

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 FA0205441 - SUN-LY CHINESE FOOD		Site Address 1075 TULLY RD G, SAN JOSE, CA 95122		Inspection Date 12/18/2024	
Program PR0303113 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name YEE, FRANCIS		Inspection Time 13:35 - 14:45
Inspected By HENRY LUU	Inspection Type ROUTINE INSPECTION		Consent By YIN	FSC Irene Yee 04/27/2025	

Placard Color & Score
GREEN
71

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						S
K04 Proper eating, tasting, drinking, tobacco use	X						S
K05 Hands clean, properly washed; gloves used properly	X						
K06 Adequate handwash facilities supplied, accessible			X				
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		
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	X	
K34 Warewash facilities: installed/maintained; test strips		
K35 Equipment, utensils: Approved, in good repair, adequate capacity	X	
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		X
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

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

Inspector Observations: The following PHF items were maintained out in ambient temperature and measured as follows:

- Deep fried pork - 78F.
- Fried rice - 109F.
- Cooked beef - 126F.
- Chow mein noodles - 89F.
- Bean sprouts 47F.

Kitchen employee stated that items were taken out approximately 1-2 hours prior and is kept outside during the lunch rush. Any unused items are returned to the refrigerator to immediately cool after.

Sliced BBQ pork maintained at the refrigerated prep line observed stored above the load limit and spilling over the top. Pork measured at 41F at the bottom to 55F at the top.

[CA] PHFs shall be held at 41°F or below or at 135°F or above. Discontinue storing PHF items above the load limit of the preparation refrigerator.

[COS] After an cumulative 4 hours, PHF items maintained at prep line shall be discarded if not served or consumed.

*** Note: This Division recommends utilizing ice baths to maintain cold PHF items, r counter-top warmers or steam baths to maintain hot PHF, or utilizing time as a public health control (TPHC). TPHC written procedures were completed by owner and submitted to this Division on 5/23/2023.**

Minor Violations

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

Inspector Observations: Paper towels maintained on top of towel dispenser at the hand wash station in the kitchen as well as the restroom.

[CA] Paper towels shall be stored inside the dispenser to prevent potential contamination.

*** Note: Facility does not have a dedicated hand wash station inside the kitchen. Hand washing is conducted on the far left side of the three-compartment sink. If future violations pertaining to hand washing or hand washing activity poses significant risk to the contamination of food or food contact surfaces, facility will be required to install a dedicated hand wash station. If there is any future changes in operation or ownership, facility will be required to be brought up to code.**

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

Inspector Observations: Large metal bowl of fried rice cooling inside the walk-in refrigerator kept partially covered with aluminum foil. Rice measured at 94F and has been cooling for less than 2 hours.

Two large metal bowls of cooked white rice filled above the rim cooling out in ambient temperature.

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

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

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Inspector Observations: 2+ dead cockroaches observed on floor in front of the janitorial sink.

2+ dead cockroaches observed in-between the crevices of the wall and the ventilation hood system outside of the walk-in refrigerator.

No other activity was observed. Employee stated that facility is serviced monthly with the latest treatment conducting on 11/13/2024.

[CA] Clean and sanitize area of dead cockroaches. 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: Raw shelled eggs maintained above ready-to-eat food items (fried rice) inside the walk-in refrigerator.

[CA] All food shall be separated and protected from cross-contamination. Store all raw meat or other raw products of animal origin below ready-to-eat food items.

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

Inspector Observations: Heavy accumulation of grease, dust, and food residues observed on shelves, equipment, and knife holders throughout the kitchen.

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

K35 - 2 Points - Equipment, utensils - Unapproved, unclean, not in good repair, inadequate capacity; 114130, 114130.1, 114130.2, 114130.3, 114130.4, 114130.5, 114132, 114133, 114137, 114139, 114153, 114155, 114163, 114165, 114167, 114169, 114175, 114177, 114180, 114182

Inspector Observations: Numerous domestic equipment in use - warmers, refrigerators.

[CA] Make plans to replace with commercial equipment. New and/or replacement food equipment shall be certified or classified for sanitation by an American National Standards Institute (ANSI) accredited certification program (e.g. NSF, UL EPH, UL Sanitation, CSA Sanitation, or ETL Sanitation).

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: To-go containers used as scoops for bulk ingredients.

[CA] Use approved utensils such as scoops or spoons with handles to ensure hands do not come in direct contact with food.

K43 - 2 Points - Toilet facilities: improperly constructed, supplied, cleaned; 114250, 114250.1, 114276

Inspector Observations: Restroom door maintained propped opened and lacks door knob.

[CA] Toilet rooms shall be separated by well-fitted, self-closing doors that prevent the passage of flies, dust, or odors.

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 food debris observed on floors underneath the cookline.

[CA] Regularly clean under cooking equipment to prevent accumulation of debris.

Performance-Based Inspection Questions

Needs Improvement - Proper hot and cold holding temperatures.

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Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
Raw beef	Walk-in refrigerator	41.00 Fahrenheit	
Fried shrimp	Walk-in refrigerator	40.00 Fahrenheit	
Fried chicken wings	Deep fryer	201.00 Fahrenheit	
Raw pooled eggs	Refrigerated top insert	40.00 Fahrenheit	
Raw chicken	Walk-in refrigerator	40.00 Fahrenheit	
Tofu	Walk-in refrigerator	40.00 Fahrenheit	
Hot water	Three-compartment sink	123.00 Fahrenheit	
Warm water	Hand wash sink	101.00 Fahrenheit	
Chow mein noodles	Walk-in refrigerator	41.00 Fahrenheit	
White rice	Rice cooker	158.00 Fahrenheit	
Cooked shrimp	Refrigerated top insert	41.00 Fahrenheit	
Cooked chicken	Wok	179.00 Fahrenheit	

Overall Comments:

- In additional to a dedicated hand wash station, as noted in K06, facility also lacks a dedicated food preparation sink.
 - Food preparation is observed at the three-compartment sink.
 - Three-compartment sink is to be cleaned and sanitized when switching in-between task.
- If future violations pertaining to hand washing, food preparation or hand washing or food preparation activities poses significant risk to the contamination of food or food contact surfaces, facility will be required to install a dedicated hand wash station and food preparation sink.**
- If there is any future changes in operation or ownership, facility will be required to be brought up to code.

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 **1/1/2025**. 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: Yin H.
Manager

Signed On: December 18, 2024