

County of Santa Clara
Department of Environmental Health
Consumer Protection Division

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 Phone (408) 918-3400 www.ehinfo.org



OFFICIAL INSPECTION REPORT

Facility FA0291728 - BUN RIEU TAN DINH		Site Address 999 STORY RD 9045, SAN JOSE, CA 95122		Inspection Date 06/27/2023	
Program PR0437158 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name NGUYEN , LE THANH		Inspection Time 14:15 - 15:30
Inspected By HENRY LUU		Inspection Type ROUTINE INSPECTION		Consent By MAN	
FSC Not Available					

Placard Color & Score GREEN 79

RISK FACTORS AND INTERVENTIONS	IN	OUT		COS/SA	N/O	N/A	PBI
		Major	Minor				
K01 Demonstration of knowledge; food safety certification			X				N
K02 Communicable disease; reporting/restriction/exclusion	X						
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						S
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	
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	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	X	
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		X
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

Major Violations

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

Inspector Observations: Numerous PHF items maintained out in ambient temperature:

- Case of prepackaged udon noodles maintained below food preparation table measured at 74F. Case states, "Keep Refrigerated."
- Colander of blanched vegetables measured at 78F.
- Colander of bean sprouts measured at 55F.
- Numerous colanders of cooked noodles and vermicelli measured at 80F.
- Numerous to-go containers of tomato crab soup measured at 98F.
- Individual foil-wrapped fancy pork with escargot.

Employee's stated that items have been out for less than four hours.

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

[COS] All items have been relocated to immediately cool and/or reheat to be hot held.

Minor Violations

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

Inspector Observations: Five-year Food Safety Certified (FSC) manager certificate unavailable for review. [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.

Employees' food handler cards unavailable for review.

[CA] Each food handler shall maintain a valid food handler card for the duration of his or her employment as food handler. A valid food handler card shall be provided within 30 days of after the date of hire.

*** Repeat violation.

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

Inspector Observations: Colander of cooked pork hock cooling, kept tightly covered inside the three-door merchandiser.

[CA] Properly cool PHF's using shallow containers, using no more than 2 inches for solid foods and no more than 4 inches for liquids. When cooling PHF's, food may be left uncovered or loosely covered to allow rapid cooling.

K14 - 3 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: Chlorine sanitizer at the three-compartment sink measured at 25 PPM during active ware wash.

[CA] Manual sanitization shall be accomplished in the final sanitizing rinse by contacting a chlorine solution of 100 PPM concentration for at least 30 seconds or by contacting a quaternary ammonium solution of 200 PPM concentration for at least 60 seconds.

[COS] Employee added more chlorine. Sanitizer measured at 100 PPM.

K27 - 2 Points - Food not separated and unprotected; 113984(a-d,f), 113986, 114060, 114067(a,d,e,j), 114069(a,b), 114077, 114089.1(c), 114143(c)

Inspector Observations: Observed numerous colanders of food stored on the drain board of the three-compartment sink during active ware washing.

[CA] All food shall be separated and protected from possible contamination. Relocate items to prevent contamination from splash during ware washing.

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K44 - 2 Points - Premises not clean, not in good repair; No personal/chemical storage; inadequate vermin-proofing; 114067(j), 114123, 114143 (a,b), 114256, 114256.1, 114256.2, 114256.4, 114257, 114257.1, 114259, 114259.2, 114259.3, 114279, 114281, 114282

Inspector Observations: Employees' personal beverage cups and belongings stored in areas near/above food preparation and/or food contact surfaces.

[CA] No person shall store clothing or personal effects in any area used for the storage and preparation of food or food contact surfaces. Provide designated location for employees to store personal food and beverages, away from areas used for the storage and preparation of food or food contact surfaces.

Performance-Based Inspection Questions

- Needs Improvement - Demonstration of knowledge; food manager certification.
- Needs Improvement - Proper hot and cold holding temperatures.
- Needs Improvement - Food contact surfaces clean, sanitized.

Measured Observations

Item	Location	Measurement	Comments
Quartered tomato	Food preparation refrigerator	41.00 Fahrenheit	Top insert
Quail eggs	Food preparation refrigerator	39.00 Fahrenheit	Top insert
Hot water	Three-compartment sink	130.00 Fahrenheit	
Comminuted pork and shrimp	Three-door upright reach-in refrigerator	38.00 Fahrenheit	
Bean sprouts	Three-door upright reach-in refrigerator	41.00 Fahrenheit	
Milk	Food preparation refrigerator	40.00 Fahrenheit	By dry storage area
Raw fish	Food preparation refrigerator	38.00 Fahrenheit	
Tomato crab soup	Cook line	149.00 Fahrenheit	
Pork blood	Food preparation refrigerator	40.00 Fahrenheit	
Raw shrimp	Food preparation refrigerator	40.00 Fahrenheit	

Overall Comments:

- **Time as Public Health Control (TPHC) written procedures provided and reviewed with owner.**
- **At time of inspection, procedures were completed and approved by DEH.**
- **Ensure all TPHC requirements are followed.**

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 **7/11/2023**. 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: Tom
Owner

Signed On: June 27, 2023