2, 114245.3, 114245.4, 114245.5, 114245.6, 114245.7, 114245.8

Inspector Observations: *Observed open lids for multiple trash containers at the back area of the facility.*

[CA] *Refuse containers shall be covered at all times when not in use.*

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: *Observed back doors open in all storage/back of the house areas.*

[CA] *Keep back door closed at all times to prevent the entrance and harborage of vermin.*

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

Inspector Observations: *Accumulation of food debris and other trash under pallets in walk in coolers and back warehouse.*

[CA] *Clean the floors and maintain in good condition.*

Observed holes in ceiling in storage area behind meat walk in cooler. Observed holes in meat walk in cooler wall towards back storage area.

[CA] *Repair holes in structure and maintain in good repair to prevent pest harborage.*

Accumulation of dust, food debris and webs in bakery area. Per PIC, this bakery area is not used and only flour is stored in the area.

[CA] *Walls and/or floors in food preparation area shall be kept clean.*

Performance-Based Inspection Questions

Needs Improvement - Adequate handwash facilities: supplied or accessible.

Needs Improvement - Demonstration of knowledge; food manager certification.

Needs Improvement - Compliance with shell stock tags, condition, display.

Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
Milk	Display refrigerator	40.00 Fahrenheit	
Hot water	Three compartment sink (Meat/Seafood)	120.00 Fahrenheit	
Tripe	Display refrigerator	38.00 Fahrenheit	
Chicken	Display refrigerator	35.00 Fahrenheit	
Hot water	Three compartment sink (Produce)	120.00 Fahrenheit	
Duck	Walk in freezer	22.00 Fahrenheit	
Fish	Display refrigerator	38.00 Fahrenheit	
Tofu	Large walk in cooler w/ deli food	40.00 Fahrenheit	
Crabs	Display refrigerator	38.00 Fahrenheit	
Tofu	Display refrigerator	40.00 Fahrenheit	
Salted fish	Display refrigerator	10.00 Fahrenheit	
Water	Hand wash sink (Meat/Seafood)	100.00 Fahrenheit	
Fish	Seafood small walk in cooler	35.00 Fahrenheit	

Overall Comments:

Follow-up inspection will be conducted on 10/03/25 to follow up on major violations. Ensure major violations are corrected and kept in compliance. Failure to comply will result in second re-inspection charged at \$298/hr for a minimum 1 hour charge, billed to facility. Do not remove, discard, cover-up or tamper with yellow placard. Failure to comply will result in enforcement actions.

Contact district specialist at (408) 918-3460 to schedule follow-up inspection.

Observed a bakery area within the facility. Per manager, it is not in use and only flour is being stored there. If more information is needed, district specialist will reach out to the manager.

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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 **10/14/2025**. 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.

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: TONY NGUYEN
MANAGER
Signed On: September 30, 2025