

**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> FA0207161 - NHA TRANG RESTAURANT		<b>Site Address</b> 1820 TULLY RD, SAN JOSE, CA 95122		<b>Inspection Date</b> 05/07/2024	
<b>Program</b> PR0303357 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			<b>Owner Name</b> PHU, HOANG		<b>Inspection Time</b> 11:45 - 13:45
<b>Inspected By</b> HENRY LUU		<b>Inspection Type</b> ROUTINE INSPECTION		<b>Consent By</b> ANH	
				<b>FSC</b> Minh Nguyen 01/11/2027	

**Placard Color & Score**  
**YELLOW**  
**52**

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						S
K04 Proper eating, tasting, drinking, tobacco use	X						
K05 Hands clean, properly washed; gloves used properly		X		X			N
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			
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	X	
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

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

**Inspector Observations:** Cook line employee observed wiping soiled cutting board used for raw beef with wet cloth, and then continued onto food preparation with ready-to-eat foods without washing hands and changing gloves.

Follow-up By  
05/09/2024

**[CA]** Ensure employees are properly washing hands as required. Employees shall wash their hands in all of the following instances:

- (1) Immediately before engaging in food preparation, including working with non-prepackaged food, clean equipment and utensils, and unwrapped single-use food containers and utensils.
- (2) After touching bare human body parts other than clean hands and clean, exposed portions of arms.
- (3) Immediately after using the toilet room and again when returning into the kitchen.
- (4) After caring for or handling any animal allowed in a food facility in pursuant to this part.
- (5) After coughing, sneezing, using a handkerchief or disposable tissue, using tobacco, eating, or drinking.
- (6) After handling soiled equipment or utensils.
- (7) During food preparation as often as necessary to remove soil and contamination and to prevent cross-contamination when changing tasks.
- (8) When switching between working with raw food and working with ready-to-eat foods.
- (9) Before initially donning gloves for working with food.
- (10) Before dispensing or serving food or handling clean tableware and serving utensils in the food service area.
- (11) After engaging in other activities that contaminate the hands.

Properly wash hands with soap, warm water and dry using single use paper towels as required. Single-use gloves shall be removed prior to washing hands.

**[COS]** This Division intervened and instructed employee to remove gloves and wash hands prior to conducting any type of food preparation.

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

**Inspector Observations:** Two pots of soup maintained at the left side cook line measured between 117F to 120F. Manager stated that soup is supposed to be maintained hot and that soup was prepared in the morning.

Follow-up By  
05/09/2024

Multiple PHF items maintained inside the left island food preparation measured as follows:

- Cooked half chickens - 67F.
- Live clams - 65F.
- Fried tofu - 65F.
- Raw beef cubes - 64F.

Employee stated that items were prepared in the morning approximately 2 hours prior (10:00 AM). Ambient temperature of the refrigerator measured between 60F to 70F. Manager stated that the refrigerator was supposedly repaired yesterday and that the refrigerator was working in the morning.

PHF items maintained inside the right island food preparation refrigerator measured as follows:

- Cooked shrimp - 98F.
- Grilled pork - 90F.

Employee stated that items were prepared about 30 minutes prior. Ambient temperature of the refrigerator measured between 50F to 60F. Manager stated that refrigerator was supposedly repaired yesterday also.

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

**[COS/SA]** Two pots of soup were reheated to 165F prior to hot holding. All PHF items maintained inside the center island food preparation refrigerators were relocated to separate refrigerators to immediately cool. Discontinue using food preparation refrigerators until unit is repaired and able to maintain PHF at 41F or below.

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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: Cookline employee observed cleaning soiled cutting board used for raw beef with wet clothe that measured at 0 PPM sanitizer.**

Follow-up By  
05/09/2024

**[CA] Ensure all food contact surfaces are properly cleaned and sanitized.**

**[CA] Maintain chemical solution at 100 ppm (1Tbs of bleach (5.25%)/gal of water) for chlorine and 200 ppm (1 tbs of quaternary ammonium (10%)/2 gal of water) for quaternary ammonium. Return wiping cloths to sanitizing buckets.**

**Observed minor build up of brown and black growth matter on the plastic white baffle inside the ice machine.**

**[CA] Clean, sanitize, and maintain ice machine.**

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

**Inspector Observations: One live mouse caught on sticky monitoring trap placed at the base around the water heater.**

Follow-up By  
05/09/2024

**10+ rodent dropping observed on storage shelf in the dry storage room where egg rolls are prepared.**

**Per manager, facility is serviced every two weeks by licensed pest control company. Pest control reports were provided for review upon request. Per pest control reports, company is only treating for cockroaches.**

**No other activity was observed. No contamination of food or food contact surfaces observed.**

**[CA] Clean and sanitize area of dead cockroaches or old droppings. 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.**

