

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 FA0230512 - HUONG LAN TULLY INC		Site Address 1655 TULLY RD, SAN JOSE, CA 95122		Inspection Date 10/10/2024		Placard Color & Score GREEN 64		
Program PR0330546 - FOOD PREP / FOOD SVC OP 26+ EMPLOYEES RC 3 - FP17			Owner Name HL SANDWICHES INC		Inspection Time 13:40 - 15:20			
Inspected By HENRY LUU		Inspection Type ROUTINE INSPECTION		Consent By CODY				FSC Hai Luong 03/01/2025

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				N
K05	Hands clean, properly washed; gloves used properly	X						
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		X			N
K09	Proper cooling methods			X				N
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	X	
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		
K37	Vending machines		
K38	Adequate ventilation/lighting; designated areas, use		
K39	Thermometers provided, accurate		X
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		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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K48	Plan review	
K49	Permits available	
K58	Placard properly displayed/posted	

Comments and Observations

Major Violations

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

Inspector Observations: Numerous food items subjected to time as a public health control (TPHC) were not documented/time marked.

- All prepackaged food items on counters for customer self-service.
- Baked goods maintained inside the hot holding unit.
- Various pork rolls, fish cakes, steamed peanuts, etc.
- All food items at the fast food area.

[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.

Roast pork at the butcher station subjected to TPHC showed time of 10:30, when item was removed from temperature control. Roast pork observed still being offered for sale past the maximum 4-hour time.

[CA] PHFs utilizing time as a public health control (TPHC) shall be discarded within 4 hours from the point in time when food is removed from temperature control.

*** TPHC written procedures were provided to manager. Complete procedure form. Once completed, scan and email to district specialist.**

**** Repeat violation observed 10/27/2023, 1/18/2024, 7/9/2024.**

- Note: TPHC usage shall be revoked if violation is observed during the next routine inspection. Facility shall maintain all PHF items subjected to temperature control only.

[COS] Items past the 4-hour were VC&D. Other items, employee stated were just brought out and were time marked.

Minor Violations

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

Inspector Observations: Numerous expired food handler cards.

[CA] Each food handler shall maintain a valid food handler card for the duration of his or her employment as food handler. A valid food handler card shall be provided within 30 days of after the date of hire.

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

Inspector Observations: Employees' opened beverages observed stored in areas of food preparation and/or food storage:

- On counter behind butcher station.
- On rolling cart across from cook cook line by the fast food area.
- On shelf above the sandwich preparation refrigerator above opened food.

Half eaten tangerine observed on boxes of food inside the kitchen.

[CA] No employee shall eat or drink in the food prep, food contact storage, or food storage areas, use designated area. Provide designated location for employees to store personal food and beverages, separated and away from food preparation, food storage, and/or food contact surfaces.

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

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Inspector Observations: Numerous containers of cooked pork belly, chicken wings, cooked duck, etc. cooling inside the walk-in refrigerator on the left side, kept tightly covered with metal cover and/or plastic wrap. PHF items measured between 80F to 120F. Manager stated that all items were prepared less than two hours prior as the morning shift had just left.

Containers of cooked PHF item cooling were stacked on top of each other, not allowing for proper airflow between containers.

Large pot of bittermelon soup cooling kept covered.

[CA] Potentially Hazardous Foods (PHFs) shall be cooled rapidly from 135°F to 70°F within 2 hours and from 70°F to 41°F within 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: Observed employee conducting manual ware washing in approved steps, however, in the wrong order. Employee observed washing utensils with soap, soaked utensils in sanitizing solution, and conducting a final rinse with water, and then stacking utensils for storage.

[CA] 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).

Equipment and utensils must be air dried or properly stored to facilitate drying after sanitizing.

K21 - 3 Points - Hot and cold water not available; 113953(c), 114099.2(b), 114163(a), 114189, 114192, 114192.1, 11419

Inspector Observations: Hot water at the three-compartment ware wash sink measured at 107F.

[CA] Hot water shall be supplied at a minimum temperature of at least 120°F measured from the faucet throughout facility except at handwash sinks. Hot water generation and distribution systems shall be sufficient to meet the peak hot water demands throughout the food facility.

