

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 FA0251439 - KOI PALACE		Site Address 768 BARBER LN, MILPITAS, CA 95035		Inspection Date 10/13/2025		Placard Color & Score YELLOW 20		
Program PR0365387 - FOOD PREP / FOOD SVC OP 26+ EMPLOYEES RC 3 - FP17			Owner Name MAGIC CIRCLES LLC		Inspection Time 13:30 - 16:45			
Inspected By MAVERICK CHIN		Inspection Type ROUTINE INSPECTION		Consent By JOE				FSC Ruixin Mao 04/30/2026

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		X			
K07	Proper hot and cold holding temperatures		X		X			N
K08	Time as a public health control; procedures & records		X		X			
K09	Proper cooling methods			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		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		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	X	
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	X	
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	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

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

Inspector Observations:

REPEAT VIOLATIONS

Follow-up By
10/16/2025

Employee observed grabbing soiled dishes, then proceeded to serve dishes of ready-to-eat foods to customers.

Employee touched trash can, then proceeded to continue preparing foods.

Employee handled raw fish, then proceeded to handle vegetables.

[CA] Employees must 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] All employees changed gloves and properly washed hands. Manager agreed to reinforce proper handwashing procedures with staff.

Minor violations:

Numerous instances of improper handwashing observed, in which employees rinsed gloves before returning to work, touched hair/face and then engaged in food preparation, or touched raw animal products and then proceeded to handle equipment and/or various food contact surfaces.

[CA] Employees must wash their hands in the scenarios listed above.

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

Inspector Observations:

REPEAT VIOLATIONS

Follow-up By
10/16/2025

Handwash sink near the walk-in obstructed with trash can placed directly in front. Aforementioned handwash sink lacked paper towels.

[CA] Handwashing facility shall be clean, unobstructed, and accessible at all times.

[COS] Obstruction removed. Paper towels provided.

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

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Inspector Observations:***REPEAT VIOLATIONS*****Follow-up By****10/16/2025**

Numerous potentially hazardous foods measured at improper holding temperatures throughout the cook-line and prep areas, including the following:

- Shiu mai, tofu skins, steamed buns, and various other dim sum at the cook-line (71F-98F). Per staff, they had been cooked at 10:30 AM (2.5 hours elapsed).*
- Scallops (75F), shrimp (64F), and raw fish (54F) maintained in ambient temperature while on racks across from the prep sinks*
- Eggplant with shrimp paste (64F) on a prep unit*
- Sliced tomatoes (67F) on the counter across from the cook-line*
- Bean sprouts (68F) while maintained in a container next to various noodles that are on TPHC at the end of the cook-line*
- Various PHF's (chicken wings, chicken feet, duck, etc.) in the under-counter cooler at the duck prep station measured 47F-52F. Ambient of the unit measured 47F-48F, depending on location.*
- Raw pork thawing in the sink at the duck prep station (74F) [Minor thawing to Major holding violation]*
- * Per staff, PHF's had been out of temperature control for less than 4 hours*

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

[COS] Some PHF's relocated to working refrigerator units. All other PHF's served or discarded at 2:30 PM.

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

Inspector Observations:***REPEAT VIOLATION*****Follow-up By****10/16/2025**

Various noodles at the cook-line are on TPHC, but lacked any time markings or other indicators as to when they were initially cooked or taken out of temperature control.

Various raw and/or cooked ducks and roast pork at the duck prep area are on TPHC, but lacked any time markings or other indicators as to when they were initially cooked or taken out of temperature control.

After prompting to label raw ducks, cooked ducks, and roast pigs with time markings and to serve or discard by 2:30 PM (taken out initially at 10:30 PM, per staff):

20+ raw ducks, 15+ cooked ducks, racks of roast pork, and two whole pigs observed to be left out in ambient while hanging from hooks from the ceiling at 3:00 PM (greater than 4 hours elapsed). Staff had not taken any action to discard items by the end of the 4 hour mark.

Minor violation:

Written procedures for TPHC could not be provided.

[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.

