

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 FA0286058 - BANH CUON ONG TA		Site Address 999 STORY RD 9030, SAN JOSE, CA 95122		Inspection Date 02/19/2025	
Program PR0428900 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name PHAM, LY		Inspection Time 11:30 - 12:45
Inspected By HENRY LUU	Inspection Type ROUTINE INSPECTION		Consent By THU	FSC Not Available	

Placard Color & Score
GREEN
65

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						
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		X			N
K08 Time as a public health control; procedures & records	X						
K09 Proper cooling methods			X				N
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						
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	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	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		
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		X
K46 No unapproved private home/living/sleeping quarters		
K47 Signs posted; last inspection report available	X	

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K48 Plan review		
K49 Permits available		X
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 PHF items maintained out in ambient temperature measures as follows:

- Fried fish cake - 89F at the preparation refrigerator across from the cook line, and at the preparation table across from the three-door upright freezer.
- Container of bean sprouts at the preparation table across from the three-door upright freezer measured at 67F.
- Container of cut fermented raw pork at the preparation table across from the three-door upright freezer measured at 65F.

Employee stated that items were prepared less than 2 hours prior and is usually finish within 20-30 minutes.

[CA] PHFs shall be held at 41°F or below or at 135°F or above.

[COS] Items were placed on time as a public health control.

Minor Violations

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

Inspector Observations: Five-year food manager certificate is expired.

[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.

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

Inspector Observations: Paper towels maintained on storage rack across from the hand wash sink.

[CA] Single-use sanitary towels shall be provided in dispensers. Hand soap and paper towels shall be easily accessible and readily available at all times.

K09 - 3 Points - Improper cooling methods; 114002, 114002.1

Inspector Observations: Numerous trays of fried egg rolls first fried cooling in ambient temperature stacked on top of each other. Egg rolls measured at 100F and per employee was fried less than 30 minutes prior.

Portioned udon noodles maintained out in ambient temperature wrapped in plastic wrap and stacked on top of each other on the shelf adjacent to the cook line. Noodles measured at 89F and per manager was prepared about one hour prior.

Observed soup cooling in numerous plastic buckets throughout the kitchen.

[CA] Potentially Hazardous Foods (PHFs) shall be cooled rapidly from 135°F to 70°F within 2 hours and from 70°F to 41°F within 4 hours.

- Cool foods using approved containers which facilitate heat transfer, such as metal.
- Properly store cooling foods in such a way to allow proper air flow.

K22 - 3 Points - Sewage and wastewater improperly disposed; 114197

Inspector Observations: Observed steady leak below the waste drain pipe of the three-compartment sink.

[CA] Liquid waste shall be disposed of through the approved plumbing system and shall discharge into the public sewerage or into an approved private sewage disposal system. Investigate cause and repair in an approved manner.

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

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Inspector Observations: 5+ dead cockroaches observed on floors around the water heater, water conditioner tanks, and janitorial sink.

Owner stated that facility is serviced every two weeks with the last service conducted last Tuesday. No live activity nor contaminated food or food contact surfaces observed.

[CA] Clean and sanitize area of dead cockroaches.

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: At time of inspection, observed numerous containers (colanders of herbs, buckets of soup, box of tomatoes, etc.) of food placed directly on the floor.

[CA] Food shall be stored at least 6 inches above the floor to prevent contamination.

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

Inspector Observations: Heavy accumulation of food residues observed on surface of cooking equipment and preparation tables around cooking equipment.

[CA] Nonfood-contact surfaces of equipment shall be kept free of an accumulation of dust, dirt, food residue, and other debris.

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 in areas of food preparation, food storage, equipment storage, and/or food contact surfaces.

[CA] Employee's personal effects (cell phone, car keys, and jackets) shall be stored in employee lockers or other designated areas for employee storage.

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

Inspector Observations: Heavy accumulation of food residue observed on wall behind cook line. Heavy accumulation of food debris observed on floors, especially underneath preparation tables, refrigerators, sinks, etc. Heavy accumulation of standing water around the three-compartment sink, water heater, food preparation sink, and janitorial sink.

[CA] Walls and/or floors in food preparation area shall be kept clean. Regularly clean under equipment to prevent accumulation of debris.

K47 - 2 Points - Signs not posted; last inspection report not available; 113725.1, 113953.5, 113978, 114381(e)

Inspector Observations: Health permit is not posted in visible location.

[CA] The health permit issued by this department shall be posted in a conspicuous place in the food facility.

K49 - 2 Points - Permits not available; 114067(b,c), 114381(a), 114387

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Inspector Observations: --48 HOUR NOTICE--

Follow-up By
02/21/2025

Our records indicate this facility is operating without a valid permit and has a delinquent account. Your balance due is \$ 2,135.75 Payment must be made immediately to DEH at the address at the top of this report or via our website at www.Ehinfo.org.

A facility that submits payment of the outstanding balance within 48 hours (2 business days) of this notice will be issued and mailed an operating permit by this department. Failure to comply within 48 hours will result in facility closure and additional enforcement, including but not limited to reinspection(s) and additional cost recovery fees.

A facility found to be in continued operation without a permit may incur a penalty of three (3) times the operating permit fee, and fee(s) for re-inspection(s) charged at the current hourly rate approved by the Santa Clara County Board of Supervisors. Penalties and fees incurred due to enforcement activities must be paid in full prior to the issuance of an operating permit.

*** Invoice provided to manager.**

Performance-Based Inspection Questions

- Needs Improvement - Proper hot and cold holding temperatures.
- Needs Improvement - Demonstration of knowledge; food manager certification.
- Needs Improvement - Proper cooling methods.

Measured Observations

Item	Location	Measurement	Comments
Hot water	Three-compartment sink	130.00 Fahrenheit	
Raw shelled eggs	Three-food upright refrigerator	42.00 Fahrenheit	
Chlorine sanitizer	Undercounter dish machine	50.00 PPM	
Meat balls	Food preparation refrigerator	40.00 Fahrenheit	
Cooked ground pork with shrimp	Hot holding unit	137.00 Fahrenheit	
Tomato based soup	Cook line	201.00 Fahrenheit	
Raw pork bloodq	Three-door upright refrigerator	40.00 Fahrenheit	
Pork blood	Cookline	199.00 Fahrenheit	
Cooked ground pork	Hot holding unit	148.00 Fahrenheit	

Overall Comments:

- Discussed with manager process when changing operations/menu.

*** 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.**

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 **3/5/2025**. 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



Received By: Thu
Manager

Signed On: February 19, 2025