

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 FA0230410 - OCEAN PEARL		Site Address 206 BARBER CT, MILPITAS, CA 95035		Inspection Date 08/18/2025		Placard Color & Score YELLOW 36		
Program PR0330423 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name OCEAN PEARL RESTAURANT		Inspection Time 10:55 - 14:35			
Inspected By MAVERICK CHIN		Inspection Type ROUTINE INSPECTION		Consent By YVONNE				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				
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				N
K06	Adequate handwash facilities supplied, accessible		X		X			N
K07	Proper hot and cold holding temperatures		X		X			N
K08	Time as a public health control; procedures & records		X		X			N
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	X	
K27	Food separated and protected		
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	X	
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	X	
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

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

Inspector Observations:

Hand wash sink in the front area with the meat display lacked soap in its wall-mounted dispenser. Both hand wash sinks in the kitchen lacked functional paper towels dispensers.

Follow-up By
08/21/2025

[CA] Provide handwashing cleanser in dispenser at handwash stations at all times.

Single-use sanitary towels shall be provided in dispensers; heated-air hand drying device may be substituted for single-use towels.

Minor violation:

Hand wash sink in the front area with the meat display and hand wash sink in the front area under to-go bags observed to be filled with dishes/various objects.

[CA] The hand wash sink shall be used for no other purpose than hand washing. Keep the hand wash sinks unstructured and available for use at all times that the facility is in operation.

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

Inspector Observations:

The following potentially hazardous food measured in the temperature danger zone (greater than 41F, but less than 135F):

- 6 racks of par-cooked roast pork (71F) hanging on hooks from the ceiling, directly inside the back door. Per staff, roast pork had been taken out of the walk-in to dry yesterday.*
- 14 cantonese style ducks (72F) hanging on hooks from the ceiling, directly inside the back door. Per staff, ducks had been taken out of the walk-in to dry 2 hours prior.*
- Raw beef (64F-67F) in large plastic tubs on a cart near the back door. Per employees, it had been taken out of the walk-in to thaw. See K26: Proper thawing procedures [minor thawing leading to a major holding violation]*
- 4 racks of par-cooked roast pork (68F-71F) hanging on hooks at eye-level, directly inside the back door. Per staff, they had been taken out of the walk-in to dry 2 hours prior.*
- Bean sprouts (64F) and sliced tomato (74F) maintained in containers on or above the counter across from the cook-line. Per staff, bean sprouts had been taken out of the walk-in 20 minutes prior, and tomatoes were cut less than 2 hours prior.*
- Marinated chicken (47F-52F) in the glass, one-door upright cooler behind the front barbecue display case. Per staff, chicken had been placed into the unit less than 1 hour prior. Ambient of the unit measured 50F.*

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

**NOTE: Equipment MUST be capable of maintaining food at or below 41F, regardless of how often the unit is opened OR how warm the ambient air temperature outside is. Recommend calling a fridge technician for the one-door glass display cooler.*

[COS] Racks of roast pork VC&D. See VC&D report. Roasted ducks relocated to walk-in. Raw beef chopped up/prepped by the cook. 4 racks of roast pork relocated to walk-in. Bean sprouts and sliced tomato relocated to walk-in. Marinated chicken to be used or discarded within 4 hours of initially being moved to the unit.

Minor violation:

1. Various raw meats (beef, pork, scallops) and cooked shrimp measured 45F-46F in the upper inserts of the large prep unit across from the cook-line. Per staff, all PHF was taken out of the walk-in and placed into the inserts less than 1 hour prior. Ambient of the lower part of the unit measured 41F.

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2. Raw chicken measured 49F in the upper prep insert of the small prep unit across from the cook-line. Raw beef measured 46F in the lower part of the small prep unit. Ambient of the lower part of the unit measured 46F. Per staff, all PHF in the unit (upper and lower) had been placed inside less than 1 hour prior.

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

***NOTE: Equipment MUST be capable of maintaining food at or below 41F, regardless of how often the unit is opened OR how warm the ambient air temperature outside is. Recommend calling a fridge technician for both prep units (upper inserts of the larger prep unit, and both upper and lower part of the smaller prep unit).**

[COS] PHF in the larger unit (upper prep inserts) to be used or discarded within 4 hours of initially being taken out of the walk-in. All PHF in the smaller prep unit relocated to the walk-in for rapid cooling.

