

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 FA0207161 - NHA TRANG RESTAURANT		Site Address 1820 TULLY RD, SAN JOSE, CA 95122		Inspection Date 08/03/2023	
Program PR0303357 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name PHU, HOANG		Inspection Time 11:00 - 13:30
Inspected By HENRY LUU	Inspection Type ROUTINE INSPECTION		Consent By THAO	FSC Phong Hoang 01/11/2027	

Placard Color & Score
YELLOW
53

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						
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						
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	X			N
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			N
K14 Food contact surfaces clean, sanitized	X						
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		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	X	
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	X	
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		X
K46 No unapproved private home/living/sleeping quarters		
K47 Signs posted; last inspection report available		

OFFICIAL INSPECTION REPORT

Facility FA0207161 - NHA TRANG RESTAURANT	Site Address 1820 TULLY RD, SAN JOSE, CA 95122	Inspection Date 08/03/2023
Program PR0303357 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14	Owner Name PHU, HOANG	Inspection Time 11:00 - 13:30
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 measured above 41F and/or below 135F:

Follow-up By
08/08/2023

- Red rice maintained inside rice cooker at the front service/to-go order queue area - 125F.
- Employee stated that item was prepared approximately one hour prior.
- Cooked white rice maintained inside rice cooker at the far end of the cook line measured at 120F.
- Employee stated that item was prepared approximately one hour prior and is used to refill the rice warmer.
- Numerous to-go containers of braised fish and tomato soup maintained at the to-go queue/ordering area measured between 80F to 90F.
- Manager stated that items are waiting to be picked up.
- All items were maintained out during the entire duration of the inspection.
- Numerous large pots of soups - tomato soup, and cat fish soup, at the cook line measured between 80F to 120F.
- Employee stated that soups are kept out and is reheated upon customer order.
- Tray of cooked fermented pork measured at 80F.
- Employee stated that items were prepared about an hour ago.
- Bowl of grilled meats measured at 79F. Containers of fried tofu and cooked pork blood.
- Employee stated that items were prepared about an hour ago.

[CA] PHFs shall be held at 41°F or below or at 135°F or above.
[COS] Items were reheated to be hot held and/or relocated into walk-in refrigerator to immediately cool.

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

Inspector Observations: Colander of cut bell peppers and onions maintained at the food preparation line observed with heavy presence of fruit flies on and around food item. [CA] Food is adulterated if it bears or contains any poisonous or deleterious substance that may render it impure or injurious to health and shall be discarded immediately. [COS] Colander of vegetables were VC&D.

Follow-up By
08/08/2023

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

Inspector Observations: Two live cockroaches observed in the front service area behind religious altar. No other live or dead activity observed throughout facility.

Follow-up By
08/08/2023

Per manager, facility is serviced twice per month, Last serviced was conducted on 7/30/23. Pest control report was reviewed during inspection.

[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(s). 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.
[COS] Manager abated live cockroaches.

Heavy presence of drain and/or fruit flies inside facility.
[CA] Use any and all approved methods to abate live flies. Food facility shall be kept free of non-disease carrying

OFFICIAL INSPECTION REPORT

Facility FA0207161 - NHA TRANG RESTAURANT	Site Address 1820 TULLY RD, SAN JOSE, CA 95122	Inspection Date 08/03/2023
Program PR0303357 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14	Owner Name PHU, HOANG	Inspection Time 11:00 - 13:30

insects, weevils, ants, gnats, and fruit flies.

Minor Violations

K04 - 3 Points - Improper eating, tasting, drinking or tobacco use in food preparation area; 113977

Inspector Observations: Employee behind cashier stand observed eating at the beverage preparation area.

[CA] No employee shall eat or drink in the food prep, food contact storage, or food storage areas, use designated area.

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

Inspector Observations: Numerous PHF, cooling per employee, kept out in ambient temperature and covered with foil.

- Tray of cooked chicken - 90F.
- Tray of cooked pork belly - 115F.

No active cooling measures were observed to rapidly cool PHF.

[CA] Potentially Hazardous Foods (PHFs) shall be cooled rapidly from 135°F to 70°F or below within 2 hours and from 70°F to 41°F or below within an additional 4 hours. Approved cooling methods include: 1) Placing the food in shallow pans 2) Separating the food into thinner or smaller portions. 3) Using rapid cooling equipment (Ex. blast chiller) 4) Using containers that facilitate heat transfer (ex. stainless steel) 5) Adding ice as an ingredient. 6) Using ice paddles 7) Using an ice bath and stirring frequently 8) Accordance with a HACCP plan. Cooling foods shall have enough space around the containers for cold air to circulate, be loosely covered, or uncovered and stirred as frequently needed to evenly cool.

K16 - 3 Points - Not in compliance with shell stock tags, condition; 114039-114039.5

Inspector Observations: Observed shelled oysters in active preparation and numerous bags of raw shelled oysters inside the walk-in refrigerator. Shellstock tags were provided for current lot of oysters, however, shellstock tags for previous lots were discarded.

[CA] The identity of the source of shellstock that are sold or served shall be maintained for 90 calendar days from the dates of harvest by using an approved recordkeeping system that keeps the tags or labels in chronological order correlated to the date or dates the shellstock are sold or served.

