

**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**

|   |  |  |                                   |                                      |   |
|---|--|--|-----------------------------------|--------------------------------------|---|
| <b>Facility</b><br>FA0208010 - THANH SON TOFU DO CHAY                           |  | <b>Site Address</b><br>2435 ALVIN AV, SAN JOSE, CA 95121 |                                   | <b>Inspection Date</b><br>04/22/2024 |   |
| <b>Program</b><br>PR0306761 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11 |  |  | <b>Owner Name</b><br>NGUYEN, HUAN |                                      | <b>Inspection Time</b><br>11:10 - 12:05 |
| <b>Inspected By</b><br>HENRY LUU  | <b>Inspection Type</b><br>ROUTINE INSPECTION | <b>Consent By</b><br>HUYEN N.                            | <b>FSC Not Available</b>          |                                      |   |

|   |
|---|
| <b>Placard Color &amp; Score</b><br><b>GREEN</b><br><b>80</b> |
|---|

| 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  |       |       |        |     |     | S   |
| 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  |       |       |        |     |     |     |
| K08 Time as a public health control; procedures & records                       |    | X     |       | X      |     |     | N   |
| 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  |       |       |        |     |     |     |
| 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  |     | X   |
| 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                                     |     | 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

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

**Inspector Observations: Prepackaged PHF items maintained on the center table for customer self-service, food items maintained on the steam table, and various types of tofu and desserts behind the counter, subjected to time as a public health control (TPHC) lacked time label.**

**[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.**

**[COS] Manager written times for all PHF items subjected to TPHC.**

**\*\*\* Repeat violation - noted on 12/06/2022 and 10/02/2023.**

**- Usage of TPHC will be revoked if violation is observed during the next routine inspection.**

### 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.**

**Only one employee three-year food handler card was available 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 - noted on 12/06/2022, 10/2/2023**

K06 - 3 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

**Inspector Observations: Stack of paper towels maintained on storage rack across from the hand wash station inside the restroom.**

**[CA] Paper towels shall be stored inside the dispenser to prevent potential contamination.**

K32 - 2 Points - Food improperly labeled & not honestly presented: 114087, 114089, 114089.1(a, b), 114090, 114093.1

**Inspector Observations: Various prepackaged food items maintained on the table and inside merchandiser refrigerator for customer self-service lack labels and/or complete labels.**

**[CA] Food prepackaged in a food facility shall bear a label with the following: 1) common name of the food, 2) list of ingredients in descending order of predominance by weight, 3) quantity of contents, 4) name and place of business of the manufacturer, packer, or distributor.**

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: Back door of facility maintained opened during inspection.**

**[CA] Keep back door closed at all times to prevent the entrance and harborage of vermin.**

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

**Inspector Observations: Missing ceiling panels directly above the large boiler inside the kitchen.**

**[CA] Ceilings of all rooms where nonprepackaged food is handled shall be smooth, of durable construction, and of nonabsorbent material that is easily cleanable. Re-install ceiling panels to prevent vermin harborage.**

### Performance-Based Inspection Questions

Needs Improvement - Time as a public health control; procedures & records.

Needs Improvement - Demonstration of knowledge; food manager certification.

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## Measured Observations

| <u>Item</u>                   | <u>Location</u>           | <u>Measurement</u> | <u>Comments</u> |
|-------------------------------|---------------------------|--------------------|-----------------|
| Hot water                     | Three-compartment sink    | 121.00 Fahrenheit  |                 |
| Stir fry vegetarian dish      | Merchandiser refrigerator | 40.00 Fahrenheit   |                 |
| Warm water                    | Hand wash sink            | 100.00 Fahrenheit  |                 |
| Cooked shrimp                 | Walk-in refrigerator      | 40.00 Fahrenheit   |                 |
| Vegetarian "meat roll"        | Walk-in refrigerator      | 36.00 Fahrenheit   |                 |
| Stuffed bittermelon           | Walk-in refrigerator      | 37.00 Fahrenheit   |                 |
| Cooked rice                   | Rice cooker               | 152.00 Fahrenheit  |                 |
| Deep fried tofu               | Walk-in refrigerator      | 39.00 Fahrenheit   |                 |
| Cooked rice and beans dessert | Walk-in refrigerator      | 39.00 Fahrenheit   |                 |
| Vegetarian steam egg cake     | Merchandiser refrigerator | 41.00 Fahrenheit   |                 |

## Overall Comments:

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 **5/6/2024**. 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




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**Received By:** Huyen N.  
Manager

**Signed On:** April 22, 2024