

# 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 FA0254379 - BANH CUON HONG HANH		Site Address 1111 STORY RD 1007, SAN JOSE, CA 95122		Inspection Date 02/06/2025	
Program PR0370997 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name NHAN TRAN		Inspection Time 13:30 - 15:40
Inspected By HENRY LUU	Inspection Type ROUTINE INSPECTION	Consent By NHAN T.	FSC Not Available		

Placard Color & Score

**YELLOW**

**44**

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		X			N
K06 Adequate handwash facilities supplied, accessible		X		X			N
K07 Proper hot and cold holding temperatures	X						N
K08 Time as a public health control; procedures & records		X		X			N
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	X	
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	X	
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	X	
K36 Equipment, utensils, linens: Proper storage and use	X	
K37 Vending machines		
K38 Adequate ventilation/lighting; designated areas, use		
K39 Thermometers provided, accurate		X
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		
K46 No unapproved private home/living/sleeping quarters		X
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

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

**Inspector Observations:** *Dish washing employee observed handling cleaned dishes after handling soiled dishes.*

Follow-up By  
02/11/2025

*Kitchen employee observed cleaning the floor with rag and then attempted to start food preparation and/or touch food contact surfaces. When instructed to wash hands, employee washed hands with gloves still donned on.*

**[CA] Ensure employees are properly washing hands as required. Employees shall wash their hands in all of the following instances:**

- (1) Immediately before engaging in food preparation, including working with non-prepackaged food, clean equipment and utensils, and unwrapped single-use food containers and utensils.
- (2) After touching bare human body parts other than clean hands and clean, exposed portions of arms.
- (3) Immediately after using the toilet room and again when returning into the kitchen.
- (4) After caring for or handling any animal allowed in a food facility in pursuant to this part.
- (5) After coughing, sneezing, using a handkerchief or disposable tissue, using tobacco, eating, or drinking.
- (6) After handling soiled equipment or utensils.
- (7) During food preparation as often as necessary to remove soil and contamination and to prevent cross-contamination when changing tasks.
- (8) When switching between working with raw food and working with ready-to-eat foods.
- (9) Before initially donning gloves for working with food.
- (10) Before dispensing or serving food or handling clean tableware and serving utensils in the food service area.
- (11) After engaging in other activities that contaminate the hands.

*Properly wash hands with soap, warm water and dry using single use paper towels as required. Single-use gloves shall be removed prior to washing hands.*

**[COS] Instructed employee to properly wash hands.**

K06 - 8 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

**Inspector Observations:** *Hand wash station in kitchen by the cook line lacked paper towels and hand soap, and observed being utilized for food preparation.*

Follow-up By  
02/11/2025

*Hand wash station in the ware wash area outside of the walk-in refrigerators completely obstructed with container of utensils placed directly on top of wash basin. Sink observed heavily soiled and does not appear to be used for some time.*

*Hand wash station at the front service area obstructed with serving tray placed inside the wash basin.*

**[CA] Handwashing facilities shall be equipped with handwashing cleanser and single-use sanitary towels in dispensers. Paper towels and hand soap shall be readily available and easily accessible at all times.**

*Handwashing facility shall be clean, unobstructed, and accessible at all times. A handwashing facility shall not be used for purposes other than handwashing.*

**[COS] Obstructions were removed. Hand soap and paper towels provided.**

K08 - 8 Points - Improperly using time as a public health control procedures & records; 114000

**Inspector Observations:** *PHF items maintained out in ambient temperature subjected to time as a public health control (TPHC) were not labeled with time indicating when item was removed from temperature control.*

Follow-up By  
02/11/2025

- *Bean sprouts in water.*
- *Numerous plates of steamed rice cakes and dumplings.*

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- Three colanders of rice noodles, vermicelli, and udon noodles
- All food items maintained at the three-door food preparation refrigerator.
- Container of cooked beef flank meat.
- Container of cooked pork knuckles.

Employee stated that all items were prepared approximately 2 hours prior and that after 4 hours, some items are discarded into the garbage, while some is returned into the walk-in refrigerator to cool.

[CA] When time only, rather than time and temperature is used as a public health control, PHFs shall be time marked to indicate when item is removed from temperature control, discarded if not consumed or served within 4 hours, and written procedures shall be readily available for review.

[COS] Employee provided labels for all items subjected to TPHC.

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: Observed employee actively ware washing using the mechanical dish machine, however, dish machine also lacked sanitizer.

[CA] Maintain chlorine in mechanical warewash machine at 50 PPM or per manufacturer specifications.

[SA] Discontinue usage of the mechanical dish machine. Temporarily utilize the three-compartment sink to conduct ware washing.

\*\* Manual warewashing shall be accomplished by using a three-compartment sink where the utensils are first precleaned, washed with hot soapy water, rinsed with hot water, sanitized with an approved method, and air dried. Use 1 TBS of bleach (5.25%) per 1 gal. of water for chlorine solution (100 PPM). Use 1 tbs of quaternary ammonium (10%) per 2 gal. of water for quaternary ammonium (200 PPM).

At time of inspection, facility lacked any type of sanitizer.

[CA] Manual sanitization shall be accomplished in the final sanitizing rinse by contacting a chlorine solution of 100 PPM concentration for at least 30 seconds or by contacting a quaternary ammonium solution of 200 PPM concentration for at least 60 seconds.

