

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 FA0205675 - DONG PHUONG TOFU & VEGETARIAN		Site Address 1156 STORY RD, SAN JOSE, CA 95122		Inspection Date 04/22/2025		Placard Color & Score YELLOW 63		
Program PR0305440 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name TROUNG, LIEU		Inspection Time 14:25 - 15:30			
Inspected By HENRY LUU		Inspection Type ROUTINE INSPECTION		Consent By LIEU T.				FSC Lieu Truong 06/25/2027

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				N
K05	Hands clean, properly washed; gloves used properly	X						
K06	Adequate handwash facilities supplied, accessible	X						
K07	Proper hot and cold holding temperatures		X		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						
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	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	X	
K39	Thermometers provided, accurate		
K40	Wiping cloths: properly used, stored		
K41	Plumbing approved, installed, in good repair; proper backflow devices	X	
K42	Garbage & refuse properly disposed; facilities maintained		
K43	Toilet facilities: properly constructed, supplied, cleaned	X	
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		
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: *Observed numerous food items stored in ambient temperature measured as follows:*

Follow-up By
04/24/2025

- Cut tomatoes - food storage rack at cook line - 67F.
- Deep fried sliced tofu - food storage rack at cook line - 75F.
- Container of various vegetarian hams/meats - food storage rack at cook line - 72F.
- Bag of bean sprouts - food preparation table at cook line - 64F.

Owner stated that all items were prepared about one to two hours prior during the lunch rush.

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

[COS] *All items were relocated into the walk-in refrigerator to immediately cool.*

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

Inspector Observations: *At time of inspection, observed owner placing at the colored labels on all food items at the service counter. Numerous PHF food items supposedly subjected to time as a public health control (TPHC) on the counter for customer self-service lacked colored labels.*

Follow-up By
04/24/2025

[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] *Owner provided color coded labels for all food items.*

***** Repeat violation: TPHC usage will be revoked if additional violation is observed on next inspection.**

Minor Violations

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

Inspector Observations: *Employees' food handler cards are all 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: *Employee's personal food observed stored behind the front service counter.*

[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: *Observed numerous flies in the front service area.*

[CA] *Use any and all approved methods to abate live flies.*

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)

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Inspector Observations: *Observed numerous employees sitting on small stools conducting food preparation with containers placed directly on the floor.*

Numerous containers and baskets of food observed stored directly on the floor.

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

Box of raw cabbage observed stored on the bottom of the storage rack by the two-door upright freezer amongst tools and chemicals.

[CA] All food shall be separated and protected from possible contamination. Relocate box of cabbage.

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

Inspector Observations: *Observed numerous cans of domestic insecticide sprays on the storage rack by the two-door upright freezer.*

[CA] Only those insecticides, rodenticides, and other pesticides that are necessary and specifically approved for use in a food facility may be used.

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

Inspector Observations: *Heavy accumulation of grease observed on ventilation hood and hood filters at the cook line, especially above the deep fryer.*

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

K41 - 2 Points - Plumbing unapproved, not installed, not in good repair; improper backflow devices; 114171, 114189.1, 114190, 114192, 114193, 114193.1, 114199, 114201, 114269

Inspector Observations: *Hot water not provided on the left most faucet at the three-compartment sink.*

[CA] Repair plumbing fixture and maintain in clean and good repair.

K43 - 2 Points - Toilet facilities: improperly constructed, supplied, cleaned; 114250, 114250.1, 114276

Inspector Observations: *Restroom door observed ajar at time of inspection.*

[CA] Toilet rooms shall be separated by well-fitted, self-closing doors that prevent the passage of flies, dust, or odors.

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 - cell phones, purses, etc.*

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

Performance-Based Inspection Questions

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

Needs Improvement - Time as a public health control; procedures & records.

Needs Improvement - Proper hot and cold holding temperatures.

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Measured Observations

Item	Location	Measurement	Comments
Steamed vegetarian egg cake	Walk-in refrigerator	40.00 Fahrenheit	
Prepackaged vegetarian meats	Walk-in refrigerator	41.00 Fahrenheit	
Hot water	Three-compartment sink	122.00 Fahrenheit	
Steamed flattened vegetarian egg cake	Walk-in refrigerator	41.00 Fahrenheit	
Warm water	Hand wash sink	100.00 Fahrenheit	
Vegetarian soup	Cook line	137.00 Fahrenheit	
Vegetarian soup	Walk-in refrigerator	40.00 Fahrenheit	
Deep fried tofu cubes	Walk-in refrigerator	40.00 Fahrenheit	
Steamed blocks of tofu	Walk-in refrigerator	41.00 Fahrenheit	
Deep fried tofu slices	Walk-in refrigerator	40.00 Fahrenheit	
Rice	Rice warmer	140.00 Fahrenheit	

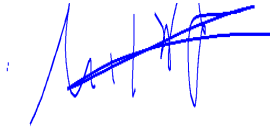
Overall Comments:

- 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, 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 **5/6/2025**. 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



Received By: Lieu T.
Owner

Signed On: April 22, 2025