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

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Inspector Observations: Rodent droppings observed in the following areas:

- Above counter against the window at the butcher station.
- Inside bottom shelf of the butcher station.
- On floor behind the sandwich preparation refrigerators.
- On floor outside of the walk-in refrigerator on the right side of the facility, underneath stand mixers.
- On floor in the dry storage area outside of the restrooms.
- Dry storage area on the right side of the facility behind the walk-in freezer.

Droppings appeared old.

**Follow-up By
10/16/2024**

Numerous sticky glue traps were observed throughout the facility.

Manager stated that facility is serviced monthly by licensed pest control. Pest control report provided for September service targets only for cockroaches.

[CA] Clean and sanitize area of 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.

**** Note: follow-up inspection will be conducted to verify compliance. Affected areas shall be cleaned of rodent droppings and sanitized.**

Numerous live flies observed in the kitchen.

[CA] Use any and all approved methods to abate live flies.

K26 - 2 Points - Unapproved thawing methods used; frozen food; 114018, 114020, 114020.1

Inspector Observations: Approximately 15+ packages of raw pork thawing in ambient temperature at the two-compartment food preparation sink on the right side of the facility.

[CA] Frozen potentially hazardous food shall only be thawed in one of the following ways: 1) under refrigeration that maintains the food temperature at 41°F or below, 2) completely submerged under potable running water for a period not to exceed two hours at a water temperature of 70°F or below, and with sufficient water velocity to agitate and flush off loose particles into the sink drain, 3) in a microwave oven if immediately followed by immediate preparation, 4) as part of a cooking process.

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: Observed raw meats stored above ready-to-eat food items inside the walk-in refrigerator on the left side of the facility by the fast food service line.

[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.

Observed containers of food stored directly on floor.

[CA] Food shall be stored at least 6 inches above the floor to prevent contamination.

K39 - 2 Points - Thermometers missing or inaccurate; 114157, 114159

Inspector Observations: Walk-in refrigerator on the left side of the facility, by the fast food service area lacks thermometer. Thermometer outside of the refrigerator observed inoperable.

[CA] A thermometer +/- 2°F shall be provided and correctly located in each hot and cold holding unit containing potentially hazardous foods.

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: Employee's personal cellphone observed stored inside to-go food tray at the butcher station.

[CA] No person shall store clothing or personal effects in any area used for the storage and preparation of food or food contact surfaces.

Observed gap below the screen door by the ware wash sink.

[CA] Eliminate gap greater than 1/4" to prevent the entrance and harborage of vermin.

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

Inspector Observations: Heavy build up of grease, food debris, and grime observed on floors:

- Underneath cookline by the fast food service area.
- Underneath the cook line in the back of the kitchen.
- Underneath two-compartment food preparation sink by the roasting ovens.

[CA] Walls and/or floors in food preparation area shall be kept clean. Regularly clean under equipment to prevent accumulation of debris.

Numerous stainless steel panels observed detaching from wall.

[CA] Repair holes in structure and maintain in good repair to prevent pest harborage.

Performance-Based Inspection Questions

Needs Improvement - Proper eating, tasting, drinking, tobacco use.

Needs Improvement - Time as a public health control; procedures & records.

Needs Improvement - Proper cooling methods.

Measured Observations

Item	Location	Measurement	Comments
Sliced pork rolls	Sandwich preparation refrigerator	40.00 Fahrenheit	
Pate	Sandwich preparation refrigerator	41.00 Fahrenheit	
Raw beef	Noodle preparation refrigerator	41.00 Fahrenheit	
Cooked beef tendon	Noodle preparation refrigerator	41.00 Fahrenheit	
Warm water	Hand wash sink	104.00 Fahrenheit	
Sliced pork rolls	Walk-in refrigerator - right side	40.00 Fahrenheit	
Raw marinated chicken	Walk-in refrigerator - right side	39.00 Fahrenheit	
Sanitizing bucket	Sandwich prep area	100.00 PPM	Chlorine sanitizer
Steamed buns	Walk-in refrigerator - right side	40.00 Fahrenheit	
Cooked pork belly	Spring roll preparation refrigerator	39.00 Fahrenheit	
Sliced pork belly	Sandwich preparation refrigerator	39.00 Fahrenheit	

Overall Comments:

- Complaint investigation was conducted concurrently with routine inspection.

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 **10/24/2024**. 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.

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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: Cody
Manager

Signed On: October 10, 2024