

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 FA0208909 - TK NOODLE		Site Address 336 N CAPITOL AV, SAN JOSE, CA 95133		Inspection Date 05/05/2022	
Program PR0302094 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name DAN LU INC		Inspection Time 10:00 - 14:15
Inspected By GLENCIJOY DAVID	Inspection Type ROUTINE INSPECTION	Consent By VAN LU	FSC Andy Lu 06/20/2024		

Placard Color & Score
RED
37

RISK FACTORS AND INTERVENTIONS	IN	OUT		COS/SA	N/O	N/A	PBI
		Major	Minor				
K01 Demonstration of knowledge; food safety certification	X						S
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		X			
K08 Time as a public health control; procedures & records		X		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		
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	X	
K36 Equipment, utensils, linens: Proper storage and use	X	
K37 Vending machines		
K38 Adequate ventilation/lighting; designated areas, use		
K39 Thermometers provided, accurate		X
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		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 touched raw meat in walk in cooler and only rinsed hands with water at three compartment sink. Employee proceeded to touch cooking utensils. [CA] Properly wash hands with soap, warm water and dry using single use paper towels as required. [COS] Employee washed his hands properly at handwashing sink.*

Follow-up By 05/12/2022

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

Inspector Observations: *Measured garlic and oil at cook line at 69F. Per cook food was placed out for about an hour prior.*

Measured half and half at 53F and honeydew milk at 51F in three door cooler. Per employee, PHFs were prepared 15 mins prior to opening. Measured ambient air of three door cooler at 40F.

Measured boba at 73F on front counter shelf. Per employee, food has been out for about two hours.

[CA] PHFs shall be held at 41°F or below or at 135°F or above.

[COS] Cook voluntarily discarded garlic and oil into garbage. Half and half and honeydew milk will be kept in cooler to reduce temperature down to 41F and below. Employee voluntarily discarded boba.

Follow-up By 05/12/2022

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

Inspector Observations: *On the prep counter next to the cook line, bean sprouts were measured at 68F and rice noodles were measured at 78F. Per cook, foods are on time as a public health control. Cook was attempting to turn on timers but no timers were on at the time of inspection.*

[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.

[SA] Foods were discarded after 4 hours due to facility closure.

Follow-up By 05/12/2022

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

Inspector Observations: *Observed cockroach in vermicelli noodles in water in prep sink. [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] Employee voluntarily condemned and discarded noodles in garbage.*

Follow-up By 05/12/2022

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: *Observed cook placing large strainer onto floor and washing the large strainer with a hose underneath cook line and proceeded to use without sanitizing.*

Observed cook drop chopsticks onto floor and rinsed the chopsticks off at the three compartment sink without properly sanitizing.

[CA] Equipment and utensils shall be properly washed, rinsed, and sanitized in one of two following methods: 1) three compartment sink with proper sanitizer (chlorine at 100 ppm or quat at 200 ppm) or 2) in warewash machine (high temperature sanitizer at 160F or chlorine at 50 ppm).

[COS] Upon direction, cook placed strainer and chopsticks into warewash machine to properly wash and sanitize.

Follow-up By 05/12/2022

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

Inspector Observations: *Live cockroaches found:*

- 1) in long floor sink near warewash machine,*
- 2) in mop sink, and*
- 3) next to mop sink.*

Dead cockroaches found: in noodles stored in water in prep sink,

Follow-up By 05/12/2022

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- 2) two in floor sink under reach in cooler,
- 3) one at end of cook line,
- 4) one behind prep table next to walk in freezer,
- 5) one in mop sink,
- 6) one in mop sink near for walk in cooler,
- 7) three near floor sink for walk in cooler,
- 8) eleven in storage area behind register,
- 9) ten in storage room near walk in cooler,
- 10) over fourteen in storage area leading to prep area, and
- 11) over ten on sticky trap in storage area next to clear door cooler.

[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. The food facility shall cease operation of the food facility immediately. The food facility shall remain closed until: there is no longer evidence of a vermin infestation; all contaminated surfaces have been cleaned and sanitized; and contributing factors such as cleaning, repairs, and the elimination of harborages have been resolved.

