

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 FA0252416 - NAM GIAO RESTAURANT		Site Address 2066 TULLY RD, SAN JOSE, CA 95122		Inspection Date 08/04/2022	
Program PR0367405 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name QOLOR LLC		Inspection Time 12:00 - 14:30
Inspected By HENRY LUU	Inspection Type ROUTINE INSPECTION		Consent By QUYNH LE	FSC Not Available	

Placard Color & Score
GREEN
69

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						S
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					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	X	
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		
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		
K44 Premises clean, in good repair; Personal/chemical storage; Adequate vermin-proofing		X
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

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

Inspector Observations: Numerous portioned bags of cooked noodles maintained out in ambient temperature measured at 86F.

Container of steam rice flour cake (banh beo) tapas maintained at the food preparation table measured between 80F to 90F.

Per manager, small amounts of noodles are prepared and are usually used up within one to two hours. The banh beo are usually sold within an hour. Items were prepared less than two hours prior.

Multiple PHF items maintained inside the one-door preparation refrigerator measured above 41F.

- Sliced fancy pork (cha lua) measured between 46F to 51F.

- Cubed fermented pork (nem chua) measured at 45F.

Items were prepared within the last two hours and were observed stored above the load limit.

Bean sprouts, cabbage, and herb mixture maintained at the front service area maintained out in ambient temperature.

[CA] PHFs shall be held at 41F or below or at 135F or above. Time only, rather than time and temperature may be 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. Use only small portions of food during preparation so that it does not exceed the maximum amount of time allowed for diligent prep.

Minor Violations

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

Inspector Observations: Five-year Food Safety Certified (FSC) manager certificate unavailable for review. [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.

**** Repeat violation ****

Only one food handler card was available for review. [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 bowls of food and opened beverage cups stored on shelves and counters of food preparation/food storage areas.

[CA] No employee shall eat or drink in the food prep, food contact storage, or food storage areas, use designated area. Utilize cups with lids and straws.

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

Inspector Observations: The only hand wash station was obstructed with containers of soup actively cooling on the floor in front. [CA] Ensure hand wash stations are unobstructed and easily accessible 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

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Inspector Observations: Employees wash utensils and then soak utensils inside sanitizer solution for approximately 10-20 minutes. Sanitizer solution measured at 200 ppm chlorine. Utensils are then allowed to partially dry on a drying rack before running through the under counter high temperature dish machine. High temperature dish machine did not meet the minimum required temperature. Irreversible thermolabel test strips did not register any temperature. [CA] Mechanical sanitization shall be accomplished in the final sanitizing rinse by achieving a utensil surface temperature of 160°F (or manufacturer's instruction). [SA] Discontinue use of high temperature dish machine. 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).

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

Inspector Observations: Numerous old rodent droppings observed on floor under the two-compartment preparation sink and three-compartment sink. No signs of live activity and no contamination of food or food contact surfaces observed. [CA] Clean and sanitize area of dead cockroaches or old droppings.

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

K24 - 2 Points - Person in charge not present and not performing duties; 113945-113945.1, 113984.1, 114075

Inspector Observations: Child roaming around the food preparation and front service area. [CA] The "person in charge" shall ensure that persons unnecessary to the food facility operation shall not be allowed in the food preparation, food storage, or warewashing areas.

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: Two two-gallon containers of soup actively cooling maintained on the floor in front of the hand washing station.

Pot of partially peeled quail eggs maintained on the stand of the water heater.

[CA] All food shall be separated and protected from possible contamination. Food shall be stored at least 6 inches above the floor to prevent contamination. Food preparation shall only occur in approved areas.

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: Ice scoop maintained inside ice machine with handle in direct contact with ice. [CA] Store scoop handle in such a way that the handle does not come in direct contact with food to prevent contamination.

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

Inspector Observations: Employees' personal belongings observed stored on counters and shelves of food preparation and food storage areas. [CA] Employee's personal effects (cell phone, car keys, and jackets) shall be stored in employee lockers or other designated areas for employee storage.

