

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 FA0230845 - COM TAM THIEN HUONG		Site Address 1759 E CAPITOL EX, SAN JOSE, CA 95121		Inspection Date 10/30/2024		Placard Color & Score RED 80		
Program PR0330939 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name COM TAM THIEN HUONG		Inspection Time 14:35 - 16:30			
Inspected By MARCELA MASRI		Inspection Type ROUTINE INSPECTION		Consent By HUONG PHAN				FSC LIN JU 1-17-29

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						S
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		N
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		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		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: FOUND COOKED BEEF STORED IN THE SERVICE REFRIGERATOR NEAR THE COOKING RANGE AT 52F. [CA] KEEP COLD POTENTIALLY HAZARDOUS FOOD AT 41F OR BELOW. NOTE: THE FOOD HAS BEEN IN THE REFRIGERATOR FOR ABOUT 2 HOURS, PER OPERATOR. IT MAY BE RELOCATED TO A WORKING REFRIGERATOR.

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

Inspector Observations: FOUND LIVE AND DEAD COCKROACHES THROUGHOUT THE KITCHEN IN THE FOLLOWING LOCATIONS:

FOUND A LIVE COCKROACH TRAPPED IN THE GLUE TRAP ON THE WALL NEAR THE HOOD.

FOUND A LIVE COCKROACH MOVING ON THE WALL BY THE HOOD.

FOUND A LIVE COCKROACH ON THE WALL ABOVE A DRY STORAGE SHELF.

[CA] FOOD FACILITIES SHALL NOT HAVE ANY COCKROACHES ON THE PREMISES. REMOVE THE COCKROACHES, CLEAN THE FACILITY, MOVE THE EQUIPMENT TO CHECK AND SEAL ANY GAPS OR CREVICES ON THE WALLS, FLOORS AND CEILINGS WHERE THE COCKROACHES MAY BE HIDING. DISCARD ANY FOOD THAT MAY BE CONTAMINATED BY THE COCKROACHES. REMOVE ANY UNUSED EQUIPMENT OR CLUTTER. REMOVE ANY ENCRUSTED FOOD ON THE FOOD PREPARATION TABLES, UNDER EQUIPMENT, ON THE FLOORS AND WALLS. HIGHLY RECOMMEND HAVING A PEST CONTROL COMPANY PROVIDE A TREATMENT. CLEAN AND SANITIZE ALL SURFACES PRIOR TO CONTACTING THE DEPARTMENT. NOTE: ONE RE-INSPECTION WILL BE FREE OF CHARGE, IF ADDITIONAL RE-INSPECTIONS ARE NEEDED FOR THE SAME ISSUE, THEY WILL BE CHARGED AT \$298 PER HOUR DURING BUSINESS HOURS, MINIMUM ONE HOUR. CALL MARCELA AT 408-687-3451 WHEN READY FOR A RE-INSPECTION.

Minor Violations

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: THE SERVICE REFRIGERATOR BY THE COOKING RANGE IS UNABLE TO KEEP THE POTENTIALLY HAZARDOUS FOOD AT 41F OR BELOW. [CA] REPAIR THE REFRIGERATOR SO THAT IT CAN KEEP THE POTENTIALLY HAZARDOUS FOOD AT 41F OR BELOW.

Follow-up By
11/04/2024

FOUND A PLASTIC MELTING BUCKET NEAR THE COOKING RANGE BEING USED TO HOLD THE HOT SPOONS, LADLES AND COOKING EQUIPMENT. [CA] DISCARD THE BUCKET AS IT CAN NO LONGER BE CLEANED. RECOMMEND USING STAINLESS STEEL CONTAINER.

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

Inspector Observations: FOUND A HOLE ON THE CEILING NEAR THE DRY STORAGE RACK IN THE BACK. [CA] SEAL GAPS.

FOUND THE WALLS AND FLOORS THROUGHOUT THE KITCHEN AND DRY STORAGE AREAS WITH FOOD DEBRIS. [CA] CLEAN THESE AREAS ON A REGULAR BASIS.

FOUND SEVERAL BOXES STORED ON THE FLOOR BELOW THE SHELVES IN THE DRY STORAGE ROOM. [CA] PROVIDE 6 INCHES OF SPACE BELOW THE DRY STORAGE RACKS TO ALLOW FOR CLEANING.

Performance-Based Inspection Questions

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Needs Improvement - Proper hot and cold holding temperatures.

Needs Improvement - Food contact surfaces clean, sanitized.

Measured Observations

Item	Location	Measurement	Comments
PORK	WALK IN FREEZER	19.00 Fahrenheit	
BEEF	SERVICE REFRIGERATOR BY GRILL	37.00 Fahrenheit	
TENDONS	WALK IN COOLER	41.00 Fahrenheit	
CREAM	DESSERT REFRIGERATOR	40.00 Fahrenheit	
HOT WATER	3 COMPARTMENT SINK	120.00 Fahrenheit	
BEEF	WALK IN FREEZER	21.00 Fahrenheit	
MILK	UNDER COUNTER REFRIGERATOR	37.00 Fahrenheit	
HOT WATER	HAND WASH SINK	100.00 Fahrenheit	
BEEF	WALK IN COOLER	40.00 Fahrenheit	
BEEF	SERVICE REFRIGERATOR BY COOKING RANGE	52.00 Fahrenheit	
NOODLES	SERVICE REFRIGERATOR BY 3 COMPARTMENT SINK	35.00 Fahrenheit	
CHICKEN	WALK IN COOLER	40.00 Fahrenheit	

Overall Comments:

THIS FACILITY IS NOW CLOSED AS A RESULT OF FINDING SOME LIVE AND DEAD COCKROACHES IN THE KITCHEN AND DRY STORAGE AREA.

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 **11/13/2024**. 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: HUONG PHAN
LEAD SUP
Signed On: October 30, 2024