

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 FA0262514 - TASTY POT		Site Address 1143 STORY RD 100, SAN JOSE, CA 95122		Inspection Date 12/20/2022	
Program PR0385454 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 2 - FP13			Owner Name GUO, SHAN BAO		Inspection Time 13:25 - 15:00
Inspected By HENRY LUU	Inspection Type ROUTINE INSPECTION	Consent By WESTIN	FSC Not Available		

Placard Color & Score
GREEN
73

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				
K05 Hands clean, properly washed; gloves used properly		X		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						
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	X	
K27 Food separated and protected	X	
K28 Fruits and vegetables washed		
K29 Toxic substances properly identified, stored, used	X	
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		
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		

OFFICIAL INSPECTION REPORT

Facility FA0262514 - TASTY POT	Site Address 1143 STORY RD 100, SAN JOSE, CA 95122	Inspection Date 12/20/2022
Program PR0385454 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 2 - FP13	Owner Name GUO, SHAN BAO	Inspection Time 13:25 - 15:00
K48	Plan review	
K49	Permits available	
K58	Placard properly displayed/posted	

Comments and Observations

Major Violations

K05 - 8 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

Inspector Observations: Employee conducting ware washing observed handling soil dishes and then immediately handle clean and sanitized dishes without first washing hands. [CA] Ensure employees are properly washing hands as required. Properly wash hands with soap, warm water and dry using single use paper towels as required.

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. PIC provided certificate from International Open Academy for Food & Beverage Management.

International Open Academy is not accredited by the American National Standards Institute as meeting the requirements of the Conference for Food Protection's "Standards for Accreditation of Food Protection Manager Certification Programs.

[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. Provide valid FSC within 60 days.

K04 - 3 Points - Improper eating, tasting, drinking or tobacco use in food preparation area; 113977

Inspector Observations: Employee's personal food stored in staging area for customers' orders. [CA] No employee shall eat or drink in the food prep, food contact storage, or food storage areas, use designated area.

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

Inspector Observations: One dead cockroaches observed on floor by the water heater away from the kitchen. Dead cockroaches and dead mice observed on sticky trap in the ceiling area above the water heater. Ceiling panel was half broken off and the hole was covered up with metal grates.

Per PIC, roof is not accessible. Pest control services facility once per month.

Pest control report was unavailable for review.

[CA] Clean and sanitize area of dead cockroaches or old droppings.

K26 - 2 Points - Unapproved thawing methods used; frozen food; 114018, 114020, 114020.1

Inspector Observations: Large tray of raw beef slices thawing in ambient temperature. [CA] Frozen potentially hazardous food shall only be thawed in one of the following ways: 1) under refrigeration that maintains the food temperature at 41°F or below, 2) completely submerged under potable running water for a period not to exceed two hours at a water temperature of 70°F or below, and with sufficient water velocity to agitate and flush off loose particles into the sink drain, 3) in a microwave oven if immediately followed by immediate preparation, 4) as part of a cooking process.

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: Packaged food, cases of food, and/or food containers stored directly on the floor:

- Inside walk-in refrigerator.
- Inside walk-in freezer.
- In area where beverages are prepared.
- Dry storage area.

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

OFFICIAL INSPECTION REPORT

Facility FA0262514 - TASTY POT	Site Address 1143 STORY RD 100, SAN JOSE, CA 95122	Inspection Date 12/20/2022
Program PR0385454 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 2 - FP13	Owner Name GUO, SHAN BAO	Inspection Time 13:25 - 15:00

K29 - 2 Points - Toxic substances improperly identified, stored, used; 114254, 114254.1, 114254.2

Inspector Observations: Domestic insecticide spray can observed stored in dry storage area and in food preparation areas. CA] Only those insecticides, rodenticides, and other pesticides that are necessary and specifically approved for use in a food facility may be used. Store chemicals separate and away from the storage and preparation of food or food contact surfaces and linens.

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' cellphones and backpacks stored in areas of food preparation and or food equipment. [CA] No person shall store clothing or personal effects in any area used for the storage and preparation of food or food contact surfaces.

Back door of facility maintained opened during inspection. [CA] Keep back door closed at all times to prevent the entrance and harborage of vermin.

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

Inspector Observations: Heavy build up dirt, food residue, and/or food debris observed on floors throughout kitchen, especially underneath cooking equipment and food preparation tables. [CA] Walls and/or floors in food preparation area shall be kept clean. Regularly clean under equipment to prevent accumulation of debris.

Performance-Based Inspection Questions

Needs Improvement - Demonstration of knowledge; food manager certification.

Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
Hot water	Three-compartment sink	123.00 Fahrenheit	
Raw fish	Two-door upright refrigerator	39.00 Fahrenheit	
Chlorine sanitizer	Mechanical dish machine	50.00 PPM	
Raw clams	Walk-in refrigerator	39.00 Fahrenheit	
Sliced tomato	Walk-in refrigerator	38.00 Fahrenheit	
Blood rice cake	Walk-in refrigerator	34.00 Fahrenheit	
Tofu	Walk-in refrigerator	38.00 Fahrenheit	
Calamari	Two-door upright refrigerator	40.00 Fahrenheit	
Fish cake	Two-door upright refrigerator	40.00 Fahrenheit	
Raw shrimp	Two-door upright refrigerator	39.00 Fahrenheit	
Cooked beef	Cook line	183.00 Fahrenheit	
Tofu	Two-door upright refrigerator	40.00 Fahrenheit	
Raw fish	Walk-in refrigerator	38.00 Fahrenheit	
Raw lobster tail	Food preparation refrigerator	41.00 Fahrenheit	
Raw beef	Food preparation refrigerator	38.00 Fahrenheit	
Soup	Hot holding	202.00 Fahrenheit	
Soup broth	Walk-in refrigerator	36.00 Fahrenheit	
Raw lamb	Food preparation refrigerator	41.00 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 **1/3/2023**. 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.

OFFICIAL INSPECTION REPORT

Facility FA0262514 - TASTY POT	Site Address 1143 STORY RD 100, SAN JOSE, CA 95122	Inspection Date 12/20/2022
Program PR0385454 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 2 - FP13	Owner Name GUO, SHAN BAO	Inspection Time 13:25 - 15:00

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: Westin Zhang
PIC

Signed On: December 20, 2022