

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 FA0208042 - DI VANG RESTAURANT		Site Address 2455 ALVIN AV, SAN JOSE, CA 95121		Inspection Date 07/21/2025		Placard Color & Score YELLOW 59		
Program PR0306691 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name NGUYEN, TRANG NGOC		Inspection Time 14:25 - 15:30			
Inspected By HENRY LUU		Inspection Type ROUTINE INSPECTION		Consent By THAO				FSC Not Available

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				N
K05	Hands clean, properly washed; gloves used properly			X				
K06	Adequate handwash facilities supplied, accessible		X		X			N
K07	Proper hot and cold holding temperatures		X		X			
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				
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	X	
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		
K33	Nonfood contact surfaces clean	X	
K34	Warewash facilities: installed/maintained; test strips		
K35	Equipment, utensils: Approved, in good repair, adequate capacity		
K36	Equipment, utensils, linens: Proper storage and use	X	
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

K06 - 8 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

Inspector Observations: *Hand wash station by the food preparation sink lacked paper towels.*

Follow-up By
07/23/2025

Hand wash sink by the three-compartment sink completely obstructed with metal containers stored inside the wash basin. Hand wash station also lacked paper towels.

Hand wash station in the women's restroom lacked hand soap.

[CA] *Handwashing facilities shall be equipped with handwashing cleanser and single-use sanitary towels in dispensers. Paper towels and hand soap shall be readily available and easily accessible at all times.*

Handwashing facility shall be clean, unobstructed, and accessible at all times.

[COS] *Employee provided paper towels and refilled hand soap dispenser.*

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

Inspector Observations: *Cooked white rice maintained inside rice cooker measured at 89F. Employee stated that the rice was probably cooked in the morning approximately 2 hours prior when the kitchen staff was present, however, they were unsure.*

Follow-up By
07/23/2025

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

[COS] *Rice was VC&D due to time and temperature abuse.*

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.*

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

Inspector Observations: *Employees half eaten plate of sticky rice maintained on top of the chest freezer.*

[CA] *No employee shall eat or drink in the food prep, food contact storage, or food storage areas, use designated area. Provide designated location for employee to store personal food and beverages.*

K05 - 3 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

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Inspector Observations: *Observed waitress washing hands at the food preparation sink with gloves still donned on. Employee did not and does not handle food.*

[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.*

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: *Three-compartment sink set up observed with 0 PPM sanitizer concentration. Solutions appear new and have been yet been used. At time of inspection, no active ware washing was being conducted.*
[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).*

Observed live fly landing on preparation surface of the food preparation refrigerator. Surface appeared soiled with food residues and food debris. At time of inspection, no active food preparation was being conducted.
[CA] *Ensure all food contact surfaces are cleaned, sanitized, and free from contamination.*

K23 - 3 Points - Observed rodents, insects, birds, or animals; 114259.1, 114259.4, 114259.5

Inspector Observations: *Numerous live flies observed throughout the kitchen.*
[CA] *Use any and all approved methods to abate live flies.*

K24 - 2 Points - Person in charge not present and not performing duties; 113945-113945.1, 113984.1, 114075

Inspector Observations: *Manager and/or person in charge, not present at time of inspection.*

[CA] *A "person in charge" who is responsible for operation of facility shall be present at the food facility during all hours of operation.*

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

Inspector Observations: *Heavy build up of grime observed on refrigerator door handles. Observed heavy accumulation of grease and grime on preparation tables.*

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

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

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Inspector Observations: *Observed rice scoop 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.*

Observed employee utilizing food preparation sink to wash hands.

[CA] *Utilize sinks for their designated purpose. Hand washing shall be conducted only at the hand wash sink.*

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 of the facility observed maintained opened the entire duration of the 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: *Heavy accumulation of grime and debris observed on floors throughout the facility, especially underneath equipment.*

Heavy accumulation of food residues observed on walls at food preparation areas.

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

Observed wooden planks mounted on the FRP to support the wall mounted shelving.

Performance-Based Inspection Questions

Needs Improvement - Demonstration of knowledge; food manager certification.

Needs Improvement - Adequate handwash facilities: supplied or accessible.

Needs Improvement - Proper eating, tasting, drinking, tobacco use.

Measured Observations

Item	Location	Measurement	Comments
Milk	Two-door upright refrigerator	36.00 Fahrenheit	
Raw beef	Food preparation refrigerator	33.00 Fahrenheit	
Raw shrimp	Food preparation refrigerator	37.00 Fahrenheit	
Pate	Food preparation refrigerator	41.00 Fahrenheit	
Warm water	Hand wash sinks	103.00 Fahrenheit	
Cooked pork bones	Two-door merchandiser refrigerator	40.00 Fahrenheit	
Cooked pork knuckles	Two-door merchandiser refrigerator	39.00 Fahrenheit	
Raw squid	Food preparation refrigerator	38.00 Fahrenheit	
Soup	Two-door upright refrigerator	38.00 Fahrenheit	
Hot water	Three-compartment sink	122.00 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 \$298/hour, minimum one hour, during normal business hours (Monday - Friday, 7:30 AM to 4:30 PM), and \$645/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.**

*** Note: observed customers actively smoking inside the dining area. Smoking shall not be allowed within food facility.**

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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 **8/4/2025**. 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: Thao
Employee
Signed On: July 21, 2025