

# 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 FA0254409 - RONG BIEN RESTAURANT		Site Address 1111 STORY RD 1080, SAN JOSE, CA 95122		Inspection Date 06/01/2023	
Program PR0371087 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name RB DONG NAI CORPORATIO		Inspection Time 11:20 - 12:40
Inspected By HENRY LUU	Inspection Type ROUTINE INSPECTION		Consent By THUY	FSC Becky Nguyen 03/22/2027	

Placard Color & Score
<b>GREEN</b>
<b>81</b>

RISK FACTORS AND INTERVENTIONS	IN	OUT		COS/SA	N/O	N/A	PBI
		Major	Minor				
K01 Demonstration of knowledge; food safety certification	X						S
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				
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	X			N
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	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	X	
K36 Equipment, utensils, linens: Proper storage and use	X	
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		

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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

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

**Inspector Observations: Container of bean sprouts maintained in water with inadequate ice. Bean sprouts in water measured at 58F.**

**[CA] PHFs shall be held at 41°F or below or at 135°F or above. [COS] PIC added more ice.**

K14 - 3 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: Employee dropped cooking utensil on floor, went to three-compartment sink to rinse with water and attempted to reuse. Employee corrected themselves and returned utensil to the three-compartment sink. [CA] Ensure all food contact surfaces are properly cleaned and sanitized. [COS] Employee left soiled utensils at three-compartment sink and obtained new utensil.**

K21 - 3 Points - Hot and cold water not available; 113953(c), 114099.2(b), 114163(a), 114189, 114192, 114192.1, 11419

**Inspector Observations: Food preparation sink lacks hot water. [CA] Hot water shall be supplied at a minimum temperature of at least 120°F measured from the faucet throughout facility except at handwash sinks.**

**\*\*\*\* Repeat violation**

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

**Inspector Observations: Can of domestic insecticide spray observed stored on shelf above the three-compartment sink.**

**[CA] Store chemicals separate and away from the storage and preparation of food or food contact surfaces and linens. Only those insecticides, rodenticides, and other pesticides that are necessary and specifically approved for use in a food facility may be used.**

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: Bowls used as scoops for bulk food ingredients. [CA] All utensils and equipment shall be certified or classified for sanitation by an American National Standards Institute (ANSI) accredited certification program (e.g. NSF, UL EPH, UL Sanitation, CSA Sanitation, or ETL Sanitation). Provide scoops with handles.**

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 knives and cleavers maintained inside the condensate catch basin behind the two-door upright freezer by the food preparation sink and table. [CA] All cleaned 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.**

**\*\*\*\* Repeat violation**

**Observed employee utilizing three-compartment sink to conduct food preparation while food preparation sink across was not in use. [CA] Utilize sinks for their designated purpose. All food preparation shall be conducted at the food preparation sink.**

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

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**Inspector Observations: Back door of facility observed 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: Observed heavy accumulation of grease and oil on wall between the walk-in refrigerator and ventilation hood.**

**[CA] Walls and/or floors in food preparation area shall be kept clean.**

## Performance-Based Inspection Questions

Needs Improvement - Food contact surfaces clean, sanitized.

## Measured Observations

Item	Location	Measurement	Comments
Raw calamari	Three-door food preparation refrigerator	41.00 Fahrenheit	Top insert - across from wok line
Broiled whole chicken	Three-door upright refrigerator	40.00 Fahrenheit	
Cooked pork liver	Food preparation refrigerator	41.00 Fahrenheit	Top insert - across from stock pot burners
Par-cooked prawns	Three-door food preparation refrigerator	41.00 Fahrenheit	Top insert - across from wok line
Cooked egg cake	Three-door upright refrigerator	40.00 Fahrenheit	
Cooked rice	Rice cooker	154.00 Fahrenheit	
Raw fish	Food preparation refrigerator	40.00 Fahrenheit	Across from stock pot burners
Chlorine sanitizer	Mechanical dish machine	50.00 PPM	
Warm water	Hand wash sink	102.00 Fahrenheit	Men's restroom
Raw shelled eggs	Two-door food preparation refrigerator	39.00 Fahrenheit	Across from 3-dr upright refrigerator
Cooked ground pork	Food preparation refrigerator	40.00 Fahrenheit	Top insert - across from stock pot burners
Fish balls	Three-door food preparation refrigerator	40.00 Fahrenheit	Top insert - across from wok line
Par-cooked prawns	Food preparation refrigerator	40.00 Fahrenheit	Top insert - across from stock pot burners
Beef bone soup	Cook line	167.00 Fahrenheit	
Raw marinated chicken	Three-door food preparation refrigerator	40.00 Fahrenheit	Across from wok line
Raw marinated beef	Food preparation refrigerator	40.00 Fahrenheit	Across from stock pot burners
Hot water	Three-compartment sink	125.00 Fahrenheit	
Cooked ground pork	Walk-in refrigerator	41.00 Fahrenheit	
Raw marinated beef	Three-door food preparation refrigerator	41.00 Fahrenheit	
Cooked rice	Three-door upright 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 **6/15/2023**. 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.

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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:** Becky N.  
Owner

**Signed On:** June 01, 2023