

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 FA0230409 - DARDA SEAFOOD RESTAURANT		Site Address 296 BARBER CT, MILPITAS, CA 95035		Inspection Date 10/15/2024		Placard Color & Score <div style="background-color: red; color: white; padding: 10px; text-align: center; font-size: 24px; font-weight: bold;">RED</div> <div style="background-color: black; color: white; padding: 10px; text-align: center; font-size: 36px; font-weight: bold;">38</div>		
Program PR0330422 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name H M ISLAMIC, INC		Inspection Time 13:00 - 15:30			
Inspected By GLENCIJOY DAVID		Inspection Type ROUTINE INSPECTION		Consent By ASH VIA PHONE				FSC Shihkwei Chen 10/18/2026

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				
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		X			
K14	Food contact surfaces clean, sanitized		X		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		
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	X	
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	X	
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		
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

K05 - 8 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

Inspector Observations: *Employee was wiping the counter with a cloth and proceeded to touch food containers. Employee was about to directly touch food with hands without washing their hands prior to being stopped by inspector. [CA] Properly wash hands with soap, warm water and dry using single use paper towels as required. [COS] Employee was directed to wash hands with soap, warm, water, and dry with single use paper towels.*

Follow-up By
10/17/2024

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

Inspector Observations: *Soap is not easily accessible to only handwash sink in prep area. Only soap available was in a bowl or a soap dispenser with the top lid open that was not attached. No soap at handwash station in front drink area. [CA] Provide handwashing cleanser in dispenser at handwash stations at all times.*

Follow-up By
10/17/2024

K13 - 8 Points - Food not in good condition/unsafe/adulterated; 113967, 113976, 113980, 113988, 113990, 114035, 114041, 114254(c), 114254.3

Inspector Observations: *Dead fly present in container of fried tofu with water. [CA] A container previously used to store poisonous or toxic materials shall not be used to store, transport, or dispense food, utensils, or single-use articles. [COS] Food was voluntarily discarded into garbage.*

Follow-up By
10/17/2024

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, 114125(b), 114141

Inspector Observations: *Measured chlorine at 0 ppm in warewash machine during active warewashing. Container of sanitizer attached to warewash machine appeared to be empty. [CA] Maintain chlorine in mechanical warewash machine at 50 PPM. [COS] Container of sanitizer was replaced.*

Follow-up By
10/17/2024

Minor: *Clean, wet utensils and containers are stacked directly on top of one another and stored in a way that does not facilitate air drying. [CA] Equipment and utensils must be air dried or properly stored to facilitate drying after sanitizing.*

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

Inspector Observations: *Several live cockroaches found: three on wall above wok station, two on floor at cook line, and two underneath cook line. [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). Facility shall no longer have evidence of a vermin infestation; all contaminated surfaces have been cleaned and sanitized; and contributing factors such as cleaning, repairs, and the elimination of harborage have been resolved.*

Follow-up By
10/17/2024

FOOD FACILITY SHALL CEASE AND DESIST FOOD SALES

Minor: *Several flies present in prep area. [CA] Food facility shall be kept free of insects, flies, weevils, ants, gnats, and fruit flies.*

Minor Violations

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

Inspector Observations: *Measure tofu skin at 44F and fish at 46F in middle prep cooler. [CA] PHFs shall be held at 41°F or below or at 135°F or above.*

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

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Inspector Observations: Measured hot water at 84F maximum at three compartment sink near water heater. [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: Food is stored directly on floor throughout prep area. [CA] Food shall be stored at least 6 inches above the floor to prevent contamination.

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

Inspector Observations: Open containers of bulk food are stored in prep area. [CA] Store open bulk foods in approved NSF containers with tight fitting lids.

White containers with several white powders are stored in prep area with no labels. [CA] Working containers holding food or food ingredients that are removed from their original packages shall be identified with the common name of the food if not easily recognizable.