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

Inspector Observations:

Roast duck, roast pork, and chicken in the front barbecue display case and/or in the steam table beneath AND a rack of roast pork maintained on the counter are on TPHC, per employees. Time log for roast duck observed to be filled out. Time logs for other items (pork, chicken) not filled out.

Follow-up By
08/21/2025

[CA] When time only, rather than time and temperature is used as a public health control, ALL 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.

Minor Violations

K01 - 3 Points - Inadequate demonstration of knowledge; food manager certification

Inspector Observations:

***REPEAT VIOLATION**

Facility lacks a valid food safety certificate. All employee food handler cards could not be provided upon request.

[CA] Food facilities that prepare, handle, or serve non-prepackaged potentially hazard foods shall have a valid Food Safety Certificate available for review at all times.

Each food handler shall maintain a valid food handler card for the duration of his or her employment as food handler. A valid food handler card shall be provided within 30 days of after the date of hire.

K04 - 3 Points - Improper eating, tasting, drinking or tobacco use in food preparation area; 113977

Inspector Observations:

Employee in charge of chopping/preparing meat in the back observed drinking from an open bottle.

[CA] When in food prep/food storage areas, employees shall drink from containers with tight fitting lids and straws to prevent contamination.

K05 - 3 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

Inspector Observations:

Employee observed handling raw chicken with bare hands, then picked up a knife and prepared to cut/handle ready-to-eat roast pork. Employee was instructed to wash his hands.

[CA] Employees shall wash their hands after touching raw meat, prior to handling ready-to-eat foods.

[COS] Employee washed properly washed his hands after being instructed to do so.

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

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Inspector Observations:

Ice machine observed to have pink/brown mold-like buildup on its interior panel. Buildup not in direct contact with ice.

Follow-up By
08/21/2025

[CA] Ice machine interior panels (i.e. food contact surfaces) shall be cleaned and sanitized regularly, at a rate to preclude buildup and possible contamination of ice.

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

Inspector Observations:

Per staff and per menu review, facility maintains live clams for cooking and sale. Staff states that they ran out of clams last night. Shellstock tags could not be provided.

[CA] The identity of the source of shellstock that are sold or served shall be maintained for 90 calendar days from the dates of harvest by using an approved recordkeeping system that keeps the tags or labels in chronological order correlated to the date or dates the shellstock are sold or served.

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

Inspector Observations:

Hand wash sinks in both restrooms are capable of outputting water at a maximum of 75F, as measured at the time of inspection.

[CA] Handwashing facilities equipped with a mixing valve that is not readily adjustable at the faucet, shall provide warm water at least 100°F, but not greater than 108°F.

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

Inspector Observations:

Raw beef measured 64F-67F in plastic tubs directly in front of the back door. Per staff, they had been taken out of the walk-in to thaw earlier this morning (less than 2 hours prior).

Note: [Minor thawing violation leading to a Major holding violation]

[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.

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

Inspector Observations:

1. Open containers of flour, rice, and other bulk food substances observed to be stored in the dry storage room.

[CA] Per the facility's permitting conditions, ONLY the storage of prepackaged, non potentially hazardous foods is allowed in the dry storage room owing to its unapproved flooring and lack of cove-base. Once bags of flour, rice, sugar, or other bulk substance is opened, THEY MAY NOT LONGER BE STORED IN THE DRY STORAGE ROOM.

2. Containers of thawing chicken located directly on the floor in the walk-in cooler.

[CA] Food shall be stored a minimum of 6 inches off the floor.

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

Inspector Observations:

Large amount of accumulated food buildup on the sides of equipment at the cook-line, and on the floor directly underneath the cooking equipment.

[CA] Nonfood-contact surfaces shall be kept free of an accumulation of dust, dirt, food residue, and other debris to preclude the attraction of pests/vermin.

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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 lacks test strips for the chlorine sanitizer utilized by their mechanical dishwasher.

