

# 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 FA0284799 - AN KHANG MI GIA		Site Address 979 STORY RD 7051, SAN JOSE, CA 95122		Inspection Date 12/28/2023		<b>Placard Color &amp; Score</b> <span style="font-size: 2em; font-weight: bold;">YELLOW</span> <span style="font-size: 3em; font-weight: bold;">72</span>
Program PR0427079 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name AN KHANG MI GIA		Inspection Time 09:45 - 11:25	
Inspected By HENRY LUU	Inspection Type ROUTINE INSPECTION	Consent By HUNG LUU	FSC Hung Luu 12/15/2025			

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				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			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						
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	X	
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		
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		
K45 Floor, walls, ceilings: built, maintained, clean		
K46 No unapproved private home/living/sleeping quarters		
K47 Signs posted; last inspection report available	X	

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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: The only hand wash station in the kitchen lacked hand soap. When questioned, manager refilled dispenser with hand sanitizer.**

**[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. Hand sanitizer gel shall not substitute hand soap.**

**[COS] Instructed kitchen to temporarily stop all operations until hand soap was provided. Manager provided dish soap in lieu of hand soap.**

**Employee utilizing hand soap to dispose of water used to thaw frozen shrimp.**

**[CA] A handwashing facility shall not be used for purposes other than handwashing.**

Follow-up By  
01/02/2024

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

**Inspector Observations: Frying basket with approximately 10 halves of parcooked cornish hen maintained at the deep fryer measured at 109F. Employee stated that cornish hen was around opening time less than 2 hours prior. The hens are maintained as is until orders are placed and is fried until cooked for service. Per employee, the item is usually gone within an hour.**

**Five flats of raw shelled eggs maintained on shelf above the food preparation table measured at 60F. Employee relocated eggs into the upright refrigerator upon this Division's arrival.**

**Bag with approximately half pound of bean sprouts maintained out in ambient temperature at the cook line measured at 57F. Employee stated that bean sprouts were just taken out at opening time.**

**Two containers of deep fried fish balls maintained on top of the food preparation refrigerator measured at 70F. Employee stated that fish balls were fried this morning.**

**Metal bowl of cooked pork neck bones maintained out in ambient temperature measured at 117F. Employee stated that pork bones were cooked in broth less than an hour prior and is heated and served with soup upon order.**

**Numerous bags of rice noodles maintained out in ambient temperature.**

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

**This Division recommends utilizing time as a public health control (TPHC). TPHC written procedures were reviewed and provided to operator.**

**[COS] Parcooked cornish hen, beans sprouts, and fried fish balls were all relocated into the upright refrigerator to immediately cool.**

**Cooked pork neck bones were reheated in pot of boiling soup to maintain hot.**

**\*\* Repeat violation**

### Minor Violations

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

Follow-up By  
01/02/2024

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**Inspector Observations: Employees cup of ice coffee and plate of fried flour cake maintained on shelf above food preparation area and opened food.**

**Employees bowl of noodles maintained on top of buckets next to food preparation table.**

**[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 employees to store personal food and beverages.**

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

**Inspector Observations: Numerous large pieces of cooked pork, approximately 2-3 lbs each, cooked in the morning cooling inside the upright refrigerator. Item measured at 127F.**

**Bowl of cooked ground pork, cooked in the morning, cooling inside the one-door food preparation refrigerator. Item measured at 120F.**

**Tray of cooked wontons, prepared and boiled in the morning, cooling inside the one-door food preparation refrigerator. Item measured at 110F.**

**[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.**

- Properly cool PHF's using shallow containers, using no more than 2 inches for solid foods and no more than 4 inches for liquids.
- Properly store cooling foods in such a way to allow proper air flow.
- Discontinue cooling food inside the food preparation refrigerator.

**This Division recommends utilizing ground pork and wontons subjected to TPHC.**

K26 - 2 Points - Unapproved thawing methods used; frozen food; 114018, 114020, 114020.1

**Inspector Observations: Multiple prepackaged raw cornish hens along with large bag of raw calamari thawing in standing water inside the food preparation sink.**

**Two containers of raw fish thawing inside plastic bucket in standing water on the floor below the food preparation sink.**

**One plastic container of raw shrimp thawing in standing water maintained on bucket next to the deep fryer.**

**[CA] Frozen potentially hazardous food shall only be thawed in one of the following ways: 1) under refrigeration that maintains the food temperature at 41°F or below, 2) completely submerged under potable running water for a period not to exceed two hours at a water temperature of 70°F or below, and with sufficient water velocity to agitate and flush off loose particles into the sink drain, 3) in a microwave oven if immediately followed by immediate preparation, 4) as part of a cooking process.**

**\*\* Repeat violation**

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: Containers of fish thawing maintained on floor below the food preparation sink.**

**[CA] All food shall be separated and protected from possible contamination. Food shall be stored at least 6 inches above the floor to prevent contamination.**

**\*\* Repeat violation**

K47 - 2 Points - Signs not posted; last inspection report not available; 113725.1, 113953.5, 113978, 114381(e)

**Inspector Observations: Current health permit not posted in visible location.**

**[CA] The health permit issued by this department shall be posted in a conspicuous place in the food facility.**

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## Performance-Based Inspection Questions

- Needs Improvement - Proper hot and cold holding temperatures.
- Needs Improvement - Proper eating, tasting, drinking, tobacco use.
- Needs Improvement - Adequate handwash facilities: supplied or accessible.

## Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
Parcooked prawns	Food preparation refrigerator	45.00 Fahrenheit	Prepared less than one hour prior
Beef balls	Food preparation refrigerator	34.00 Fahrenheit	
Hot water	Three-compartment sink	122.00 Fahrenheit	
Warm water	Hand wash sink	105.00 Fahrenheit	
Warm water	Hand wash sink - restroom	110.00 Fahrenheit	
Flour cake	Two-door reach-in refrigerator	39.00 Fahrenheit	
Fish	Food preparation refrigerator	39.00 Fahrenheit	
Raw marinated cornish hen	Three-door upright refrigerator	41.00 Fahrenheit	
Chlorine sanitizer	Undercounter dish machine	50.00 PPM	
Beef balls	Three-door upright refrigerator	32.00 Fahrenheit	
Sliced pork	Food preparation refrigerator	57.00 Fahrenheit	Sliced less than one hour prior

## 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. 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 **1/11/2024**. 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: Hung Luu  
Owner  
Signed On: December 28, 2023