

# 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> FA0207964 - PIER 402		<b>Site Address</b> 238 RACE ST, SAN JOSE, CA 95126		<b>Inspection Date</b> 07/03/2025		<b>Placard Color &amp; Score</b> <div style="background-color: green; color: white; padding: 10px; text-align: center;"> <b>GREEN</b>  <b>80</b> </div>		
<b>Program</b> PR0306424 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			<b>Owner Name</b> LAM, KIM-OZUNG		<b>Inspection Time</b> 15:30 - 17:00			
<b>Inspected By</b> LAWRENCE DODSON		<b>Inspection Type</b> ROUTINE INSPECTION		<b>Consent By</b> JUNE TRAN				<b>FSC</b> Dzung Staudte 06/27/2028

  

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						
K06	Adequate handwash facilities supplied, accessible	X						
K07	Proper hot and cold holding temperatures			X				N
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						N
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	X	
K28	Fruits and vegetables washed		
K29	Toxic substances properly identified, stored, used	X	
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	X	
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	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	X	
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

No major violations were observed during this inspection.

### Minor Violations

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

**Inspector Observations: In the walk-in: Bacon measured 46F, and tuna measured 45F. Ambient unit temperature measured 45F.**

**[CA] PHF shall be kept at or below 41F.**

**[COS] PHF was relocated to a different, working unit capable of keeping food at or below 41F.**

**At the coffee bar area in the upper prep unit inserts: Raw bacon measured 44F, and sliced tomatoes measured 45F.**

**[CA] PHF shall be held at or below 41F.**

**[COS] PHF was relocated to the lower prep unit (ambient 41F).**

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

**Inspector Observations: Observed 10+ flies throughout the facility, concentrated in the kitchen/coffee bar areas.**

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

**Observed a dog in the customer area in front of the coffee bar.**

**[CA] No live animals may be allowed in a food facility, except in the following situations; decorative fish or shellfish in aquarium, animals intended for consumption if kept separated from other food and food contact surfaces, dogs under the control of on-duty uniformed law enforcement or private patrol, outdoor dining areas, and service animals.**

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 open bag of rice in the food storage room.**

**[CA] Keep bags/containers closed to prevent possible contamination.**

**Observed a bag of potatoes stored in the floor in the food storage room.**

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

K29 - 2 Points - Toxic substances improperly identified, stored, used; 114254, 114254.1, 114254.2

**Inspector Observations: Unlabeled chemical bottle hanging onto the edge of hand sink in kitchen.**

**[CA] Chemicals shall be labeled with common name.**

K34 - 2 Points - Warewashing facilities: not installed or maintained; no test strips; 114067(f,g), 114099, 114099.3, 114099.5, 114101(a), 114101.1, 114101.2, 114103, 114107, 114125

**Inspector Observations: Quat test strips are expired.**

**[CA] Provide new test strips for testing sanitizer concentration.**

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

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**Inspector Observations: Walk-in unit ambient temperature measured 45F. PHF in the walk-in measured 45F-46F.**  
**[CA] Refrigeration unit must be capable of keeping food at or below 41F. Follow-up inspection will be conducted 7 business days in order to ability of the unit to maintain PHF at or below 41F.**

**Bowls are being used as scoops in bulk bins.**  
**[CA] Discontinue the use of bowls as scoops. Utilize scoops with handles, and keep handles out of food.**

**Kegs observed to be sitting in a puddle of stagnant water in the 2 door prep unit (under) in the drink bar area.**  
**[CA] Fix leak.**

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

**Inspector Observations: Quat sanitizer solution in wiping cloth bucket measured 0 ppm in drink bar area.**  
**[CA] Wiping towels shall be stored in sanitizing solution of an approved concentration when not in use (100 ppm - chlorine, 200 ppm - quaternary ammonium).**

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

**Inspector Observations: Dishwasher discharge pipe partially discharges onto the floor of the kitchen.**  
**[CA] Dishwasher shall drain fully into the floor sink, or other approved sewer connection.**

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: Employee skin care lotion observed to be stored above food in the food storage room.**  
**[CA] Employee personal belongings shall not be stored above food prep/food storage areas.**

## Performance-Based Inspection Questions

Needs Improvement - Food contact surfaces clean, sanitized.  
Needs Improvement - Proper hot and cold holding temperatures.

## Measured Observations

Item	Location	Measurement	Comments
sliced tomato	upper prep unit in kitchen	38.00 Fahrenheit	
warm water	hand sink	100.00 Fahrenheit	
ambient	prep unit (coffee bar)	33.00 Fahrenheit	
clam chowder	hot holding unit	165.00 Fahrenheit	
raw bacon	upper prep unit (coffee bar)	44.00 Fahrenheit	
chlorine sanitizer	dishwasher	50.00 PPM	
patties	2 door freezer	13.00 Fahrenheit	
raw bacon	walk-in fridge	46.00 Fahrenheit	
tuna	walk-in fridge	45.00 Fahrenheit	
warm water	bathroom hand sink	103.00 Fahrenheit	
sliced tomatoes	upper prep unit (coffee bar)	45.00 Fahrenheit	
shrimp	lower prep unit	39.00 Fahrenheit	

## Overall Comments:

**A follow-up inspection will be conducted in 7 business days in order to assess the ability of the walk-in to maintain PHF at or below 41F.**

**Note: Stove and fryer at the cook line extrudes from beyond the hood by 6+ inches. Grease/heat creating equipment shall have at minimum 6 inches of additional overhang protection extending past the bounds of said equipment.**

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 **7/17/2025**. 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

June

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Received By: june tran  
owner  
Signed On: July 03, 2025