[CA] Testing equipment and materials shall be provided to adequately measure the applicable sanitization method used during manual or mechanical warewashing. Obtain chlorine test strips. Mechanical sanitation shall be accomplished via contact with 50 ppm chlorine in a mechanical dishwasher.

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:

1. Pipe directly underneath the steamer at the cook-line observed to be leaking. Half-full bowl of water observed underneath leak.

[CA] Equipment shall be maintained in good conditions. Repair and maintain.

2. Cardboard is being used to line shelves in front of the cook-line.

[CA] Discontinue the use of cardboard to line shelves, as it is not smooth, durable, or easily cleanable, and provides harborage/attraction of vermin.

3. To-go bags are being used to store tea.

[CA] Discontinue the use of to-go bags to store food. Foods shall be stored in approved containers with tight fitting lids.

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:

1. Two knives observed to be stored in the crack between the counter and the prep unit across from the cook-line.

[CA] Clean equipment and utensils that contact food shall be stored in a sanitary location.

2. Clean utensils observed to be stored uncovered underneath the paper towel dispenser next to the hand wash sink behind the front barbecue display unit.

[CA] Clean equipment and utensils shall be stored elsewhere to preclude splash contamination of utensils from hand washing.

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

Inspector Observations:

Hood screens directly above the cook-line observed to have large amounts of grease buildup.

[CA] Clean and maintain hood screens to ensure adequate ventilation of heat/grease.

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

Inspector Observations:

Multiple dry soiled wiping cloths maintained out on various counters/surfaces throughout the kitchen.

[CA] Wiping towels shall be stored in sanitizing solution of an approved concentration when not in use (100 ppm - chlorine, 200 ppm - quaternary ammonium). Single-use wiping towels shall be removed from the vicinity of food prep/food contact surfaces once they become soiled.

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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:

Dumpster lid maintained open.

[CA] Dumpster lids (for refuse/garbage) shall be kept covered/closed at all times when not in use to preclude the attraction of pests/vermin.

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

Inspector Observations:

Women's restroom door is not capable of self-closing.

[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:

1. Employee phone, and multiple open, uncovered employee drinks maintained above/around food prep areas/surfaces.

[CA] Employee belongings shall be stored away from open food and food prep areas/surfaces. Employee drinks shall be equipped with tight fitting lids and straws to preclude possible contamination when drinking.

2. Back door maintained open.

[CA] Doors shall be kept closed to prevent the intrusion of pests/vermin.

Performance-Based Inspection Questions

Needs Improvement - Adequate handwash facilities: supplied or accessible.

Needs Improvement - Food contact surfaces clean, sanitized.

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

Needs Improvement - Time as a public health control; procedures & records.

Needs Improvement - Proper hot and cold holding temperatures.

Measured Observations

Item	Location	Measurement	Comments
frozen pork	upright two door freezer	5.00 Fahrenheit	
warm water	hand sink 1/2/3/4	100.00 Fahrenheit	
ambient	upright drink cooler	45.00 Fahrenheit	no PHF stored inside
ambient	large prep unit across from cook-line (lower)	41.00 Fahrenheit	
rice	rice warmer	155.00 Fahrenheit	
hot water	3 compartment sink	120.00 Fahrenheit	
frozen beef	upright one door freezer	2.00 Fahrenheit	
raw chicken	walk-in cooler	41.00 Fahrenheit	
frozen chicken	walk-in freezer	6.00 Fahrenheit	
chlorine sanitizer	dishwasher	50.00 PPM	
raw pork	walk-in cooler	41.00 Fahrenheit	
raw chicken	large prep unit across from cook-line (lower)	41.00 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

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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.

Notes:

Employee in charge of dishwashing states that they do not use sanitizer (bleach) when washing utensils or equipment that are too large to fit into the mechanical dishwasher (e.g. large pots), but rather only wash with soap and water. Manual dish washing shall be accomplished via wash, rinse, sanitize (minimum 30 seconds immersion in 100 ppm chlorine, i.e. bleach) in the 3 compartment sink, followed by air drying.

Joint inspection with Samantha Kann.

Report written by Maverick.

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 **9/1/2025**. 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: Nhi Thai
cashier
Signed On: August 18, 2025