PHFs utilizing time as a public health control (TPHC) shall be served or discarded within 4 hours from the point in time when food is removed from temperature control.

[COS] All listed items on TPHC discarded and denatured with bleach, as per TPHC requirements. Manager agreed to train staff on proper TPHC procedures.

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

Inspector Observations:***REPEAT VIOLATION*****Follow-up By****10/16/2025**

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Employee observed washing raw meat in the sink, with backsplash landing on scallions stored in a box that was maintained on the right-side drainboard of the prep sink.

[CA] Food shall be separated and protected from cross contamination. Do not store vegetables near areas where the washing of raw meat takes place, as this may lead to contamination.

[COS] Scallions immediately cooked to 165F.

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:

REPEAT VIOLATION

Follow-up By

10/16/2025

Sanitizing rinse in the mechanical dishwasher in the kitchen measured 149F. Sanitizing rinse in the mechanical dishwasher at the bar area measured 150F. Both dishwashers actively in use.

[CA] Mechanical sanitization shall be accomplished in the final sanitizing rinse by achieving a utensil surface temperature of 160°F (or manufacturer's instruction).

[SA] Facility agreed to discontinue the use of the mechanical dishwashers until they can be repaired.

Facility shall manually wash, rinse, and sanitize in the three compartment sink in the meantime.

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.

Minor violation:

Brown and yellow buildup observed on the interior panel of the ice machine.

[CA] Clean and sanitize regularly to prevent buildup.

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

Inspector Observations:

REPEAT VIOLATION

Follow-up By

10/16/2025

One live German cockroach, and two dead cockroaches observed in the electrical box at the entrance of the kitchen. One dead cockroach observed under the cook-line, and one dead cockroach observed under a prep unit in the middle of the kitchen area.

No other evidence of cockroaches observed

Reviewed pest control report from Ecolab from 09/25/2025, which states that preventative treatment for cockroaches was performed, but no vermin activity was observed.

[CA]: The premises of each food facility must be maintained free of vermin. A facility cannot operate if there is a vermin infestation that leads to contamination of food contact surfaces, packaging, utensils, food equipment, or adulteration of food.

[SA] Live cockroach abated. Manager agreed to place sticky traps, and to conduct a pest control service if any activity is noted.

Minor Violations

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

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Inspector Observations:

REPEAT VIOLATION

Cooked chicken feet observed to be cooling in a deep metal container covered with plastic wrap while maintained in the under-counter cooler at the duck/pork prep station. Per staff, they had cooked it and began cooling it 4.5 hours prior.

Note: Cooling major violation cannot be assessed owing to the refrigeration unit not functioning properly.

[CA] Properly cool PHF's using shallow containers, using no more than 2 inches for solid foods and no more than 3 inches for liquids.

When cooling PHF's, food may be left uncovered or loosely covered to allow rapid cooling.

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] Chicken feet uncovered and relocated to walk-in cooler to rapidly cool down.

K16 - 3 Points - Not in compliance with shell stock tags, condition; 114039-114039.5

Inspector Observations:

Facility could not provide a HACCP Plan for the geoduck stored in shellfish display tanks.

Per staff, they have had geoduck in the display tanks since 2015.

Follow-up By
11/13/2025

[CA] Molluscan shellfish life support system display tanks that are used to store and display shellfish that are offered for human consumption shall be operated and maintained in accordance with a HACCP plan. Any molluscan shellfish life support system display tank starting operation after July 1, 2007 shall submit a HACCP plan to this department.

Shell stocks tags for clams and geoduck are not stored with their correlated batches of shellfish.

[CA] Shellstock tags shall remain attached to the container in which the shellstock are received until the container is empty.

Notes: No intermixing of shellfish batches observed.

Facility is properly cataloging shellstock tags for greater than 90 days.

Clams are stored in the walk-in, and geoduck is stored in display tanks.

Geoduck display tanks has a separate water/filtration system than other fish/crustaceans that are kept in display tanks.

