

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 FA0207139 - KIM'S SANDWICH		Site Address 1816 TULLY RD 182, SAN JOSE, CA 95122		Inspection Date 04/02/2024	
Program PR0304004 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name DANG, DUNG		Inspection Time 15:10 - 16:10
Inspected By HENRY LUU	Inspection Type ROUTINE INSPECTION		Consent By TOM	FSC Dung Dang 06/07/2025	

Placard Color & Score
GREEN
79

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		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				

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		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		
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		
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: *Two cases of raw shelled eggs maintained out in ambient temperature measured at 60F. PIC stated that eggs were delivered in the morning and is usually kept out in ambient temperature to prepare butter.*

[CA] *Raw shelled eggs shall be held at 45F or below.*

[COS] *Raw shelled eggs were relocated into the upright refrigerator to immediately cool.*

Minor Violations

K19 - 3 Points - Non-compliance with consumer advisory for raw or undercooked foods; 114012, 114093

Inspector Observations: *Facility prepares butter using raw eggs. A disclosure statement is provided above the banh mi menu, however, a consumer advisory warning is not provided.*

[CA] *Provide consumer warning (reminder) for use of raw shell eggs in uncooked foods.*

- Reminder: *clearly written statement that identifies animal-derived foods by asterik that marks a food note includes one of the following: "Written information regarding the safety of these food items is available upon request " or "Consuming raw or undercooked meats, poultry, seafood, shellfish or eggs may increase the risk of foodborne illness, especially if you have certain medical conditions.*

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

Inspector Observations: *Hot water at the two-compartment sink measured at 90F. Water at the one-compartment food preparation/hand wash sink measured at 104F. Water at the janitorial sink measured at 125F. Water at the hand wash sink in the restroom measured at 100F.*

When hot water faucet is turned on at the sink, and high pitched droning sound is heard until water is shut off.

[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.*

- Investigate cause for plumbing issue. Repair in an approved manner.

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

Inspector Observations: *Dead cockroaches observed on floor inside the restroom. Per PIC, facility is serviced weekly. Pest control reports were unavailable for review.*

[CA] *Clean and sanitize area of dead cockroaches or old droppings.*

Observed 5+ live fruit flies inside kitchen.

[CA] *Food facility shall be kept free of non-disease carrying insects, weevils, ants, gnats, and fruit flies.*

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

Inspector Observations: *Numerous prepackaged food items maintained out for customer self-service lacked labels and/or complete 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: *Observed heavy build up of food debris/residues on door handles of refrigerators.*

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

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Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
Sliced Chinese sausage	Two-door reach-in refrigerator	41.00 Fahrenheit	
Sliced fancy pork	Food preparation refrigerator	41.00 Fahrenheit	Top insert
Flattened sticky rice	Two-door upright refrigerator	41.00 Fahrenheit	
Warm water	Hand wash sink	104.00 Fahrenheit	
Pork and shrimp tapioca dumplings	Two-door upright refrigerator	40.00 Fahrenheit	
Fermented pork rolls	One-door merchandiser	41.00 Fahrenheit	
Fancy pork rolls	Merchandiser refrigerator	41.00 Fahrenheit	
Steamed meat buns	Merchandiser refrigerator	41.00 Fahrenheit	
Sliced pork belly	Food preparation refrigerator	41.00 Fahrenheit	
Pate	Food preparation refrigerator	40.00 Fahrenheit	Top insert
Mayonnaise	Food preparation refrigerator	40.00 Fahrenheit	Top insert

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 **4/16/2024**. 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: Tom
PIC

Signed On: April 02, 2024