

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 FA0209227 - TOFOO COM CHAY		Site Address 388 E SANTA CLARA ST, SAN JOSE, CA 95113	Inspection Date 09/22/2025
Program PR0301035 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11		Owner Name BANH, BENJAMIN	Inspection Time 11:15 - 12:20
Inspected By MINDY NGUYEN	Inspection Type LIMITED INSPECTION	Consent By KIM	

Placard Color & Score

GREEN
N/A

Comments and Observations

Major Violations

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

Inspector Observations: In the front service area: observed multiple potentially hazardous foods (prepackaged spring rolls, rice cakes, hot items in display case) were on Time as a Public Health Control (PIC was able to show a log and stated they discard the food every 4 hours), but no time-marking was observed.

[CA] When using Time as a Public Health Control (TPHC), foods must be IMMEDIATELY time-marked.

[COS] The TPHC time log was filled out for today for the foods.

Minor Violations

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

Inspector Observations: Observed one cockroach egg sac in the rear storage area, on packaging for prepackaged bottled beverages. No other evidence of vermin observed.

[CA] Keep facility clear of vermin and evidence of vermin. See notes below.

[COS] PIC discarded packaging container.

Performance-Based Inspection Questions

N/A

Measured Observations

Item	Location	Measurement	Comments
PREPACKAGED SPRING ROLLS	FRONT COUNTER	60.00 Fahrenheit	TPHC
HOT FOODS	DISPLAY CASE	81.00 Fahrenheit	TPHC
HOT WATER	3-COMPARTMENT SINK	120.00 Fahrenheit	
VEGETARIAN MEATS	PREP INSERTS	41.00 Fahrenheit	
NOODLES	3-COMPARTMENT SINK	155.00 Fahrenheit	
RICE NOODLES, TOFU	REAR STORAGE/COOLING AREA	75.00 Fahrenheit	COOLING

Overall Comments:

Limited inspection. See CO0157919.

PIC stated the facility receives monthly pest control service, and the last service was completed on 8/29/25, and that they are scheduled to come today.

Due to history of cockroach activity/recent closure, it is highly recommended that the facility receives professional pest control services at least once per week, or per the recommendation of the pest control company.

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 **10/6/2025**. 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.

OFFICIAL INSPECTION REPORT

Facility FA0209227 - TOFOO COM CHAY	Site Address 388 E SANTA CLARA ST, SAN JOSE, CA 95113	Inspection Date 09/22/2025
Program PR0301035 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11	Owner Name BANH, BENJAMIN	Inspection Time 11:15 - 12:20

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: Benjamin Banh
Owner

Signed On: September 22, 2025