

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 FA0207944 - NEW DONG PHUONG TOFU		Site Address 2359 MCKEE RD, SAN JOSE, CA 95116		Inspection Date 05/17/2021	
Program PR0304190 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name DONG, DOUNG HUE		Inspection Time 12:25 - 13:35
Inspected By HELEN DINH	Inspection Type RISK FACTOR INSPECTION		Consent By PHUONG	FSC Priscilla Dong 6/6/21	

Placard Color & Score

YELLOW

N/A

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				N
K07 Proper hot and cold holding temperatures		X		X			N
K08 Time as a public health control; procedures & records		X		X			N
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						S
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			N

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		
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		

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K48	Plan review	
K49	Permits available	
K58	Placard properly displayed/posted	

Comments and Observations

Major Violations

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

Inspector Observations: 1. Measured a container of cooked mushroom patty holding at 56F at the 2 door cold top.
2. Measured a container of bell sprouts holding at 68F in the walk-in-cooler.
Per operator, PHFs placed in unit less than 4 hours.
[CA] Maintain all PHFs cold held at or below 41F. [COS] Operator directed to add ice in bean sprouts and mushroom patty.

Follow-up By
05/20/2021

K08 - 8 Points - Improperly using time as a public health control procedures & records; 114000

Inspector Observations: Found several potentially hazardous foods (PHFs) without time mark in the display/hot holding unit.
[CA] When time only, rather than time and temperature is used as a public health control, PHFs shall be time marked to indicate when item is removed from temperature control, discarded if not consumed or served within 4 hours, and written procedures shall be readily available for review. [COS] Operator directed to time mark PHFs at hot holding unit.

Follow-up By
05/20/2021

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

Inspector Observations: Major: Found 6 LIVE cockroaches on the wall near the door frame crevice at the small storage room. [CA] Eliminate all evidence of LIVE cockroaches. Clean and sanitize all effected areas. Provide approved pest control services. [COS] Operator eliminated LIVE cockroach.

Follow-up By
05/20/2021

Minor:

1. Found several DEAD cockroaches in the following areas: under the cooks line, in the small storage room and near the dry storage area.
2. Found vermin dropping on the wall near the the door frame of the small storage room.
[CA] Eliminate all evidence of DEAD cockroaches. Clean and sanitize all effected areas. Provide approved pest control services.

Minor Violations

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

Inspector Observations: Found paper towel stored outside of dispenser at the prep area. [CA] Single-use sanitary towels shall be provided in dispensers.

Performance-Based Inspection Questions

- Needs Improvement - Time as a public health control; procedures & records.
- Needs Improvement - Adequate handwash facilities: supplied or accessible.
- Needs Improvement - Proper hot and cold holding temperatures.
- Needs Improvement - No rodents, insects, birds, or animals.

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Measured Observations

Item	Location	Measurement	Comments
beverages	reach in	40.00 Fahrenheit	
tofu	fry station	145.00 Fahrenheit	
cooked vegetables	display case (middle)	140.00 Fahrenheit	
hot water	warewash	120.00 Fahrenheit	
mushroom patty	2 door cold top	56.00 Fahrenheit	less than 4 hours. COS
tofu	walk-in	41.00 Fahrenheit	
chlorine	sani bucket	100.00 PPM	
ambient	2 door reach in	39.00 Fahrenheit	
soup	walk-in	41.00 Fahrenheit	
warm water	handsink (prep & RR)	100.00 Fahrenheit	
tofu	prep table	84.00 Fahrenheit	process of prep
bean sprouts	walk-in	68.00 Fahrenheit	less than 4 hours. COS
rice	rice cooker	164.00 Fahrenheit	
soup	display case (left side)	84.00 Fahrenheit	between 84F - 100F, under TPHC
tofu	display case (left)	80.00 Fahrenheit	under tphc

Overall Comments:

A follow up inspection shall be conducted.

******Subsequent follow up inspection after first follow up shall be billed \$219/hr during business hours and \$493/hrs (minimum of 2 hours) during nonbusiness hours upon availability.******

Signature not obtained due to COVID 19. A copy of this report will be emailed to the operator.

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 **5/31/2021**. 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: Phuong
Owner

Signed On: May 17, 2021

Comment: Signature not obtained due to COVID 19.