

**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**

<b>Facility</b> FA0262969 - BANH XEO NGON		<b>Site Address</b> 3005 SILVER CREEK RD 176, SAN JOSE, CA 95121		<b>Inspection Date</b> 10/02/2025	
<b>Program</b> PR0387284 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			<b>Owner Name</b> NGUYEN, DAN		<b>Inspection Time</b> 15:20 - 16:50
<b>Inspected By</b> MARCELA MASRI	<b>Inspection Type</b> ROUTINE INSPECTION	<b>Consent By</b> DAN NGUYEN	<b>FSC DAN NGUYEN</b> 8-28-28		

**Placard Color & Score**  
**GREEN**  
**89**

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						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	X	
K31 Consumer self service does prevent contamination		
K32 Food properly labeled and honestly presented		
K33 Nonfood contact surfaces clean	X	
K34 Warewash facilities: installed/maintained; test strips		
K35 Equipment, utensils: Approved, in good repair, adequate capacity		
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	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

No major violations were observed during this inspection.

### Minor Violations

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

**Inspector Observations: OBSERVED EVIDENCE OF FLY ACTIVITY. [CA] ELIMINATE ALL FLY PRESENCE.**

K30 - 2 Points - Food storage containers are not identified; 114047, 114049, 114051, 114053, 114055, 114067(h), 114069 (b)

**Inspector Observations: FOUND A CONTAINER WITH FOOD STORED ON THE FLOOR IN THE KITCHEN. [CA] STORE FOOD 6 INCHES ABOVE THE FLOOR TO PREVENT CONTAMINATION.**

K33 - 2 Points - Nonfood contact surfaces not clean; 114115(c)

**Inspector Observations: FOUND THE BOTTOM OF THE REACH IN REFRIGERATOR WITH FOOD DEBRIS. [CA] CLEAN THIS PART MORE OFTEN.**

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

**Inspector Observations: FOUND TWO NON WORKING LIGHTS AT THE HOOD. [CA] PROVIDE WORKING LIGHTS.**

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: THE SIDE DOOR IS OPEN. [CA] ALL DOOR MUST REMAIN CLOSED TO PREVENT VERMIN FROM COMING INSIDE THE FACILITY.**

### Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

### Measured Observations

Item	Location	Measurement	Comments
HOT WATER	3 COMPARTMENT SINK	120.00 Fahrenheit	
TOFU	SERVICE REFRIGERATOR	40.00 Fahrenheit	
CHICKEN	UNDER COUNTER REFRIGERATOR	40.00 Fahrenheit	
EGGROLLS	RECH IN FREEZER	6.00 Fahrenheit	
BEEF	UNDER COUNTER REFRIGERATOR	40.00 Fahrenheit	
HOT WATER	HAND WASH SINK	100.00 Fahrenheit	
BEAN SPROUTS	IN ICE	41.00 Fahrenheit	
HEAD CHEESE	SERVICE REFRIGERATOR	40.00 Fahrenheit	
BLOOD SQUARE	SERVICE REFRIGERATOR	40.00 Fahrenheit	
SHRIMP	REACH IN FREEZER	5.00 Fahrenheit	

### Overall Comments:

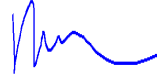
When required to determine compliance, a single reinspection will be conducted without additional charge. If subsequent reinspections are required, an hourly fee (minimum one hour) at the current rate approved by the Board of Supervisors will be assessed for each and every reinspection until the necessary changes or corrections are made. Unless otherwise noted by the inspector, all violations are to be corrected no later than **10/16/2025**. 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



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**Received By:** DAN NGUYEN  
PIC

**Signed On:** October 02, 2025