**Observed throughout kitchen 5+ fruit flies, drain flies, and or live flies.**

**[CA] Use any and all approved methods to abate flies.**

## Minor Violations

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: During initial walk through of facility, observed numerous bags of bean sprouts maintained directly on the floor.**

**Observed bags of vermicelli maintained on a metal tray on the floor in the upstairs dry storage room. Observed cases of raw meat maintained directly on the floor underneath the food preparation sink.**

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

**Observed raw food items stored above ready-to-eat food items inside the walk-in refrigerator.**

**[CA] All food shall be separated and protected from cross-contamination. Store all raw meat or other raw products of animal origin below ready-to-eat food items.**

**Observed container of herbs stored directly on top of pickled vegetables. The bottom of the container was in direct contact with food item.**

**[CA] All food shall be separated and protected from possible contamination. Discontinue practice. Utilize covers and or plastic wrap to separate and protect food.**

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

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**Inspector Observations: Heavy build up of food residues, food debris, and/or grime observed on refrigerators and refrigerator door handles, especially in the storage room in the left side of the facility where egg rolls are prepared. Heavy build up of grease and food residues observed on sides and in-between cooking equipment and on back splash of the cook line.**

**Heavy build up of rust, food residues, and ice observed on storage racks, doors, and floors inside the walk-in freezer.**

**[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

**Inspector Observations: Ambient temperature of the center island food preparation refrigerators measured above 50F.**

**[CA] Refrigeration must be capable of maintaining PHFs at 41°F or below.**

**Numerous domestic equipment in use - rice cookers/warmers, soup warmers, etc.**

**[CA] Once units fail, make plans to replace with commercial 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).**

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: Plastic bowls used as scoops for rice and was maintained inside rice cookers.**

**[CA] Use approved utensils such as scoops or spoons with handles to ensure hands do not come in direct contact with food.**

**Rice paddle stored directly on shelving in-between the two gas powered rice cookers.**

**[CA] Multi-use utensils will be stored in a way that the working part of the utensil may not become contaminated.**

**Observed scoop handles stored inside bulk ingredient containers with handles in direct contact with food.**

**[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: Two gas powered rice cookers maintained outside of the ventilation hood.**

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

K40 - 2 Points - Wiping cloths: improperly used and stored; 114135, 114185.1 114185.3(d,e)

**Inspector Observations: Observed numerous wiping cloths maintained out on counters and food preparation areas.**

**[CA] Wiping towels shall be stored in sanitizing solution of an approved concentration when not in use (100 ppm - chlorine, 200 ppm - quaternary ammonium).**

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: Rear door into the kitchen and side door into the dining room observed opened.**

**[CA] Keep doors 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

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**Inspector Observations: Heavy accumulation of food debris, food residues, and standing water observed on floors throughout the kitchen, especially underneath refrigerators, cook line, and storage racks.**

**Heavy accumulation of food residues observed on walls throughout the facility.**

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

## Performance-Based Inspection Questions

Needs Improvement - Hands clean/properly washed/gloves used properly.

Needs Improvement - Proper hot and cold holding temperatures.

## Measured Observations

Item	Location	Measurement	Comments
Cooked red rice	Rice cooker - server station	153.00 Fahrenheit	
Cooked rice	Rice cooker	135.00 Fahrenheit	Cook line
Cooked shrimp	Food preparation refrigerator	40.00 Fahrenheit	
Raw catfish	Walk-in refrigerator	40.00 Fahrenheit	
Calamari	Hot pot preparation refrigerator	35.00 Fahrenheit	Top insert
Steamed egg cake	Walk-in refrigerator	38.00 Fahrenheit	
Cooked pork belly	Hot pot preparation refrigerator	41.00 Fahrenheit	
Hot water	Two-compartment food preparation sink	121.00 Fahrenheit	
Chlorine sanitizer	Mechanical dish washer	50.00 PPM	
Cooked chicken wings	Walk-in refrigerator	37.00 Fahrenheit	
Parcooked fish	Food preparation refrigerator	41.00 Fahrenheit	
Braised pork belly	Walk-in refrigerator	38.00 Fahrenheit	
Sanitizing bucket	Ware ware area	100.00 PPM	
Cooked rice	Rice warmers	156.00 Fahrenheit	By ware washing area
Fish in claypot	Griddle	155.00 Fahrenheit	
Warm water	Hand wash station	105.00 Fahrenheit	
Raw shrimp	Hot pot preparation refrigerator	32.00 Fahrenheit	Top insert
Tomato soup	Cook line	180.00 Fahrenheit	
Cooked chicken rice	Rice cooker	161.00 Fahrenheit	

## Overall Comments:

- **A complaint investigation was conducted concurrently with a routine inspection.**
- **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. 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 **5/21/2024**. 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.

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**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:** Tom  
Manager

**Signed On:** May 07, 2024