Mop bucket with mop stored inside maintained in front of the three-compartment sink. [CA] After use, mops shall be placed in a position that allows them to air-dry without soiling walls, equipment, or supplies.

Performance-Based Inspection Questions

- Needs Improvement - Demonstration of knowledge; food manager certification.
- Needs Improvement - Food contact surfaces clean, sanitized.
- Needs Improvement - Proper eating, tasting, drinking, tobacco use.
- Needs Improvement - Proper hot and cold holding temperatures.

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Measured Observations

Item	Location	Measurement	Comments
Cooked pork blood	Cook line	153.00 Fahrenheit	Hot holding
Quartered tomatoes	Preparation refrigerator	40.00 Fahrenheit	
Spicy beef soup	Cook line	189.00 Fahrenheit	
Cooked pork hock	Cook line	141.00 Fahrenheit	Hot holding
Hot water	Three-compartment sink	123.00 Fahrenheit	
Chlorine sanitizer	Three-compartment sink	200.00 PPM	
Raw beef	Preparation refrigerator	39.00 Fahrenheit	
Cooked pork hock	Walk-in refrigerator	40.00 Fahrenheit	
Cooked beef brisket	Walk-in refrigerator	41.00 Fahrenheit	
Raw pork spareribs	Walk-in refrigerator	39.00 Fahrenheit	
Raw shrimp	Walk-in refrigerator	41.00 Fahrenheit	

Overall Comments:

- *Current facility, Nam Giao Restaurant, is proposing to acquire the next door facility, Bun Bo Hue An Nam 2 which has terminated their business and health permit.*
- *The wall separating the two facilities have been demolished and the dining room area remodeled.*
 - *Plumbing, sewage lines, and/or water lines were not affected during the demolition.*
- *Both kitchens will be utilized for Nam Giao Restaurant.*
- *Facility is currently program element is categorized as FP11 - Food preparation/food service operation with 0-5 employees.*
 - *Facility's program element will be re-evaluated once both kitchens are operating.*

- *Current equipment present at Bun Bo Hue An Nam 2:*
 - *Quarry tiles with cove basing throughout kitchen.*
 - *Stainless steel walls.*
 - *Drop ceiling with ceiling panels.*
 - *Prep table with dump sink at server station.*
 - *Four-door reach-in refrigerator at server station.*
 - *Ice machine at server station.*
 - *U-shaped ware wash area with dump sink, spray sink, Auto-Chlor dish machine, and two-compartment sink.*
 - *Two-compartment food preparation sink with dual drain boards.*
 - *Walk-in refrigerator and freezer.*
 - *One hand wash sink in the middle of the kitchen.*
 - *2x American Range stock pot burners: 1x single burner, 1x dual burner.*
 - *Dean deep fryer.*
 - *1x two-wok range.*
 - *Imperial grill.*
 - *Pasta-perfect 2-compartment broiler*
 - *1x six-burner range with oven.*
 - *Large floor kettle.*
 - *Type 1 hood.*
 - *Center island 6-door food preparation refrigerator with top insert.*
 - *1x True two-door preparation refrigerator.*
 - *Navian tankless water heater.*
 - *Janitorial sink.*
 - *Combo washer and dryer.*
 - *2x restrooms.*

- *Facility (Nam Giao) is to maintain equipment as is in the newly acquired kitchen, i.e. no addition of equipment.*
- *Prior approval is required from this Division for any construction, remodeling, addition of equipment, and/or process change requiring changing of equipment.*
- *Prior to usage of newly acquire kitchen, ensure:*
 - *All refrigeration units is able to maintain food temperatures at 41F or below.*
 - *Hot water is supplied to all sinks at 120F, with the exception of hand wash sinks.*
 - *Ventilation hood system is operational and effectively removes heat, steam, grease, and vapors. Steam clean system prior to usage.*

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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 **8/18/2022**. 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: Quynh Le
Manager

Signed On: August 04, 2022