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: Colanders of cooked chicken wings observed stacked on top of each other with the bottom of the colander in direct contact with food item. [CA] All food shall be separated and protected from possible contamination.

Numerous cases of food stored directly on floor inside the walk-in freezer.

[CA] Food shall be stored at least 6 inches above the floor to prevent contamination.

K33 - 2 Points - Nonfood contact surfaces not clean; 114115(c)

Inspector Observations: Heavy build up of grime observed on door handles refrigerators throughout facility. Heavy accumulation of food residues and oils observed on equipment throughout facility.

[CA] Nonfood-contact surfaces of equipment shall be kept free of an accumulation of dust, dirt, food residue, and other debris.

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

OFFICIAL INSPECTION REPORT

Facility FA0207161 - NHA TRANG RESTAURANT	Site Address 1820 TULLY RD, SAN JOSE, CA 95122	Inspection Date 08/03/2023
Program PR0303357 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14	Owner Name PHU, HOANG	Inspection Time 11:00 - 13:30

Inspector Observations: Observed domestic equipment in use. [CA] Make plans to replace domestic equipment. New and/or replacement food equipment shall be certified or classified for sanitation by an American National Standards Institute (ANSI) accredited certification program (e.g. NSF, UL EPH, UL Sanitation, CSA Sanitation, or ETL Sanitation).

Observed heavily soiled cardboard and/or chip board used to line shelves inside the walk-in refrigerator. [CA] Discontinue the use of cardboard boxes to line shelves/flooring, use approved equipment made of materials that is easily cleanable, durable, smooth, and nonabsorbent.

Observed to-go cups maintained directly on ice inside ice machine. [CA] Ice intended to be used for food or beverages shall not come in direct contact with materials that may cause contamination.

Shelving throughout facility observed heavily soiled and/or rusted. [CA] Clean and/or replace shelving.

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: Observed rice paddle maintained inside rice cooker with handle in direct contact with rice.

[CA] Store scoop handle in such a way that the handle does not come in direct contact with food to prevent contamination.

K38 - 2 Points - Inadequate ventilation and lighting in designated area; 114149, 114149.1, 114149.2, 114149.3, 114252, 114252.1

Inspector Observations: Gas powered rice cookers maintained outside of ventilation hood system.

[CA] There shall be a minimum of 6 inches overhang of ventilation hood over cooking equipment.

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: Observed employees' personal belongings - cellphones, personal beverages, etc. stored in areas of food preparation, food storage, etc.

[CA] No person shall store clothing or personal effects (cell phone, car keys, and jackets) in any area used for the storage and preparation of food or food contact surfaces. Employee's personal effects shall be stored in employee lockers or other designated areas for employee storage.

Provide designated location for employees to store personal food and beverages, separate and away from restaurant food.

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

Inspector Observations: Heavy accumulation of water, food debris, and food residues observed on floors and walls throughout facility.

[CA] Walls and/or floors in food preparation area shall be kept clean. Regularly clean under cooking equipment to prevent accumulation of debris.

Numerous holes and gaps observed between panels of walls throughout facility.

[CA] Repair holes in structure and maintain in good repair to prevent pest harborage. Eliminate gap greater than 1/4" to prevent the entrance and harborage of vermin.

Observed heavily soiled and damaged flooring inside the walk-in freezer. [CA] Clean and repair flooring.

Performance-Based Inspection Questions

Needs Improvement - Proper hot and cold holding temperatures.

Needs Improvement - Proper cooling methods.

Needs Improvement - Food in good condition, safe, unadulterated.

OFFICIAL INSPECTION REPORT

Facility FA0207161 - NHA TRANG RESTAURANT	Site Address 1820 TULLY RD, SAN JOSE, CA 95122	Inspection Date 08/03/2023
Program PR0303357 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14	Owner Name PHU, HOANG	Inspection Time 11:00 - 13:30

Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
Cooked rice	Rice warmer	138.00 Fahrenheit	
Large tray of egg cake	Walk-in refrigerator	38.00 Fahrenheit	
Raw shrimp	Food preparation refrigerator	40.00 Fahrenheit	
Hot water	Food preparation sink	121.00 Fahrenheit	
Raw pork	Walk-in refrigerator	40.00 Fahrenheit	
Oysters	Cook line	169.00 Fahrenheit	
Individual servings of egg cake	Walk-in refrigerator	39.00 Fahrenheit	
Raw calamari	Food preparation refrigerator	37.00 Fahrenheit	
Cooked chicken wings	Walk-in refrigerator	39.00 Fahrenheit	
Chlorine sanitizer	Mechanical dish machine	50.00 PPM	
Bean sprouts	Walk-in refrigerator	40.00 Fahrenheit	

Overall Comments:

- *Two or more major violations were observed during the routine inspection.*
- *A follow-up inspection will be conducted to verify compliance of all major violations.*
- *Subsequent follow-up inspection after first follow-up shall be billed \$290/hour, minimum one hour, during normal business hours (Monday - Friday, 7:30 AM to 4:30 PM), and \$629/hour, minimum two hours, during non-business hours, and upon inspector availability.*
- *The posted placard is property of the Santa Clara County Department of Environmental Health and shall not be removed, covered-up, relocated, tampered, or copied red placard. Failure to comply may result in enforcement actions per County Ordinance Code Section B11-55.*

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 **8/17/2023**. 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
Manager

Signed On: August 03, 2023