

# 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 FA0208157 - CAO-NGUYEN RESTAURANT		Site Address 2549 S KING RD 16, SAN JOSE, CA 95122		Inspection Date 08/23/2023	
Program PR0308019 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name TRAN, JOSEPH		Inspection Time 14:40 - 15:50
Inspected By HENRY LUU	Inspection Type ROUTINE INSPECTION		Consent By NGA TRAN	FSC Not Available	

Placard Color & Score
<b>GREEN</b>
<b>84</b>

RISK FACTORS AND INTERVENTIONS	IN	OUT		COS/SA	N/O	N/A	PBI
		Major	Minor				
K01 Demonstration of knowledge; food safety certification			X				N
K02 Communicable disease; reporting/restriction/exclusion	X						
K03 No discharge from eyes, nose, mouth	X						S
K04 Proper eating, tasting, drinking, tobacco use			X				N
K05 Hands clean, properly washed; gloves used properly	X						S
K06 Adequate handwash facilities supplied, accessible			X				
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	X	
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

No major violations were observed during this inspection.

### Minor Violations

K01 - 3 Points - Inadequate demonstration of knowledge; food manager certification

**Inspector Observations: Five-year Food Safety Certified (FSC) manager certificates are expired. [CA] Food facilities that prepare, handle, or serve non-prepackaged potentially hazard foods shall have a valid Food Safety Certificate available for review at all times.**

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

**Inspector Observations: Employees' observed inside kitchen eating during down time. [CA] No employee shall eat or drink in the food prep, food contact storage, or food storage areas, use designated area.**

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

**Inspector Observations: Hand wash station next to the food preparation sink lacked splash guard. [CA] A minimum 6" high metal splash guard spanning the full length of the drainboard shall be installed if the handwash sink is installed less than 24" away from the warewash drainboard.**

**Hand soap provided from manual pump bottle placed on top of the hand soap dispenser at the hand wash station next to the food preparation sink. [CA] Provide handwashing cleanser in dispenser at handwash stations at all times.**

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: Mechanical dish machine failed to dispense any measurable sanitizer after multiple cycles. At time of inspection, no active ware washing was being conducted.**

**[CA] Ensure all food contact surfaces are properly cleaned and sanitized with the required minimum sanitizer concentration. Maintain chlorine in mechanical warewash machine at 50 PPM or per manufacturer specifications.**

**[SA] Temporarily utilize three-compartment sink for manual ware washing. Manual warewashing shall be accomplished by using a three-compartment sink where the utensils are first precleaned, washed with hot soapy water, rinsed with hot water, sanitized with an approved method, and air dried. Use 1 TBS of bleach (5.25%) per 1 gal. of water for chlorine solution (100 PPM). Use 1 tbs of quaternary ammonium (10%) per 2 gal. of water for quaternary ammonium (200 PPM).**

**Prior to using three-compartment sink for ware washing, clean and sanitize as sink was observed being used for food preparation. Clean and sanitize in-between use.**

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: Tub of raw catfish in active preparation maintained directly on floor. [CA] Food shall be stored at least 6 inches above the floor to prevent contamination.**

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

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**Inspector Observations:** *Observed wooden cutting board that is heavily soiled and/or scored.*  
**[CA]** *Surfaces of equipment such as cutting blocks and boards that are scratched and scored so that they can no longer be effectively be cleaned and sanitized shall be resurfaced or replaced. Soft wood such as wood wicker shall not be used as a food-contact surface. Hard maple or equivalent may be used as cutting boards, rolling pins, chopsticks, etc.*

## Performance-Based Inspection Questions

Needs Improvement - Demonstration of knowledge; food manager certification.  
 Needs Improvement - Proper eating, tasting, drinking, tobacco use.

## Measured Observations

Item	Location	Measurement	Comments
Raw pork	Two-door upright refrigerator	41.00 Fahrenheit	
Jellyfish	Walk-in refrigerator	40.00 Fahrenheit	
Hot water	Three-compartment sink	124.00 Fahrenheit	
Cooked pork heart	Food preparation refrigerator	41.00 Fahrenheit	Top insert
Raw fish	Two-door upright refrigerator	41.00 Fahrenheit	
Raw chicken	Food preparation refrigerator	40.00 Fahrenheit	
Raw beef	Food preparation refrigerator	40.00 Fahrenheit	Top insert
Cooked rice	Rice cooker	170.00 Fahrenheit	
Bowls of cooked red rice	Walk-in refrigerator	41.00 Fahrenheit	
Meat and potato sauce	Walk-in refrigerator	40.00 Fahrenheit	
Meat and potato sauce	Cook line	139.00 Fahrenheit	
Cooked pork liver	Food preparation refrigerator	41.00 Fahrenheit	Top insert
Warm water	Hand wash station - restroom	101.00 Fahrenheit	
Raw shelled eggs	Walk-in refrigerator	40.00 Fahrenheit	
Raw fish	Food preparation refrigerator	40.00 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 **9/6/2023**. 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: Nga Tran  
 Manager  
 Signed On: August 23, 2023