

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 FA0208153 - RED CHILI THAI & VIETNAMESE CUISINE		Site Address 2538 BERRYESSA RD, SAN JOSE, CA 95132		Inspection Date 12/11/2024	
Program PR0306867 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name RED CHILI BERRYESSA LLC		Inspection Time 13:15 - 15:05
Inspected By DENNIS LY	Inspection Type ROUTINE INSPECTION	Consent By NATHAPORN MAKAEW	FSC Sunny Ho 3/7/28		

Placard Color & Score
YELLOW
59

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		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		
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		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	X	
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	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		
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

K05 - 8 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

Inspector Observations: Employee observed frequently touching face but did not wash their hands; employee observed cleaning at the three compartment sink and did not wash hands before proceeding to the cook line. [CA] Employees shall properly wash hands with warm water, soap, and single-use paper towels when required and prior to handling food.

[COS] Employees were stopped and asked to properly wash their hands.

Follow-up By
12/16/2024

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

Inspector Observations: Potentially hazardous foods measured at improper cold holding temperatures. Rice noodles on top of the food prep unit measured at 66F. [CA] Potentially hazardous foods when cold holding shall be held at or below 41F.

[COS] Employee relocated the food into the walk-in cooler.

Follow-up By
12/16/2024

Minor violation

Potentially hazardous foods measured at improper cold holding temperatures. Overfilled in the food prep unit inserts: cooked chicken (47F) and cooked beef (44F). Inside the upright reach-in cooler by the cook line: Cooked chicken (48F) and cut tomatoes (46F). [CA] Potentially hazardous foods when cold holding shall be held at or below 41F.

K14 - 8 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: Employee observed cleaning equipment and utensils at the three compartment sink and at the prep sink then putting the items away without completing the sanitizing step. [CA] Manual warewashing shall be accomplished by using a three-compartment sink where the utensils are first precleaned, washed with hot soapy water, rinsed with hot water, sanitized with an approved method, and air dried. Use 1 TBS of bleach (5.25%) per 1 gal. of water for chlorine solution (100 PPM). Use 1 tbs of quaternary ammonium (10%) per 2 gal. of water for quaternary ammonium (200 PPM).

[COS] Employee prepared the three compartment sink with chlorine sanitizer measured at 100 ppm and sanitized cleaned equipment and utensils.

Follow-up By
12/16/2024

Minor violation:

Black mold-like substance observed on the inside panel of the ice machine. [CA] Clean and sanitize the inside panels of the ice machine.

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

Inspector Observations: Three live cockroaches observed on a glue trap located behind the dishwasher. 25 dead cockroaches observed on glue traps located both behind the dishwasher and by the water heater. Two additional dead cockroaches observed by the cook line. Did not observed or find any other signs of live or dead cockroaches elsewhere in the facility. Reviewed most recent pest control service report from Orkin dated 11/20/24 that notes there was dead cockroaches with no mention of live cockroaches activity.

[CA] The premises of each food facility shall be kept free of vermin and vermin debris. Facility shall clean and sanitize all affected areas.

[COS] Operator removed all dead cockroaches and will sanitize affected areas.

Follow-up By
12/16/2024

A follow-up inspection will be conducted by 12/16/24, and if any evidence of a live infestation is observed then facility may be subject to further enforcement action.

Minor Violations

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

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Inspector Observations: Food Handler cards for employees are expired. [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.

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: Inside the walk-in cooler, raw shell eggs are stored above ready-to-eat foods (vegetables). [CA] Store raw food items separate or below ready-to-eat foods to prevent cross contamination.

K30 - 2 Points - Food storage containers are not identified; 114047, 114049, 114051, 114053, 114055, 114067(h), 114069 (b)

Inspector Observations: Boxes of food observed stored on the floor inside of the walk-in cooler. [CA] Store food a minimum of 6 inches off the floor to protect food from contamination and to allow adequate space for ease of frequent cleaning.

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

Inspector Observations: Multiple light fixtures above the kitchen and in the dry storage room are missing the light cover.

[CA] Light bulbs shall be shielded, coated or otherwise shatter-resistant in areas where there is unpackaged foods, clean equipment, utensils, linens, or unwrapped single use articles.

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
Beef	Food prep unit	41.00 Fahrenheit	
Cooked beef	Food prep unit insert	44.00 Fahrenheit	
Cooked eggs with noodles	Cooked	168.00 Fahrenheit	
Bean sprouts	Food prep unit insert	40.00 Fahrenheit	
Rice noodles	On top of food prep unit	67.00 Fahrenheit	
Raw shrimp	Walk-in cooler	35.00 Fahrenheit	
Noodles	Food prep unit	41.00 Fahrenheit	
Bean sprouts	Walk-in cooler	41.00 Fahrenheit	
Raw fish	Walk-in cooler	31.00 Fahrenheit	
Raw shell eggs	Walk-in cooler	41.00 Fahrenheit	
Cooked shrimp	Upright reach-in cooler by cook line	41.00 Fahrenheit	
Bean sprouts	Upright reach-in cooler by front counter	41.00 Fahrenheit	
Hot water	Handwash sinks	100.00 Fahrenheit	
Hot water	Three compartment sink	120.00 Fahrenheit	
Fish	Reach-in cooler	37.00 Fahrenheit	
Cooked vegetables	Upright reach-in cooler by cook line	41.00 Fahrenheit	
Chicken	Upright reach-in cooler by cook line	48.00 Fahrenheit	
Chicken	Food prep unit	41.00 Fahrenheit	
Cooked chicken	Food prep unit insert	47.00 Fahrenheit	
Cut tomatoes	Upright reach-in cooler by cook line	46.00 Fahrenheit	
Raw beef	Walk-in cooler	37.00 Fahrenheit	
Mussels	Reach-in cooler	41.00 Fahrenheit	
Chlorine saniitizer	Dishwasher	50.00 PPM	
Raw chicken	Walk-in cooler	40.00 Fahrenheit	

Overall Comments:

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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 **12/25/2024**. 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



Received By: Tiffany Ho
PIC

Signed On: December 11, 2024