

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 FA0211058 - MOMMY'S BANH MIL		Site Address 86 N MARKET ST, SAN JOSE, CA 95113		Inspection Date 06/11/2025		Placard Color & Score GREEN 80		
Program PR0307533 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			Owner Name MOMMY'S BANH MI LLC		Inspection Time 12:35 - 14:25			
Inspected By ALEXANDER ALFARO		Inspection Type ROUTINE INSPECTION		Consent By KHIEM LAI				FSC Not Available

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						S
K06	Adequate handwash facilities supplied, accessible	X						S
K07	Proper hot and cold holding temperatures		X		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						
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		
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	X	
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		
K39	Thermometers provided, accurate		
K40	Wiping cloths: properly used, stored		X
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		
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

K07 - 8 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

Inspector Observations:

In the kitchen area, on a mobile cart, pate, rice noodles, and fried chicken are held with no temperature control. Fried chicken measured at 90°F, pate measured at 60°F, and rice noodles measured at 87°F. Per PIC, items were cooked around 12 pm.

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

[COS] Items were time marked for disposable after 4 hours of removal from temperature control.

Note: Facility closes at 4 pm. Discussed potential use of TPHC for food items.

Minor Violations

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

Inspector Observations:

Facility lacks a Food Safety Certificate upon request.

[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.

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

Inspector Observations:

In the back of house area, at the dishwashing area, several dead cockroaches were observed on a glue trap under the ice machine. No other evidence of cockroaches were observed.

[CA] Ensure to maintain the facility free of animals, pests, and vermin. Provide pest control as required.

K34 - 2 Points - Warewashing facilities: not installed or maintained; no test strips; 114067(f,g), 114099, 114099.3, 114099.5, 114101(a), 114101.1, 114101.2, 114103, 114107, 114125

Inspector Observations:

Facility lacks testing materials for their choice of sanitizer, quaternary ammonia.

[CA] Testing equipment and materials shall be provided to adequately measure the applicable sanitization method used during manual or mechanical warewashing.

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:

In the kitchen area, near the rice cooker, the rice serving utensil was found stored in water measuring at 82°F.

[CA] Utensils shall be stored in the following manner:

- 1) in the food with their handles above the top of the food and the container*
- 2) in running water*
- 3) in a container of water at 135°F or above*
- 4) at room temperature if washed within 4 hours of initial use.*

K40 - 2 Points - Wiping cloths: improperly used and stored; 114135, 114185.1 114185.3(d,e)

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Inspector Observations:

Several wet cloth towels were found stored on the prep counter of the kitchen area.

[CA] Wiping towels shall be stored in sanitizing solution of an approved concentration when not in use (100 ppm - chlorine, 200 ppm - quaternary ammonium).

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
Fried Chicken	Fryer Basket	150.00 Fahrenheit	
Grilled Chicken	Final Cook	169.00 Fahrenheit	
Grilled Chicken	Steam Table	135.00 Fahrenheit	
Rice	Rice Cooker	150.00 Fahrenheit	
Chlorine - Sanitizer	Three Compartment Sink	100.00 PPM	
Fried Chicken	Cart	90.00 Fahrenheit	
Raw Chicken	Walk in Cooler	37.00 Fahrenheit	
Rice Noodles	Counter	87.00 Fahrenheit	
Water	Hand Sinks - All	100.00 Fahrenheit	
Half and Half	Undercounter Cooler	36.00 Fahrenheit	
Quaternary Ammonia - Sanitizer	Sanitizer Bucket	400.00 PPM	
Water	Three Compartment Sink	125.00 Fahrenheit	
Pate	Cart	60.00 Fahrenheit	

Overall Comments:

Notes:

- *TPHC form provided to PIC.*

- *Facility requested the list of reportable illnesses for food employees. See the reportable illnesses below:*

- (1) Salmonella typhi.*
- (2) Salmonella spp.*
- (3) Shigella spp.*
- (4) Entamoeba histolytica.*
- (5) Enterohemorrhagic or shiga toxin producing Escherichia coli.*
- (6) Hepatitis A virus.*
- (7) Norovirus.*

- *Facility name to be updated to remove the typing error. "Mommy's Banh Mil"*

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 **6/25/2025**. 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: Khiem Lai
Owner

Signed On: June 11, 2025