

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 FA0205438 - DAILY DONUTS-1075		Site Address 1075 TULLY RD 22, SAN JOSE, CA 95122		Inspection Date 02/29/2024		Placard Color & Score <div style="background-color: green; color: white; padding: 10px; text-align: center;"> GREEN 91 </div>		
Program PR0303084 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			Owner Name IN, VUTHIN		Inspection Time 13:00 - 13:50			
Inspected By HENRY LUU		Inspection Type ROUTINE INSPECTION		Consent By VUTHIN IN				FSC Keasuong Kang 02/02/2029

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						
K05	Hands clean, properly washed; gloves used properly	X						
K06	Adequate handwash facilities supplied, accessible			X				
K07	Proper hot and cold holding temperatures	X						S
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						S
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		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

No major violations were observed during this inspection.

Minor Violations

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

Inspector Observations: Facility only has two hand wash stations available, one at the front service area, and one located inside the restroom. If future hand washing violations are observed, facility will be required to install additional hand wash sinks. [CA] Provide sufficient number and conveniently locate handwash sinks near food prep area or warewashing area.

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: Observed wooden platforms used as shelves to store large bulk bags of ingredients.

Observed domestic microwave and toaster oven in use.

[CA] Once equipment fails, make plans to replace with approved equipment. New and/or replacement food equipment shall be certified or classified for sanitation by an American National Standards Institute (ANSI) accredited certification program (e.g. NSF, UL EPH, UL Sanitation, CSA Sanitation, or ETL Sanitation).

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

Inspector Observations: Observed gas powered oven located outside of Type 1 ventilation hood. Owner stated that oven will be sparsely used for croissants as their main sales are donuts.

[CA] There shall be a minimum of 6 inches overhang of ventilation hood over cooking equipment.

*** Facility will be conditionally approved to use oven. If and when evidence of ventilation issues are observed, facility may be required to upgrade ventilation hood to accommodate for cooking equipment. Alternatively, facility may replace gas powered oven with an electrical oven.**

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

Inspector Observations: Observed wall between the donut deep fryer and water heater composed of texture material. Wall also observed with large hole behind bulk ingredient bins.

[CA] Repair the wall with a durable, smooth, nonabsorbent, and easily cleanable surface.

Observed bathroom flooring ripping.

[CA] The floor surfaces shall be smooth, of durable construction, and of nonabsorbent material that is easily cleanable.

**** Note: A person proposing to build or remodel a food facility shall submit plans and specifications for review and shall receive plan approval prior to starting any new construction or remodeling. Contact DEH at 408-918-3400 or at www.ehinfo.org to obtain plan check requirements.**

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

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Measured Observations

Item	Location	Measurement	Comments
Warm water	Hand wash sink	100.00 Fahrenheit	
Milk	Merchandiser refrigerator	39.00 Fahrenheit	
Chlorine sanitizer	Three-compartment sink	100.00 PPM	
Hot water	Three-compartment sink	125.00 Fahrenheit	
Ready-whip	One-door upright refrigerator	40.00 Fahrenheit	
Ham	One-door upright refrigerator	39.00 Fahrenheit	

Overall Comments:

OWNERSHIP CHANGE INFORMATION

NEW FACILITY NAME: Daily Donuts
NEW OWNER: Keasuong Kang

The applicant has completed the change of ownership application process for an Environmental Health Permit.

The permit category for this facility is FP10. An invoice for the permit fee in the amount of \$1,079.00 will be mailed to the billing address on the application. Payment must be submitted within 10 days of receipt of the invoice. The owner is responsible for contacting our department if an invoice is not received and remit payment within 30 days.

The Environmental Health Permit will be effective: 03/01/2024 - 02/28/2025 This report serves as a temporary permit. However, the permit will be deemed invalid if the permit fee is not paid in full within 30 days from the date of this report. Okay to Operate.

An official permit will be mailed to the address on file and shall be posted in public view upon receipt.

**Structural Review inspection conducted on 02/29/2024*

*Permit condition:

- 1) Gas oven is sparsely used and is located outside of Type I hood. If and when ventilation issues are observed, upgrades to exhaust hood will be required.*
- 2) Facility lacks food preparation sink. Only prewashed and precut ingredients may be used. If and when menu changes, facility will be required to install food preparation sink.*

**Obtain food safety manager certificate within 60 days. All other food employees must have valid food handler cards within 30 days from hire date.*

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 **3/14/2024**. 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: Keasuong K.
Owner

Signed On: February 29, 2024