FACILITY IS CLOSED

Minor: Observed one live fly near cook line. [CA] Food facility shall be kept free of insects, weevils, ants, gnats, flies, and fruit flies.

Minor Violations

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

Inspector Observations: Cooked chicken breast was improperly cooled with tightly wrapped plastic in walk in freezer. Measured internal temperature of chicken at 133F-140F. [CA] PHFs shall be properly cooled from 135F to 70F within two hours and from 70F to 41F within four hours. Store cooling foods in a way that allows proper air flow by removing plastic wrap.

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: Ice buildup observed on walls near ceiling in walk in freezer. [CA] Remove ice buildup in walk in freezer and ensure that equipment is properly functioning.

Observed single-use bulk food containers were reused to store food items (e.g. stock in walk in cooler and rice in prep counter). [CA] Single-use food containers shall not be reused.

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: Scoops were stored in sesame and peanut bins with their handle touching the foods. Scoop handle for ice was stored in direct contact with ice. [CA] Scoop handles shall be stored upright and in a way that is not in contact with food.

Bowl was used as a scoop for rice in a bulk container and for fried rice in walk in cooler. [CA] Provide scoops with handles to prevent cross contamination and store scoop handles away from food.

K39 - 2 Points - Thermometers missing or inaccurate; 114157, 114159

Inspector Observations: No working thermometer in reach in cooler. [CA] A thermometer +/- 2°F shall be provided and correctly located in each hot and cold holding unit containing potentially hazardous foods.

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

Inspector Observations: Observed used wiping rags stored on counters throughout facility. [CA] Used wiping rags shall be stored in a sanitizer solution of chlorine at 100 ppm or quaternary ammonia at 200 ppm.

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

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Inspector Observations: *Observed drain pipe of three compartment sink does not have an air gap above the floor sink. [CA] Drain pipe shall have a minimum of 1 inch gap above the floor sink.*

Observed drain pipe of three compartment sink leaking water into container. [CA] Repair drain pipe under three compartment sink.

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

Inspector Observations: *Observed dirt, grime, food debris, and garbage on the floors throughout the facility (e.g. under the cook line and reach in cooler, in and around corners in storage areas, underneath service area counter). [CA] Floors in preparations areas shall be kept clean.*

Performance-Based Inspection Questions

Needs Improvement - Hands clean/properly washed/gloves used properly.
Needs Improvement - Food contact surfaces clean, sanitized.

Measured Observations

Item	Location	Measurement	Comments
chicken breast	walk in cooler	133.00 Fahrenheit	prep
meatballs	reach in cooler - cook line	38.00 Fahrenheit	
wontons	reach in cooler - cook line	51.00 Fahrenheit	cooling
hot water	three compartment sink	120.00 Fahrenheit	
rice cake	walk in cooler	41.00 Fahrenheit	
hot water	two compartment sink	120.00 Fahrenheit	
rice noodles	prep counter - next to cook line	78.00 Fahrenheit	
boba	front counter shelf	73.00 Fahrenheit	
wontons	walk in freezer	0.50 Fahrenheit	IR
garlic and oil	cook line	69.00 Fahrenheit	
chicken curry	walk in cooler	41.00 Fahrenheit	
ground pork, raw	walk in cooler	30.00 Fahrenheit	
ambient air	three door cooler	40.00 Fahrenheit	
fried rice	walk in cooler	42.00 Fahrenheit	
chlorine	warewash machine	50.00 PPM	
meatballs	walk in freezer	-1.10 Fahrenheit	IR
hot water	handwash sink	100.00 Fahrenheit	
bean sprouts	prep counter - nex to cook line	68.00 Fahrenheit	
half and half	three door cooler	53.00 Fahrenheit	
honeydew milk	three door cooler	51.00 Fahrenheit	

Overall Comments:

NOTE: Joint inspection with Hunter Dang.

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 **5/19/2022**. 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.

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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: Dan Lu
Manager

Signed On: May 05, 2022