K33 - 2 Points - Nonfood contact surfaces not clean; 114115(c)

Inspector Observations: Accumulation of grease and debris on hood and hood filters. [CA] Clean mechanical exhaust hood and filters of accumulations.

Accumulation of debris on shelving and exterior of equipment. [CA] Nonfood-contact surfaces of equipment shall be kept free of an accumulation of dust, dirt, food residue, and other debris.

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: Single-use containers are re-used to store food. [CA] Food containers intended for single use shall not be reused.

Plastic "to-go" bags are used in direct contact with food to store meats. [CA] Equipment and utensils shall be designed and constructed to be durable and retain characteristic qualities under normal use conditions.

Broken gaskets on coolers throughout prep area. [CA] Equipment and utensils shall be designed and constructed to be durable and retain characteristic qualities under normal use conditions.

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: Cloth towel used in direct contact with food and dough. [CA] Linen shall not be used in contact with food.

Accumulation of debris on equipment in storage. [CA] Clean equipment and utensils shall be covered or inverted to prevent contamination of the food contact surface.

Bowls and cups with no handles used as scoops for bulk foods. [CA] Provide scoop with handle and store scoop handle in such a way that the handle does not come in direct contact with food to prevent contamination.

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

Inspector Observations: Wiping cloths stored on counters in prep 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).

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: Gaps present on all sides of back screen doors. [CA] Eliminate gap greater than 1/4" to prevent the entrance and harborage of vermin.

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

Inspector Observations: Accumulation of debris and water on floors and walls throughout prep area. [CA] Floors and walls in food preparation area shall be kept clean.

Broken and cracked floors tiles through prep area. [CA] Replace broken floor tiles with a smooth and of durable construction and nonabsorbent material that is easily cleanable.

Gaps in cove basing and FRP throughout prep area. [CA] Repair holes in structure and maintain in good repair to prevent pest harborage. Repair the wall with a durable, smooth, nonabsorbent, and easily cleanable surface.

Performance-Based Inspection Questions

Needs Improvement - Food contact surfaces clean, sanitized.

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

Measured Observations

Item	Location	Measurement	Comments
shrimp	walk in cooler	41.00 Fahrenheit	
chicken	clear door cooler	41.00 Fahrenheit	
cooked eggplant	counter	119.00 Fahrenheit	cooling
chicken	middle prep cooler - 2	41.00 Fahrenheit	
tofu	middle prep cooler - 1	41.00 Fahrenheit	
shrimp	clear door cooler	41.00 Fahrenheit	
hot water	three compartment sink - near water heater	84.00 Fahrenheit	
beef	walk in cooler	41.00 Fahrenheit	
chlorine	warewash machine	0.00 PPM	
hot water	handwash sink	100.00 Fahrenheit	
quesadilla	two door cooler	41.00 Fahrenheit	
beef	middle prep cooler - 1	41.00 Fahrenheit	
meat	walk in freezer	15.00 Fahrenheit	IR
fish	middle prep cooler - 1	46.00 Fahrenheit	
tofu skin	middle prep cooler - 1	44.00 Fahrenheit	
meat	walk in cooler	41.00 Fahrenheit	
hot water	three compartment sink - warewash area	120.00 Fahrenheit	
fish	walk in cooler	41.00 Fahrenheit	

Overall Comments:

FACILITY IS CLOSED DUE TO COCKROACHES.

Follow-up inspection will be conducted to determine compliance of major violations.

Continued non-compliance will result in subsequent follow-ups and will be charged at \$298/hr.

ANY EVIDENCE OF COCKROACHES AT FOLLOW-UP INSPECTION WILL RESULT IN FACILITY REMAINING CLOSED.

Recommend facility to receive professional pest control services.

All gaps at doors and in walls shall be repaired to prevent entry.

All areas of prep area shall be cleaned and sanitized, including floors and walls.

Contact information for district specialist:

glencijoy.david@deh.sccgov.org

408-918-3465

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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 **10/29/2024**. 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.

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: Shabbir
PIC
Signed On: October 15, 2024