K26 - 2 Points - Unapproved thawing methods used; frozen food; 114018, 114020, 114020.1

Inspector Observations:

REPEAT VIOLATION

Raw beef and raw fish observed to be thawing out in ambient temperature on the racks across from the prep sink.

Raw pork observed to be thawing in standing water at the prep sink in the duck prep area.

[CA] Frozen potentially hazardous food shall only be thawed in one of the following ways: 1) under refrigeration that maintains the food temperature at 41°F or below, 2) completely submerged under potable running water for a period not to exceed two hours at a water temperature of 70°F or below, and with sufficient water velocity to agitate and flush off loose particles into the sink drain, 3) in a microwave oven if immediately followed by immediate preparation, 4) as part of a cooking process.

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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:

REPEAT VIOLATION

Various raw meats stored above vegetables in the first walk-in cooler. Raw shall eggs stored above vegetables in the second walk-in cooler.

[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:

REPEAT VIOLATION

Containers/boxes of food stored on the floor in both walk-in coolers.

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

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

Inspector Observations:

REPEAT VIOLATION

Accumulation of grease on ventilation hood and hood filters above the cook-line.

[CA] Clean regularly to allow for adequate ventilation of heat/grease.

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:

Facility could not provide test strips for bleach that is used in wiping cloth buckets.

[CA] Testing equipment and materials shall be provided to adequately measure the applicable sanitization method used during manual or mechanical warewashing.

Note: This division provided chlorine test strips so that the facility is able to manually wash, rinse, and sanitize in the three compartment sink.

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:

Under-counter cooler at duck/roast pork prep station is not capable of maintaining potentially hazardous foods at or below 41F. Ambient of the unit measured 47F-48F, depending on location.

[CA] Refrigeration must be capable of maintaining potentially hazardous foods at or below 41F to prevent the growth of bacteria.

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:

REPEAT VIOLATION

Clean equipment stored on the floor throughout the kitchen. Knives stored in the crack between the prep unit and the wall.

[CA] Food contact equipment shall be stored in a sanitary location.

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

Inspector Observations:

REPEAT VIOLATIONS

Sanitizer solution in multiple wiping cloth buckets measured 0 ppm chlorine, including in buckets with cloths that were being used to wipe preparation surfaces, and cloths that were being used to wipe dining tables.

[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:

REPEAT VIOLATIONS

Faucets at three compartment sink are in disrepair and not usable. Only spray hose is functional.

[CA] Repair plumbing fixture and maintain in clean and good repair.

Performance-Based Inspection Questions

Needs Improvement - Proper cooling methods.

Needs Improvement - Food contact surfaces clean, sanitized.

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

Needs Improvement - Proper hot and cold holding temperatures.

Measured Observations

Item	Location	Measurement	Comments
frozen duck	walk-in freezer	18.00 Fahrenheit	
frozen egg roll	upright freezer	13.00 Fahrenheit	
chicken feet	walk-in cooler 1	40.00 Fahrenheit	
raw fish	prep cooler (upper)	40.00 Fahrenheit	
bean sprouts	walk-in cooler 1	41.00 Fahrenheit	
raw beef	prep cooler (upper)	39.00 Fahrenheit	
noodles	under-counter cooler	41.00 Fahrenheit	
tofu	prep cooler (lower)	40.00 Fahrenheit	
bean curd	three door under-counter cooler	39.00 Fahrenheit	
raw pork	prep cooler (lower)	41.00 Fahrenheit	
hot water	three comp sink sprayer nozzle	120.00 Fahrenheit	
roast duck	duck oven	184.00 Fahrenheit	
raw shrimp	upright cooler 1 - dim sum area	40.00 Fahrenheit	
raw shell eggs	walk-in cooler 2	38.00 Fahrenheit	
raw beef	walk-in cooler 1	41.00 Fahrenheit	
frozen pork	reach-in freezer	18.00 Fahrenheit	
warm water	hand sink 1/2/3	100.00 Fahrenheit	
raw pork	upright cooler 2 - dim area	39.00 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 \$298/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.

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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 **10/27/2025**. 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: Jose Antonio
Team Leader

Signed On: October 13, 2025