

# 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> FA0207146 - PHI HU TIEU NAM VANG NEM LAI VUNG DAC BI		<b>Site Address</b> 1818 TULLY RD 110, SAN JOSE, CA 95122		<b>Inspection Date</b> 08/04/2022		<b>Placard Color &amp; Score</b> <div style="background-color: green; color: white; padding: 10px; text-align: center;"> <b>GREEN</b>  <b>82</b> </div>		
<b>Program</b> PR0330111 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			<b>Owner Name</b> TA, PHI HUNG		<b>Inspection Time</b> 10:40 - 11:50			
<b>Inspected By</b> HENRY LUU		<b>Inspection Type</b> ROUTINE INSPECTION		<b>Consent By</b> VAN DUONG				<b>FSC</b> Phi Hung Ta 09/29/2026

  

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						S
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						S
K07	Proper hot and cold holding temperatures			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		
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		
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		
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

No major violations were observed during this inspection.

### Minor Violations

K07 - 3 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

**Inspector Observations:** Numerous portioned bowls of proteins (cooked shrimp, beef offals, sliced pork) maintained stacked inside the top inserts of the preparation refrigerator on top of each other and above the load limit measured between 54F to 55F. Per PIC, items were just portioned less than an hour prior. [CA] PHFs shall be held at 41F or below or at 135F or above. Discontinue storing food items above the load limit and on top of the containers. Maintain bowls inside the preparation refrigerator to rapid cooling.

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

**Inspector Observations:** Plastic bag of cooked meat actively cooling inside the two-door upright refrigerator kept tightly covered.

Numerous five-gallon buckets of soup broth cooling in ambient temperature.

[CA] Potentially Hazardous Foods (PHFs) shall be cooled rapidly from 135F to 70F or below within 2 hours and from 70F to 41F or below within an additional 4 hours.

Approved cooling methods include:

- 1) Placing the food in shallow pans.
- 2) Separating the food into thinner or smaller portions.
- 3) Using rapid cooling equipment (Ex. blast chiller).
- 4) Using containers that facilitate heat transfer (ex. stainless steel).
- 5) Adding ice as an ingredient.
- 6) Using ice paddles.
- 7) Using an ice bath and stirring frequently.
- 8) Accordance with a HACCP plan.

Cooling foods shall have enough space around the containers for cold air to circulate, be loosely covered, or uncovered and stirred as frequently needed to evenly cool.

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:** Heavy accumulation of food debris observed on the inlet of the vegetable grinder. Machine was not in use at time of inspection. [CA] Equipment shall be washed, rinsed and sanitized every 4 hours or less after initial use.

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

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**Inspector Observations:** Heavy accumulation of cockroach feces observed in-between cracks and crevices of electrical panels, light switches, wall shelving height adjustment mounts, electrical conduits, etc. \

One dead American cockroach observed on floor behind the cook line. One dead American cockroach observed on floor by the chest freezers in the back kitchen.

One dead German cockroach observed on wall above the two-door upright freezer. One German dead cockroach observed on wall above the chest freezer. Numerous dead cockroaches observed on floor below shelving behind the wall of the janitorial sink.

No live activity was observed during the inspection.

**[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.

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:** Multiple bowls of cooked proteins stacked on top of each other with the bottoms of the bowls in direct contact with food. **[CA]** All food shall be separated and protected from possible contamination.

Numerous opened container of sauces for customer self-service lacked any type of cover, lids, or sneeze guards. **[CA]** Food on display shall be protected from contamination by the use of packaging, counter, service line, or sneeze guards that intercept a direct line between the consumer's mouth and the food being displayed. Utilize containers with tight-fitting securely attached lids, display cases, mechanical dispensers, or other effective means.

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:** Observed active food preparation inside the two-compartment ware wash sink. **[CA]** Utilize sinks for their designated purposes. Food preparation shall be conducted only at the single-compartment food preparation sink. The two-compartment sink shall only be used for ware washing.

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

**Inspector Observations:** Numerous broken floor tiles behind the cook line. **[CA]** Replace broken floor tiles with a smooth and of durable construction and nonabsorbent material that is easily cleanable.

One missing ceiling panel above the chest freezers. **[CA]** Ceilings of all rooms where nonprepackaged food is handled shall be smooth, of durable construction, and of nonabsorbent material that is easily cleanable. Replace ceiling panel.

## Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

## Measured Observations

Item	Location	Measurement	Comments
Hot water	Two-compartment sink	128.00 Fahrenheit	
Calamari	Preparation refrigerator	40.00 Fahrenheit	Top insert
Bone broth	Cook line	201.00 Fahrenheit	
Ground pork	Steam table	197.00 Fahrenheit	
Cooked pork bones	Cook line	152.00 Fahrenheit	
Warm water	Hand wash sink	110.00 Fahrenheit	
Cooked shrimp	Preparation refrigerator	41.00 Fahrenheit	Top insert
Cooked beef offals	Preparation refrigerator	40.00 Fahrenheit	

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## 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 **8/18/2022**. 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:** Van Duong  
PIC  
**Signed On:** August 04, 2022