

# 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<br>FA0205604 - GIO CHA NGON                                     |                                       | Site Address<br>1130 LUCRETIA AV G, SAN JOSE, CA 95122 |                           | Inspection Date<br>11/03/2025 |                                  |
| Program<br>PR0304511 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11 |                                       |  | Owner Name<br>QUAN NGUYEN |                               | Inspection Time<br>11:05 - 12:55 |
| Inspected By<br>HENRY LUU  | Inspection Type<br>ROUTINE INSPECTION |  | Consent By<br>OANH L.     | FSC Not Available             |                                  |

|                       |
|-----------------------|
| Placard Color & Score |
| <b>RED</b>            |
| <b>62</b>             |

| 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     |        |     |     | N   |
| 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  |       |       |        |     |     |     |
| K08 Time as a public health control; procedures & records                       | X  |       |       |        |     |     | S   |
| 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     |       |        |     |     | N   |

| GOOD RETAIL PRACTICES   | OUT | COS |
|---|-----|-----|
| K24 Person in charge present and performing duties                                      | X   |     |
| 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  | X   |     |
| 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                                 | X   |     |
| 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                                    | 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

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

**Inspector Observations:** *Wiping cloth stored in the container with cutting knives and equipment at the sandwich preparation refrigerator observed with dead cockroach nymphs.*

**[CA]** *Ensure food contact surfaces and cleaned, sanitized, and free from contamination.*

Follow-up By  
11/06/2025

K23 - 8 Points - Observed rodents, insects, birds, or animals; 114259.1, 114259.4, 114259.5

**Inspector Observations:** *1. Observed Vermin:*

- *10+ live of various life stages observed inside the crevices of the top door hinges of the sandwich preparation refrigerator. Nymphs observed inside the crevices where caulking is missing against the preparation table. Dead cockroaches observed on the rim once the top cover is lifted.*

- *1+ live and numerous dead cockroaches observed below the cash register.*
- *Dead cockroaches observed on floor by the sandwich preparation refrigerator.*
- *Dead cockroaches observed on floor by the two-door merchandiser next to the altar.*
- *2+ live carrying egg sac with numerous nymphs crawling on the inside of the both door gaskets of the inoperable two-door upright refrigerator.*
- *2+ live adults carrying egg sac, and numerous juveniles observed crawling on the door hinges and gaskets of both bread proofers.*
- *1+ live with accumulation of feces along the door trim from the kitchen to the side of the facility.*
- *Dead cockroaches observed in the following areas:*
  - *On floor underneath the three-compartment sink.*
  - *On floor underneath the oven.*
  - *On wall by the grease collection on the top right of the ventilation hood system.*
  - *On floor between the three-door upright freezer.*
  - *On floor in the janitorial area.*
  - *Underneath the meat slicer.*
  - *On top of the ANSUL activation switch.*

**2. Photographs:** *Taken for documentation purposes.*

**3. Supervisor Monica H.** *was notified of closure.*

**4. Notification:** *The person in charge during inspection, Quan, has been informed that the facility must close immediately.*

**[CA]:** *The premises of each food facility must be maintained free of vermin. A facility cannot operate if there is a vermin infestation that leads to contamination of food contact surfaces, packaging, utensils, food equipment, or adulteration of food. The facility is required to cease operations immediately and must remain closed until all corrective actions on the provided checklist are completed.*

**Requirements Before Reopening:**

**1.** *Email the signed and completed Reopening Checklist to the assigned inspector.*

**2.** *Submit a copy of the pest control report from a licensed provider.*

### Minor Violations

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

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**Inspector Observations: Five-year Food Safety Certified (FSC) 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.**

**Employees' three-year food handler cards unavailable for review and/or are expired. [CA] Each food handler shall maintain a valid food handler card for the duration of his or her employment as food handler. A valid food handler card shall be provided within 30 days of after the date of hire.**

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

**Inspector Observations: Employees' personal beverages observed stored in areas of food preparation.**

**[CA] No employee shall eat or drink in the food prep, food contact storage, or food storage areas, use designated area. Provide designated location for employees to store personal food and beverages, that is separated and protected from facility food.**

K24 - 2 Points - Person in charge not present and not performing duties; 113945-113945.1, 113984.1, 114075

**Inspector Observations: Observed child inside the kitchen.**

**[CA] The "person in charge" shall ensure that persons unnecessary to the food facility operation shall not be allowed in the food preparation, food storage, or warewashing areas.**

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: Cardboard cases of food stored directly on the floor. [CA] Food shall be stored at least 6 inches above the floor to prevent contamination.**

K32 - 2 Points - Food improperly labeled & not honestly presented: 114087, 114089, 114089.1(a, b), 114090, 114093.1

**Inspector Observations: Prepackaged food offered for sale for customer self-service do not have proper labels.**

**[CA] Food prepackaged in a food facility shall bear a label with the following: 1) common name of the food, 2) list of ingredients in descending order of predominance by weight, 3) quantity of contents, 4) name and place of business of the manufacturer, packer, or distributor.**

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

**Inspector Observations: Heavy accumulation of grease, grime, and food debris observed in the following areas:**

- Along the rim and hinges of the sandwich preparation refrigerator.
- On the floor mixer.
- On the sides of cooking equipment.
- Preparation tables where equipment is stored on.

