

**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**

<b>Facility</b> FA0214202 - THE MAGIC WOK LLC		<b>Site Address</b> 734 S WOLFE RD, SUNNYVALE, CA 94086		<b>Inspection Date</b> 07/02/2024	
<b>Program</b> PR0304465 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			<b>Owner Name</b> THE MAGIC WOK LLC		<b>Inspection Time</b> 10:30 - 12:00
<b>Inspected By</b> SUKHREET KAUR	<b>Inspection Type</b> ROUTINE INSPECTION	<b>Consent By</b> CARLO	<b>FSC</b> Carlo Oviso 6/25/2029		

<b>Placard Color &amp; Score</b>
<b>RED</b>
<b>79</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						
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				
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		X
K39	Thermometers provided, accurate		X
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		X
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

K23 - 8 Points - Observed rodents, insects, birds, or animals; 114259.1, 114259.4, 114259.5

**Inspector Observations: Observed 10+ juvenile cockroaches behind loose stainless steel panel located behind white Kenmore freezer next to kitchen exit door.**

**Observed 2 adult cockroaches sticking to duct tape keeping the loose panel together. Observed 2 cockroaches crawling on wall at front area near entry door to the kitchen.**

**[CA] The premises of each food facility shall be kept free of vermin. A food facility shall not operate when there is a vermin infestation that has resulted in the contamination of food contact surfaces, food packaging, utensils, food equipment, or adulteration of food(s). The food facility shall cease operation of the food facility immediately. The food facility shall remain closed until: there is no longer evidence of a vermin infestation; all contaminated surfaces have been cleaned and sanitized; and contributing factors such as cleaning, repairs, and the elimination of harborages have been resolved.**

**Contact professional pest control company to obtain services to eliminate vermin activity. Clean and sanitize areas of any dead or live cockroaches. Seal any open gaps in the facility.**

### Minor Violations

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

**Inspector Observations: Hand wash sink is with 24 inches of food preparation sink.[CA] A minimum 6" high metal splash guard shall be installed between hand wash sink and food preparation sink.**

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

**Inspector Observations: Accumulation of grease on ventilation hood filters.**

**[CA] Ventilation hood filters shall be maintained clean and good repair.**

K39 - 2 Points - Thermometers missing or inaccurate; 114157, 114159

**Inspector Observations: Lack of thermometers in refrigeration units.**

**[CA] A thermometer +/- 2°F shall be provided and correctly located in each hot and cold holding unit containing potentially hazardous foods.**

K43 - 2 Points - Toilet facilities: improperly constructed, supplied, cleaned; 114250, 114250.1, 114276

**Inspector Observations: Observed door open to the restroom within the kitchen.**

**[CA] Toilet rooms shall be separated by well-fitted, self-closing doors that prevent the passage of flies, dust, or odors.**

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: Accumulation of unused things in the mop sink and water heater area.**

**[CA] The premises of a food facility shall be free of litter and items that are unnecessary to the operation or maintenance of the facility, such as equipment that is nonfunctional or no longer used.**

**Observed gaps greater than 1/4" at bottom of screen door. Observed cardboard inserted in place of door knob and lock area of screen door.**

**[CA] Eliminate gap greater than 1/4" to prevent the entrance and harborage of vermin. Install a door knob/lock or permanently close the area to prevent gap. Back door to food prep area shall be self-closing.**

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

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**Inspector Observations: Loose stainless steel panel located behind white Kenmore freezer next to kitchen exit door. Wall above and on sides of exit door to the front area is not approved.**

**[CA] Seal any gaps or loose panels. Repair the wall with a durable, smooth, nonabsorbent, and easily cleanable surface.**

**Observed missing coving tiles near end of the wall close to upright freezer located at the back of the facility.**

**[CA] The juncture of the floor and wall shall be covered with a 3/8-inch minimum radius coving and shall extend up the wall at least 4 inches.**

## Performance-Based Inspection Questions

N/A

## Measured Observations

Item	Location	Measurement	Comments
Raw chicken	Prep unit	41.00 Fahrenheit	
Cooked chicken	Two door refrigerator	41.00 Fahrenheit	
Chlorine	Sanitizer bucket	100.00 PPM	
Cooked curries	Freezer	10.00 Fahrenheit	
Raw meat	Under counter refrigerator	40.00 Fahrenheit	
Eggs	Slide door refrigerator at front	41.00 Fahrenheit	
Hot water	Three compartment sink	120.00 Fahrenheit	
Water	Hand wash sink	100.00 Fahrenheit	
Hot water	Food preparation sink	120.00 Fahrenheit	

## Overall Comments:

**Facility went through change of ownership.**

**New Facility: The Magic Wok**

**Facility is not issued a health permit at this inspection because facility is hereby closed due to cockroach infestation. The food facility shall cease operation of the food facility immediately**

**Facility shall receive professional pest control service. Clean and sanitize areas of any dead or live cockroach areas.**

**Facility shall remain close until all vermin activity is eliminated.**

**Contact district inspector at (408) 918-3460 or front office at (408) 918-3400 to schedule a follow up inspection.**

**If a subsequent follow up inspection is required, it will be billed at \$298/hr, minimum one hour during normal business hours (Mon-Fri 7:30 AM - 4:30 PM), and \$645/hr, minimum two hours, during non business hours and subject to availability of inspector.**

## **CLOSURE / PERMIT SUSPENSION NOTICE**

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 **7/16/2024**. 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.

This notice is to inform you that as of this date the Environmental Health Permit for the above mentioned food facility is hereby suspended and all operations therewith are ordered to cease. This action is taken in accordance with Section 114409 of the California Health and Safety Code which states 'If any imminent health hazard is found, unless the hazard is immediately corrected, an enforcement officer may temporarily suspend the permit and order the food facility or cottage food operation immediately closed.'

You have the right to make a written request for a hearing within 15 days after receipt of this notice to show just cause why the permit suspension is not warranted. Failure to request such a hearing within the 15-day period shall be deemed a waiver of the right to a hearing. After these violations have been corrected, you must call the Department of Environmental Health for a reinspection to reinstate the permit to operate. Phone #: (408)918-3400.

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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:** Ram Marquez

**Signed On:** July 02, 2024