

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 FA0200595 - MARINA FOOD II-CHINESE KITCHEN		Site Address 10122 BANDLEY DR, CUPERTINO, CA 95014		Inspection Date 09/24/2025		Placard Color & Score YELLOW 58		
Program PR0304956 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name DAKOTA BROTHERS INC		Inspection Time 12:35 - 15:50			
Inspected By SUHKREET KAUR		Inspection Type ROUTINE INSPECTION		Consent By JOE ZHOU				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						S
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		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						
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		
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	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		
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	X	
K46	No unapproved private home/living/sleeping quarters		
K47	Signs posted; last inspection report available		

OFFICIAL INSPECTION REPORT

Facility FA0200595 - MARINA FOOD II-CHINESE KITCHEN	Site Address 10122 BANDLEY DR, CUPERTINO, CA 95014	Inspection Date 09/24/2025
Program PR0304956 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14	Owner Name DAKOTA BROTHERS INC	Inspection Time 12:35 - 15:50
K48	Plan review	
K49	Permits available	
K58	Placard properly displayed/posted	

Comments and Observations

Major Violations

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

Inspector Observations: Measured the following PHFs in front grab and go refrigerator at:
- **Kimchi at 57F**
- **Duck feet and duck neck at 56F.**

Follow-up By
09/30/2025

Per PIC, it was stored in the unit more than 4 hours ago. Ambient temperature of the refrigerator measured above 50F.
[CA] PHFs shall be held at 41°F or below or at 135°F or above.
[COS] PIC VC&D the PHFs. See VCD report.

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

Inspector Observations: Per PIC, the following PHFs are stored on TPHC but no time marking or any other indication of the PHFs being on time control.
- **roast duck hanging at room temperature in front of cookline in kitchen measured at 86F**
- **fried chicken measured at 90F and chicken at 106F on buffet line counter**
- **Sticky rice filled with cooked veggies at 60F on buffet line counter**

Follow-up By
09/30/2025

[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.

Ensure TPHC procedures are followed correctly and note down specific times for each colored clips used for PHFs to identify the correct time they were taken out of temperature control.

Minor Violations

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

Inspector Observations: Lack of food manager certificate.
[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.

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

Inspector Observations: Trash can on wheels blocking hand wash sink near food prep sink.
[CA] Handwashing facility shall be clean, unobstructed, and accessible at all times.
[COS] Trash can moved away from the sink.

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

Inspector Observations: Measured pork and duck at 60F cooling in covered container in walk in cooler. Per PIC, it was cooked less than 3 hours ago.
[CA] 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] Discussed with PIC removed covers to allow proper cooling.

Follow-up By
09/30/2025

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

Inspector Observations: Observed few flies and small insects near front food display.
[CA] Food facility shall be kept free of non-disease carrying insects, weevils, ants, gnats, and fruit flies.

OFFICIAL INSPECTION REPORT

Facility FA0200595 - MARINA FOOD II-CHINESE KITCHEN	Site Address 10122 BANDLEY DR, CUPERTINO, CA 95014	Inspection Date 09/24/2025
Program PR0304956 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14	Owner Name DAKOTA BROTHERS INC	Inspection Time 12:35 - 15:50

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

Inspector Observations: *Observed chicken thawing in food preparation sink without running water.*

[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: *Observed bulk in food containers without lids and in open bags.*

[CA] *Store open bulk foods in approved NSF containers with tight fitting lids.*

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

Inspector Observations: *Observed floor shelves in walk in cooler accumulated with black mold like substance.*

[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: *Ambient temperature of grab and go refrigerator is above 50F.*

[CA] *Refrigeration must be capable of maintaining PHFs at 41°F or below.*

Follow-up By 09/30/2025

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

Inspector Observations: *Observed accumulation of grease on ventilation hood used for baking and donuts.*

Observed gaps in ventilation hood in main kitchen cookline with grease accumulation.

[CA] *Ventilation hood filters shall be maintained clean and good repair. All hood ventilation filters shall be in place and in good repair.*

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

Inspector Observations: *Measured chlorine at 0 ppm in sanitizer bucket near hand wash sink at front 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).*

[COS] *Sanitizer measured at 100 ppm.*

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

Inspector Observations: *Accumulation of flour and grease on floors and walls in baking cookline area.*

[CA] *Walls and/or floors in food preparation area shall be kept clean.*

Observed loose stainless steel panel with gaps at cookline area near two compartment food prep sink.

[CA] *Repair the wall and close any gaps.*

Missing or broken tiles on floor in the cook line.

[CA] *Replace broken floor tiles with a smooth and of durable construction and nonabsorbent material that is easily cleanable.*

Performance-Based Inspection Questions

Needs Improvement - Proper hot and cold holding temperatures.

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

OFFICIAL INSPECTION REPORT

Facility FA0200595 - MARINA FOOD II-CHINESE KITCHEN	Site Address 10122 BANDLEY DR, CUPERTINO, CA 95014	Inspection Date 09/24/2025
Program PR0304956 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14	Owner Name DAKOTA BROTHERS INC	Inspection Time 12:35 - 15:50

Measured Observations

Item	Location	Measurement	Comments
Duck feet	Front grab and go refrigerator	56.00 Fahrenheit	
Rice	Hot holding	140.00 Fahrenheit	
Duck neck	Front grab and go refrigerator	56.00 Fahrenheit	
Chicken	On buffet line counter	106.00 Fahrenheit	
Sweet rice	Walk in cooler	41.00 Fahrenheit	
Raw pork	Walk in cooler	41.00 Fahrenheit	
Fried chicken	On buffet line counter	90.00 Fahrenheit	
Chicken	Sitting in a container in front of food prep sink	64.00 Fahrenheit	
Sticky rice filled with cooked veggies	Single door hot holding unit	145.00 Fahrenheit	
Water	Hand wash sink	100.00 Fahrenheit	
Kimchi	Front grab and go refrigerator	57.00 Fahrenheit	
Chlorine	Sanitizer bucket at front hand wash sink	0.00 PPM	final measurement at 100 ppm.
Sticky rice filled with cooked veggies	On buffet line counter	60.00 Fahrenheit	
Beef	Cooking on burner	159.00 Fahrenheit	
Chicken	Under counter prep unit	41.00 Fahrenheit	
Pork	Top insert prep unit in kitchen	41.00 Fahrenheit	
Roast Duck	On room temperature hanging in front of cookline	86.00 Fahrenheit	
Hot water	Three compartment sink	120.00 Fahrenheit	

Overall Comments:

Follow-up inspection will be conducted on 9/30/25 to follow up on major violations. Ensure major violations are corrected and kept in compliance. Failure to comply will result in second re-inspection charged at \$298/hr for a minimum 1 hour charge, billed to facility. Do not remove, discard, cover-up or tamper with yellow placard. Failure to comply will result in enforcement actions. Contact district specialist at (408) 918-3460 to schedule follow-up inspection.

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 **10/8/2025**. 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: JOE ZHOU
MANAGER
Signed On: September 24, 2025