

**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> FA0207944 - NEW DONG PHUONG TOFU		<b>Site Address</b> 2359 MCKEE RD, SAN JOSE, CA 95116		<b>Inspection Date</b> 09/22/2020	
<b>Program</b> PR0304190 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			<b>Owner Name</b> DONG, DOUNG HUE		<b>Inspection Time</b> 12:35 - 13:15
<b>Inspected By</b> HELEN DINH	<b>Inspection Type</b> RISK FACTOR INSPECTION	<b>Consent By</b> PHUONG	<b>FSC</b> Priscilla Dong 6/6/21		

<b>Placard Color &amp; Score</b> <b>GREEN</b> <b>N/A</b>
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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						S
K07	Proper hot and cold holding temperatures		X		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						
K14	Food contact surfaces clean, sanitized	X						S
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		
K28	Fruits and vegetables washed		
K29	Toxic substances properly identified, stored, used		
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		
K35	Equipment, utensils: Approved, in good repair, adequate capacity		
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		
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		
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

### Social Distancing Protocol

01 - Signage Violation

**Compliance of this category has been verified.**

02 - Face Covering Violation

**Compliance of this category has been verified.**

03 - Social Distance Violation

**Compliance of this category has been verified.**

04 - Clean and Sanitize Violation

**Compliance of this category has been verified.**

05 - General Violation

**Compliance of this category has been verified.**

### Major Violations

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

**Inspector Observations: Major: Measured a container of bean sprouts holding at 74F in the walk-in-cooler. Per operator, PHFs place in unit less than 4 hours. [CA] Maintain all PHFs cold held at or below 41F. [COS] Operator directed to add ice to container.**

**Minor: Measured the following PHFs in the walk-in-cooler: soup at 45F and tofu at 45F for less than 4 hours. [CA] Maintain all PHFs cold held at or below 41F.**

### Minor Violations

K08 - 3 Points - Improperly using time as a public health control procedures & records; 114000

**Inspector Observations: Observed facility using time as a public health control (TPHC), however the log does not indicate all the names of PHFs on the list. [CA] Provide written procedures and time marking for PHFs utilizing time as a public health control (TPHC).**

### Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

### Measured Observations

Item	Location	Measurement	Comments
tofu	walk-in-cooler	45.00 Fahrenheit	for less than 4 hours
bean sprouts	walk-in-cooler	74.00 Fahrenheit	for less than 4 hours. COS
vege	walk-in-cooler	41.00 Fahrenheit	
soup	walk-in-cooler	45.00 Fahrenheit	for less than 4 hours
vegetarian	2 door cold top	56.00 Fahrenheit	process of cooling
hot water	warewash	120.00 Fahrenheit	
noodle	counter	76.00 Fahrenheit	under tphc
fried tofu	2 door cold top	59.00 Fahrenheit	process of cooling
chlorine	sani bucket	100.00 PPM	
drinks	walk-in	41.00 Fahrenheit	
warm water	handsink (prep & RR)	100.00 Fahrenheit	
noodles	front display	89.00 Fahrenheit	under tphc

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## Overall Comments:

*Signature not obtained. A copy of this report will be emailed to the operator.*

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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 **10/6/2020**. 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:

<b>[CA]</b>	Corrective Action
<b>[COS]</b>	Corrected on Site
<b>[N]</b>	Needs Improvement
<b>[NA]</b>	Not Applicable
<b>[NO]</b>	Not Observed
<b>[PBI]</b>	Performance-based Inspection
<b>[PHF]</b>	Potentially Hazardous Food
<b>[PIC]</b>	Person in Charge
<b>[PPM]</b>	Part per Million
<b>[S]</b>	Satisfactory
<b>[SA]</b>	Suitable Alternative
<b>[TPHC]</b>	Time as a Public Health Control

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**Received By:**

**Signed On:** September 22, 2020