

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 FA0211066 - BURMA CHOICE LLC		Site Address 864 BLOSSOM HILL RD A, SAN JOSE, CA 95123		Inspection Date 11/05/2024		Placard Color & Score RED 53		
Program PR0306266 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name BURMA CHOICE LLC		Inspection Time 13:00 - 14:30			
Inspected By JENNIFER RIOS		Inspection Type ROUTINE INSPECTION		Consent By NANDAR				FSC Win Thant 03/05/2025

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						
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	X			
K06	Adequate handwash facilities supplied, accessible		X		X			
K07	Proper hot and cold holding temperatures		X		X			
K08	Time as a public health control; procedures & records						X	
K09	Proper cooling methods					X		
K10	Proper cooking time & temperatures	X				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			
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		
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	X	
K37	Vending machines		
K38	Adequate ventilation/lighting; designated areas, use	X	
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		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

K06 - 8 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

Inspector Observations: Handwash in back preparation area is not working. Handles are tied off. Second handwash located through doorway to front preparation area. [CA] Repair hand wash sink immediately. Maintain in good condition. [SA] Facility may use the first compartment of the three compartment sink (washing compartment) temporarily. If hand wash sink is not repaired by follow up inspection, further enforcement may occur.

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

Inspector Observations: Shrimp and raw shelled eggs on counter measured 59F. Per PIC, they leave out during the lunch rush and then place back into cold holding units. Per PIC, the items had been out of the refrigeration unit for one hour prior to temperature measurement. [CA] PHFs shall be held at 41°F or below or at 135°F or above. [COS] Items were placed back into refrigeration. TPHC forms provided to PIC to review.

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: Observed black mold like substance in the interior panels of the ice machine in contact with consumable ice. [CA] Clean and sanitize ice machine and maintain in good condition. [COS] Ice inside machine was discarded, ice machine was cleaned and sanitized.

K21 - 8 Points - Hot and cold water not available; 113953(c), 114099.2(b), 114163(a), 114189, 114192, 114192.1, 11419

Inspector Observations: CLOSURE VIOLATION: Hot water measured 86F upon arrival to facility. Per employee, hot water was used up just before inspectors arrival. After one hour, hot water measured 82F. [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.

Follow-up By
11/08/2024

Minor Violations

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

Inspector Observations: Food handler cards were not available for employees working. [CA] Each food handler shall maintain a valid food handler card for the duration of his or her employment as food handler available for review. A valid food handler card shall be provided within 30 days of after the date of hire.

K05 - 3 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

Inspector Observations: Observed employee on their phone. Employee then went to touch and handle food equipment without washing their hands. [CA] After touching personal belongings, ensure that hands are washed prior to going back to touching food/equipment.

Employee instructed to wash hands.

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

Inspector Observations: Observed flies in front preparation area, bar area in the back preparation area. [CA] Maintain facility free of vermin.

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

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Inspector Observations: Observed bowls used as scoops in rice containers and bulk storage containers with sides in contact with food. [CA] Provide scoop with handle and store scoop handle in such a way that the handle does not come in direct contact with food to prevent contamination.

CO2 container in bar area is not fastened to a rigid structure. [CA] All pressurized cylinders shall be securely fastened to a rigid structure.

Ice scoop stored in ice machine with handle in contact with ice. [CA] Handle to ice scoop shall be stored so that it is not in direct contact with ice.

Observed knives stored in between the wall and preparation table. [CA] Multi-use utensils will be stored in a way that the working part of the utensil may not become contaminated.

K38 - 2 Points - Inadequate ventilation and lighting in designated area; 114149, 114149.1, 114149.2, 114149.3, 114252, 114252.1

Inspector Observations: Observed two gas rice cookers in use that were not under ventilation. [CA] Provide approved exhaust hood ventilation over all cooking equipment as required to effectively remove cooking odors, smoke, steam, grease, heat, and vapors.

Observed an induction cooktop on the counter that is used to boil water and cook noodles. [CA] Provide approved exhaust hood ventilation over all cooking equipment as required to effectively remove cooking odors, smoke, steam, grease, heat, and vapors.

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

Inspector Observations: Observed missing ceiling panel in back preparation area. [CA] Replace ceiling panel with a panel that is smooth, of durable construction, and of nonabsorbent material that is easily cleanable.

Performance-Based Inspection Questions

N/A

Measured Observations

Item	Location	Measurement	Comments
Chlorine	Mechanical warewash	50.00 PPM	
Rice	Hot holding	158.00 Fahrenheit	
Warm water	Hand wash	86.00 Fahrenheit	Upon arrival.
Cooked chicken	On wok	180.00 Fahrenheit	
Shrimp	On counter	59.00 Fahrenheit	
Hot water	Three comp sink	82.00 Fahrenheit	One hour after arrival.
Chicken curry	Walk in fridge	26.00 Fahrenheit	Thawing
Bean sprouts	Cold holding unit	46.00 Fahrenheit	On top of inserts
Coconut chicken curry	Hot holding	148.00 Fahrenheit	
Raw chicken	Cold holding insert	42.00 Fahrenheit	
Curry	Walk in fridge	37.00 Fahrenheit	
Fried chicken	Under counter reach in	41.00 Fahrenheit	
Lamb curry	Cold holding insert	41.00 Fahrenheit	
Raw shelled eggs	On counter	59.00 Fahrenheit	
Diced tomato	Cold holding insert	41.00 Fahrenheit	

Overall Comments:

- Facility is hereby closed due to failure to supply adequate hot water. .**
- Facility is to remain closed until hot water measures 120F at all sinks throughout facility (100F at hand wash sinks).
 - Facility is to remain closed until authorization is given by this Division to reopen.
 - Contact district inspector once major violation has been corrected and checklist items have been completed.
 - Subsequent follow-up inspection after first follow-up shall be billed \$298/hour, minimum one hour, during normal business hours (Monday - Friday, 7:30 AM to 4:30 PM), and \$645/hour, minimum two hours, during non-business hours, and upon inspector availability.
 - The posted placard is property of the Santa Clara County Department of Environmental Health and shall not be removed, covered-up, relocated, tampered, or copied. Failure to comply may result in enforcement actions per County Ordinance Code Section B11-55.
 - A facility found to be in continued operation without a permit may incur a penalty of three (3) times the operating permit fee, and

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fee(s) for re-inspection(s) charged at the current hourly rate approved by the Santa Clara County Board of Supervisors. Penalties and fees incurred due to enforcement activities must be paid in full prior to the issuance of an operating permit.

CLOSURE / PERMIT SUSPENSION NOTICE

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 **11/19/2024**. 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.

This notice is to inform you that as of this date the Environmental Health Permit for the above mentioned food facility is hereby suspended and all operations therewith are ordered to cease. This action is taken in accordance with Section 114409 of the California Health and Safety Code which states 'If any imminent health hazard is found, unless the hazard is immediately corrected, an enforcement officer may temporarily suspend the permit and order the food facility or cottage food operation immediately closed.'

You have the right to make a written request for a hearing within 15 days after receipt of this notice to show just cause why the permit suspension is not warranted. Failure to request such a hearing within the 15-day period shall be deemed a waiver of the right to a hearing. After these violations have been corrected, you must call the Department of Environmental Health for a reinspection to reinstate the permit to operate. Phone #: (408)918-3400.

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: Khant Nandar Kyaw
Server

Signed On: November 05, 2024