

# 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><br>FA0289088 - BIEN XANH RESTAURANT                             |  | <b>Site Address</b><br>2268 SENTER RD 228, SAN JOSE, CA 95112 |                                    | <b>Inspection Date</b><br>07/11/2025 |                                         | <b>Placard Color &amp; Score</b><br><div style="background-color: green; color: white; padding: 10px; text-align: center;"> <b>GREEN</b><br/> <b>70</b> </div> |  |                                 |
| <b>Program</b><br>PR0433449 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11 |  |                                                               | <b>Owner Name</b><br>BIEN XANH LLC |                                      | <b>Inspection Time</b><br>17:40 - 19:40 |                                                                                                                                                                |  |                                 |
| <b>Inspected By</b><br>MARCELA MASRI                                            |  | <b>Inspection Type</b><br>ROUTINE INSPECTION                  |                                    | <b>Consent By</b><br>LUC CHUNG       |                                         |                                                                                                                                                                |  | <b>FSC</b> ANH CHUNG<br>2-25-28 |

  

| RISK FACTORS AND INTERVENTIONS |                                                                             | IN | OUT   |       | COS/SA | N/O | N/A | PBI |
|--------------------------------|-----------------------------------------------------------------------------|----|-------|-------|--------|-----|-----|-----|
|                                |                                                                             |    | Major | Minor |        |     |     |     |
| K01                            | Demonstration of knowledge; food safety certification                       | X  |       |       |        |     |     |     |
| K02                            | Communicable disease; reporting/restriction/exclusion                       | X  |       |       |        |     |     | S   |
| 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   |     |     |
| K06                            | Adequate handwash facilities supplied, accessible                           |    |       | X     | X      |     |     | S   |
| K07                            | Proper hot and cold holding temperatures                                    | X  |       |       |        |     |     | S   |
| 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                              |    |       |       |        |     |     |     |
| 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                                  | X   |     |
| 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                                                      | X   |     |
| K34                   | Warewash facilities: installed/maintained; test strips                              | X   |     |
| 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                                                |     | 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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|                                                                          |                                   |                                                        |                                  |
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| Program<br>PR0433449 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11 |                                   | Owner Name<br>BIEN XANH LLC                            | Inspection Time<br>17:40 - 19:40 |
| K48                                                                      | Plan review                       |                                                        |                                  |
| K49                                                                      | Permits available                 |                                                        |                                  |
| K58                                                                      | Placard properly displayed/posted |                                                        |                                  |

## Comments and Observations

### Major Violations

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: FOUND THE CHLORINE CONCENTRATION AT 0 PPM AT THE 3 COMPARTMENT SINK. [CA] PROVIDE 100 PPM CHLORINE.COS**

### Minor Violations

K06 - 3 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

**Inspector Observations: FOUND A SPRAY BOTTLE STORED INSIDE THE HAND WASH SINK IN THE FRONT SERVICE AREA. [CA] KEEP THE HAND WASH SINK ACCESSIBLE AT ALL TIMES. COS**

K22 - 3 Points - Sewage and wastewater improperly disposed; 114197

**Inspector Observations: FOUND WASTE WATER IN THE MOP BUCKET. [CA] DISCARD THE WASTE WATER IN THE SANITARY SEWER.**

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: FOUND RAW MEAT STORED ABOVE READY TO EAT SOUP IN THE WALK IN COOLER. [CA] STORE RAW FOOD OF ANIMAL ORIGIN BELOW READY TO EAT FOOD.**

K29 - 2 Points - Toxic substances improperly identified, stored, used; 114254, 114254.1, 114254.2

**Inspector Observations: FOUND A SPRAY BOTTLE WITH OUT A LABEL AT THE FRONT SERVICE AREA. [CA] LABEL THE SPRAY BOTTLE.**

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

**Inspector Observations: FOUND A SAC OF PEANUTS STORED ON THE FLOOR IN THE KITCHEN. [CA] STORE FOOD 6 INCHES ABOVE THE FLOOR. COS**

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

**Inspector Observations: FOUND THE SHELVES, TABLES AND WORKING CONTAINERS WITH GREASE AND FOOD DEBRIS. [CA] CLEAN THESE ITEMS MORE OFTEN.**

**FOUND MOLD LIKE SUBSTANCE AROUND THE FAN COVERS IN THE WALK IN COOLER. [CA] CLEAN THE FAN COVER MORE OFTEN.**

K34 - 2 Points - Warewashing facilities: not installed or maintained; no test strips; 114067(f,g), 114099, 114099.3, 114099.5, 114101(a), 114101.1, 114101.2, 114103, 114107, 114125

**Inspector Observations: MISSING THE CHLORINE TEST STRIPS. [CA] PROVIDE TEST STRIPS TO MEASURE 100 PPM CHLORINE CONCENTRATION.**

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

**Inspector Observations: FOUND A WIPING CLOTH STORED ON THE FOOD PREPARATION TABLE. [CA] STORE WIPING CLOTHS IN A SANITIZER SOLUTION WHILE NOT IN USE.**

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

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**Inspector Observations:** FOUND THE MOP STORED INSIDE THE MOP BUCKET. [CA] HANG THE MOP TO AIR DRY.

**FOUND BAND AIDS AND OINTMENT STORED NEXT TO FOOD ITEMS ON THE SHELVES IN THE KITCHEN. [CA] STORE PERSONAL ITEMS SEPARATE AND AWAY FROM FOOD OR FOOD RELATED ITEMS. COS**

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

**Inspector Observations:** FOUND GREASE AND FOOD DEBRIS ON THE FLOORS IN THE KITCHEN AND FRONT SERVICE AREA. [CA] CLEAN THE FLOORS MORE OFTEN.

## Performance-Based Inspection Questions

Needs Improvement - Food contact surfaces clean, sanitized.

## Measured Observations

| Item               | Location           | Measurement       | Comments |
|--------------------|--------------------|-------------------|----------|
| MEAT               | WALK IN COOLER     | 37.00 Fahrenheit  |          |
| CHICKEN            | WALK IN FREEZER    | 9.00 Fahrenheit   |          |
| HOT WATER          | 3 COMPARTMENT SINK | 120.00 Fahrenheit |          |
| CHLORINE SANITIZER | 3 COMPARTMENT SINK | 0.00 PPM          |          |
| SOUP               | COOKING TEMP       | 167.00 Fahrenheit |          |
| OYSTERS            | WALK IN FREEZER    | 8.00 Fahrenheit   |          |
| SHRIMP             | WALK IN FREEZER    | 7.00 Fahrenheit   |          |
| NOODLES            | WALK IN COOLER     | 37.00 Fahrenheit  |          |
| HOT WATER          | HAND WASH SINK     | 100.00 Fahrenheit |          |

## 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 **7/25/2025**. 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: LUC CHUNG  
PIC

Signed On: July 11, 2025