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

K36 - 2 Points - Equipment, utensils, linens: Improper storage and use; 114074, 114081, 114119, 114121, 114161, 114178, 114179, 114083, 114185, 114185.2, 114185.3, 114185.4, 114185.5

**Inspector Observations: Observed black totes used to store bread maintained inside the restroom uncovered.**

**[CA] Equipment shall be stored within an approved area to prevent contamination. Utensils shall be stored in a clean, dry location where they are not exposed to splash, dust, or other contamination, and at least six inches above the floor. Remove equipment from restroom. Discontinue storing equipment inside the restroom.**

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

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**Inspector Observations: Heavy accumulation of grease observed on ventilation hood and hood filters.**

**[CA] Clean mechanical exhaust hood and/or filters of grease accumulation.**

**Observed electric stove used to fry eggs at the front service area next to the sandwich preparation refrigerator.**

**Observed baking oven halfway out of the ventilation hood.**

**[CA] Provide approved exhaust hood ventilation over all cooking equipment as required to effectively remove cooking odors, smoke, steam, grease, heat, and vapors. Discontinue use of unapproved equipment and cooking in the front of the facility. All cooking shall be conducted at the cook line underneath the ventilation hood.**

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: Cast off equipment maintained inside the facility.**

**[CA] The premises of a food facility shall be free of litter and items that are unnecessary to the operation or maintenance of the facility, such as equipment that is nonfunctional or no longer used.**

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 grease, grime, and food debris observed on floors and walls throughout the facility:**

- Underneath sandwich preparation refrigerator.
- On wall at the corner where the trash can is stored at the sandwich preparation area.
- On wall where the floor mixer is stored.
- Underneath the three-compartment sink.
- Along the cook line.

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

**Numerous gaps, cracks, and/or crevices observed throughout the facility:**

- Ceiling panels.
- Ceiling trims/door trims, etc.

**[CA] Repair holes in structure and maintain in good repair to prevent pest harborage.**

## Performance-Based Inspection Questions

Needs Improvement - Demonstration of knowledge; food manager certification.

Needs Improvement - Proper eating, tasting, drinking, tobacco use.

Needs Improvement - No rodents, insects, birds, or animals.

## Measured Observations

| Item           | Location                      | Measurement       | Comments |
|----------------|-------------------------------|-------------------|----------|
| Sliced tomato  | Food preparation refrigerator | 41.00 Fahrenheit  |          |
| Hot water      | Three-compartment sink        | 120.00 Fahrenheit |          |
| Pate           | Food preparation refrigerator | 41.00 Fahrenheit  |          |
| Cooked chicken | Food preparation refrigerator | 41.00 Fahrenheit  |          |

## Overall Comments:

- Facility is hereby closed due to evidence of a vermin infestation.

- Facility is to immediately cease and desist all operations.

- Facility is prohibited from all food service activities which include, but not limited to: preparation, service, handling, distribution, and sale.

- Facility shall remain closed until vermin infestation is completely abated and authorization is provided by this Division.

- Facility shall:

- Provide pest control report from a licensed pest control company that indicates the type of control measures taken and that the facility has been treated.

- Eradicate all live and dead rodents and insects from the facility.

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|---|---|---|
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- **Clean and sanitize the affected area(s) and equipment.**
- **Dispose of all food items that have been adulterated/contaminated.**
- **Seal holes (e.g. in walls and ceilings, repair covered base), and entryways (e.g. weather-stripping around doors); keep exterior doors closed; screen openable windows.**
- **Eliminate harborage inside and outside of the facility - remove unused/cast-off equipment, contributory vegetation, etc.)**
- **Eliminate food and water sources inside and outside the facility.**
- **Properly store items (e.g. at least 6 inches above floor in sealed rodent-proof/insect-proof containers; organize overly packed and disorganized storage areas).**
- **Properly store and dispose of garbage and other waste (e.g. bagged wastes, keep dumpster lids closed, frequent removal).**

- **Subsequent follow-up inspection shall be billed at \$298/hour, minimum one hour, during normal business hour, Monday - Friday 7:30 AM to 4:30 PM, and \$645 for a minimum of two hours, during non-business hours, and upon inspector availability.**

- **The posted placard is property of the Santa Clara County Department of Environmental Health and shall not be removed, covered-up, relocated, tampered, or copied. Failure to comply may result in enforcement actions per County Ordinance Code Section B11-55.**

- **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.**

**\*\* Please note that pest control treatments for rodents or insects may require a sufficient amount of contact time for these to be effective. Consult with pest control company for guidelines on eliminating harborage, entryways, and food/water sources.**

## CLOSURE / PERMIT SUSPENSION NOTICE

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 **11/17/2025**. 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.

This notice is to inform you that as of this date the Environmental Health Permit for the above mentioned food facility is hereby suspended and all operations therewith are ordered to cease. This action is taken in accordance with Section 114409 of the California Health and Safety Code which states 'If any imminent health hazard is found, unless the hazard is immediately corrected, an enforcement officer may temporarily suspend the permit and order the food facility or cottage food operation immediately closed.'

You have the right to make a written request for a hearing within 15 days after receipt of this notice to show just cause why the permit suspension is not warranted. Failure to request such a hearing within the 15-day period shall be deemed a waiver of the right to a hearing. After these violations have been corrected, you must call the Department of Environmental Health for a reinspection to reinstate the permit to operate. Phone #: (408)918-3400.

**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:** Quan  
Owner

**Signed On:** November 03, 2025