

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

- No Signature



OFFICIAL INSPECTION REPORT

Facility FA0207152 - BO NE PHU YEN		Site Address 1818 TULLY RD 126, SAN JOSE, CA 95122	Inspection Date 11/18/2020
Program PR0307125 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10		Owner Name LAM, DON	Inspection Time 10:15 - 10:40
Inspected By MANDEEP JHAJJ	Inspection Type LIMITED INSPECTION	Consent By BILLY	

Placard Color & Score

RED
N/A

Comments and Observations

Major Violations

K22 - 8 Points - Sewage and wastewater improperly disposed; 114197

Inspector Observations: OBSERVED SEWAGE BACK UP IN THE FLOOR SINKS AND SEWAGE WATER ON THE FLOOR AS WELL. THERE IS SOMETHING WRONG WITH THE PLUMBING LINES AND THE SEWER OUTLETS CAUSING SEWAGE BACK UP IN THE FACILITY. FLOOR SINKS ARE FILLED WITH SEWAGE, SEWAGE SPILL OBSERVED ON THE FLOOR. CARDBOARDS ARE PLACED INSIDE THE FACILITY ON THE FLOOR TO AVOID TRIP HAZARD. AS PER PIC, SEWAGE ISSUE STARTED YESTERDAY, PLUMBER TRIED TO FIX IT BUT IT'S STILL SAME. FACILITY EMPLOYEES ARE TRYING TO CLEAN UP BUT SEWAGE KEEPS ON COMING BACK FROM FLOOR SINKS, FROM SEWER OUTLETS, FROM WALLS/FLOOR JOINTS.

[CA] Food facility shall not operate if there is sewage overflowing or backing up in the food facility. The food facility, or impacted areas, shall remain closed until all plumbing problems have been corrected and all contaminated surfaces have been cleaned and sanitized.

Minor Violations

No minor violations were observed during this inspection.

Performance-Based Inspection Questions

N/A

Measured Observations

N/A

Overall Comments:

LIMITED INSPECTION CONDUCTED TODAY TO CHECK THE SEWAGE BACKUP IN THE FACILITY. THERE IS SOMETHING WRONG WITH THE PLUMBING LINES AND THE SEWER OUTLETS CAUSING SEWAGE BACK UP IN THE FACILITY. FLOOR SINKS ARE FILLED WITH SEWAGE, SEWAGE SPILL OBSERVED ON THE FLOOR. CARDBOARDS ARE PLACED INSIDE THE FACILITY ON THE FLOOR TO AVOID TRIP HAZARD. AS PER PIC, SEWAGE ISSUE STARTED YESTERDAY, PLUMBER TRIED TO FIX IT BUT IT'S STILL SAME. FACILITY EMPLOYEES ARE TRYING TO CLEAN UP BUT SEWAGE KEEPS ON COMING BACK FROM FLOOR SINKS, FROM SEWER OUTLETS, FROM WALLS/FLOOR JOINTS.

BILLY, THE PROPERTY MANAGER CALLED PLUMBER AGAIN TO FIX THE SEWAGE BACK UP.

FACILITY IS HEREBY CLOSED DUE TO SEWAGE BACK UP AND WILL REMAIN CLOSED UNTIL THIS VIOLATION IS CORRECTED. ONCE CORRECTED, CLEAN AND SANITIZE ALL IMPACTED AREAS AND CALL FOR RE-INSPECTION TO RE-OPEN THE FACILITY. CONTACT 408-781-5121 MANDEEP JHAJJ OR 408-781-5121 MAIN OFFICE FOR RE-INSPECTION. FIRST RE-INSPECTION IS FREE. ADDITIONAL RE-INSPECTIONS WILL BE BILLED @ \$219/HR DURING BUSINESS HOURS.

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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 **12/2/2020**. 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.

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.

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