\*\* Facility is to immediately cease and desist all operations until an approved sanitizer is provided.

[COS] Owner provided chlorine bleach. Three-compartment sink was set up for manual ware washing. Instructed employee to rewash and sanitize all previously washed utensils.

## 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. [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.

[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 observed eating and drinking in areas of food preparation.

- Cashier eating around the beverage preparation area in the front.
- Dish washer observed consuming an apple at the three-compartment sink/dish washing area.
- Opened beverages stored in areas of food preparation near opened food.

[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, separated and protected from restaurant food. For beverages, utilize cups with lids and straws.

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

Follow-up By  
02/11/2025

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**Inspector Observations:** *Three containers of fish paste maintained below the cookline 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:** *Deep fried chips and large vat of cooking oil observed maintained at the preparation table directly below the paper towel dispenser at the cook line.*

**[CA]** *All food shall be separated and protected from possible contamination. Relocate paper towel dispenser or relocate preparation table to separate and protect food during hand washing.*

**Observed containers of food stored directly on the floor throughout the facility:**

- Inside the walk-in refrigerator.
- Inside the walk-in freezer.
- In the kitchen.
- Upstairs in the dry storage area.

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

K30 - 2 Points - Food storage containers are not identified; 114047, 114049, 114051, 114053, 114055, 114067(h), 114069 (b)

**Inspector Observations:** *Opened bags of bulk ingredients maintained directly on the floor in the upstairs dry storage area.*

**[CA]** *Store open bulk foods in approved NSF containers with tight fitting lids.*

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 is utilizing rags as stoppers for the three-compartment sink.*

**[CA]** *Plugs/stoppers shall be available to fill up the warewashing sink.*

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:** *Wooden pallets used to store food off of the floor inside the walk-in refrigerator.*

**[CA]** *Dollies, pallets, racks, or skids used to store and transport large quantities of prepackaged foods shall be designed to be moved by hand, hand trucks, or forklifts. Provide approved equipment, such as metal shelving. 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).*

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 to-go containers used as scoops for bulk ingredients. Containers were maintained directly inside the bags of ingredients.*

**[CA]** *Use approved utensils such as scoops or spoons with handles to ensure hands do not come in direct contact with food.*

**Ice scoop maintained inside the ice machine with the handle in direct contact with consumable ice.**

**[CA]** *Store scoop handle in such a way that the handle does not come in direct contact with food to prevent contamination.*

K39 - 2 Points - Thermometers missing or inaccurate; 114157, 114159

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**Inspector Observations: Facility lacks thermometer to measure food items. Facility lacks thermometers inside refrigeration units.**

**[CA] A thermometer +/- 2°F shall be provided and correctly located in each hot and cold holding unit containing potentially hazardous foods.**

**An accurate easily readable metal probe thermometer (accurate to +/- 2°F) that is designed to measure the temperature of thin masses shall be provided and readily available to accurately measure the temperatures of potentially hazardous foods.**

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 and/or food storage.**

**[CA] Employee's personal effects (cell phone, car keys, and jackets) shall be stored in employee lockers or other designated areas for employee storage. No person shall store clothing or personal effects in any area used for the storage and preparation of food or food contact surfaces.**

**Observed mop stored inside mop bucket at the entrance into the kitchen.**

**[CA] After use, mops shall be placed in a position that allows them to air-dry without soiling walls, equipment, or supplies.**

K46 - 2 Points - Unapproved private home/living/sleeping quarters; 114285, 114286

**Inspector Observations: Observed sleeping arrangement inside the small storage room in the upstairs area .**

**[CA] No sleeping accommodations shall be maintained or kept in any room where food is prepared, stored, or sold.**

## Performance-Based Inspection Questions

- Needs Improvement - Proper eating, tasting, drinking, tobacco use.
- Needs Improvement - Food contact surfaces clean, sanitized.
- Needs Improvement - Adequate handwash facilities: supplied or accessible.
- Needs Improvement - Time as a public health control; procedures & records.
- Needs Improvement - Hands clean/properly washed/gloves used properly.
- Needs Improvement - Demonstration of knowledge; food manager certification.
- Needs Improvement - Proper hot and cold holding temperatures.

## Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
Warm water	Hand wash sink - restroom	100.00 Fahrenheit	
Small clams	Food preparation refrigerator	41.00 Fahrenheit	
Portioned rice	Three-door food preparation refrigerator	41.00 Fahrenheit	
Soup	Cook line	202.00 Fahrenheit	
Hot water	Three-compartment sink	127.00 Fahrenheit	
Raw shelled eggs	Walk-in refrigerator	45.00 Fahrenheit	
Grilled pork	Hot holding unit	137.00 Fahrenheit	
Warm water	Hand wash sink	105.00 Fahrenheit	

## Overall Comments:

- **Two or more major violations were observed during the routine inspection.**
- **A follow-up inspection will be conducted to verify compliance of all major violations.**
- **Subsequent follow-up inspection after first follow-up shall be billed \$298/hour, minimum one hour, during normal business hours (Monday - Friday, 7:30 AM to 4:30 PM), and \$645/hour, minimum 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,**

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***covered-up, relocated, tampered, or copied. Failure to comply may result in enforcement actions per County Ordinance Code Section B11-55.***

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 2/20/2025. 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.

**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:** Nhan T.  
Owner

**Signed On:** February 06, 2025