

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 FA0209227 - TOFOO COM CHAY		Site Address 388 E SANTA CLARA ST., SAN JOSE, CA 95113	Inspection Date 12/11/2024
Program PR0301035 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11		Owner Name BANH, BENJAMIN	Inspection Time 10:15 - 10:50
Inspected By ALEXANDER ALFARO	Inspection Type FOLLOW-UP INSPECTION	Consent By KIM	

Placard Color & Score

GREEN
N/A

Comments and Observations

Major Violations

Cited On: 12/06/2024

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

Compliance of this violation has been verified on: 12/11/2024

Cited On: 12/06/2024

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

Compliance of this violation has been verified on: 12/11/2024

Cited On: 12/06/2024

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

Compliance of this violation has been verified on: 12/11/2024

Minor Violations

Cited On: 12/11/2024

K07 - 3 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

Inspector Observations: In the kitchen area, in a table top refrigeration unit, a bag of rice noodles was found at 49°F. Per staff they placed it in the cooler about 20 minutes prior.

[CA] Potentially hazardous foods shall be held at or below 41°F or at or above 135°F.

[COS] Staff moved the noodles to a working cooler.

Cited On: 12/06/2024

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

This violation found not in compliance on 12/11/2024. See details below.

Cited On: 12/11/2024

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

Inspector Observations: In the dry storage room numerous amounts of rodent droppings were observed.

[CA] Clean and sanitize area of old droppings. Provide proof of corrections to inspector.

Cited On: 12/11/2024

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: In the kitchen area, next to the cookline, a table top refrigeration unit is not maintaining PHFs at 41°F or below.

[CA] All utensils and equipment shall be fully operative and in good repair.

OFFICIAL INSPECTION REPORT

Facility FA0209227 - TOFOO COM CHAY	Site Address 388 E SANTA CLARA ST, SAN JOSE, CA 95113	Inspection Date 12/11/2024
Program PR0301035 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11	Owner Name BANH, BENJAMIN	Inspection Time 10:15 - 10:50

Cited On: 12/06/2024

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

This violation found not in compliance on 12/11/2024. See details below.

Measured Observations

Item	Location	Measurement	Comments
Rice Noodles	Table Top Cooler	49.00 Fahrenheit	
Water	Hand Sink	100.00 Fahrenheit	
Ambient Air	Upright Cooler	34.00 Fahrenheit	
Ambient Air	Table Top Cooler	47.00 Fahrenheit	

Overall Comments:

This is a follow up inspection for the routine inspection conducted on 12/06/2024.

Observations:

K06: The hand wash sink is draining properly and functioning as intended. Hand wash station was fully stocked.

K07: A bag of rice noodles was found in the same table top cooler measuring at 49. Per Kim they placed it there after their first order about 20 minutes ago. Internal ambient temperature of the unit was measured at 47.

K23: No live or dead cockroaches were observed. Facility has not cleaned the rodent droppings in the dry storage room.

Continue to correct all pending violations. Provide proof of corrections for violations K23 and K35. Failure to comply may result in a follow up inspection. The first follow up inspection is free of charge. Any and all subsequent follow up inspections shall be charged at the approved hourly rate of \$298.00/hr, minimum of one hour, during normal business hours: Monday through Friday 7:30am to 4:30pm or \$645/hour minimum two hour during non business hours, and upon inspector availability.

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 **12/25/2024**. 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.

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: Kim
Manager
Signed On: December 11, 2024