

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 FA0205919 - LO BANH CUON		Site Address 1281 E SANTA CLARA ST, SAN JOSE, CA 95116		Inspection Date 09/02/2026		Placard Color & Score YELLOW 58		
Program PR0306015 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			Owner Name PHUNG, THANH NGUYET		Inspection Time 14:45 - 16:25			
Inspected By ALEXANDER ALFARO		Inspection Type ROUTINE INSPECTION		Consent By THANH				FSC Thanh Phung 11/04/2026

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	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		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		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		
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	X	
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		
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		
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

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

Inspector Observations:

Rice noodles measured at 78F on the prep counter at around 3:00 pm. Per PIC, they made them at 10:30 am.

Follow-up By
09/09/2026

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

[COS] Items were discarded. See VC&D report.

K13 - 8 Points - Food not in good condition/unsafe/adulterated; 113967, 113976, 113980, 113988, 113990, 114035, 114041, 114254(c), 114254.3

Inspector Observations:

Flies were observed landing on green onions stored on the prep table in the kitchen.

Follow-up By
09/09/2026

[CA] Food is adulterated if it bears or contains any poisonous or deleterious substance that may render it impure or injurious to health and shall be discarded immediately.

[COS] PIC discarded the green onions. Per PIC, the green onions were for personal use as they only sell plain rice noodle and several variations of rice noodles with different toppings.

K21 - 8 Points - Hot and cold water not available; 113953(c), 114099.2(b), 114163(a), 114189, 114192, 114192.1, 11419

Inspector Observations:

Water at all plumbing fixtures measured at less than 100F.

Follow-up By
09/09/2026

[CA] An approved, adequate, protected, pressurized, potable supply of hot water and cold water shall be provided.

[COS] PIC adjusted the water heater temperature and water was measured at 120F.

Minor Violations

K05 - 3 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

Inspector Observations:

PIC was observed rinsing hands at the middle basin of the three compartment sink.

[CA] Properly wash hands with soap, warm water and dry using single use paper towels as required in the dedicated handwash sink.

[COS] EH inspector instructed PIC to properly wash their hands at the handwash sink.

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

Inspector Observations:

1. Repeat Violation: Numerous sticky traps were observed with fly egg sacs. Numerous flies were also observed.

2. Numerous amounts of ants were observed along the handwash sink and three compartment sink.

[CA] Clean and sanitize area of dead flies. Maintain the facility free of animals, pests, and vermin.

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:

Raw shelled eggs were found stored above boiled potatoes in the display case cooler.

[CA] All food shall be separated and protected from cross-contamination. Store all raw meat or other raw products of animal origin below ready-to-eat food items.

K33 - 2 Points - Nonfood contact surfaces not clean; 114115(c)

Inspector Observations:

Nonfood contact surface areas of the noodle maker/steamer have an accumulation of grease and food debris.

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

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:

Repeat Violation: A vacuum chamber machine was observed in the kitchen area. Per PIC, they don't use it.

[CA] New and/or replacement food 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). An approved HACCP plan will need to be acquired from the California Department of Public Health and be provided to this department prior to use.

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

Inspector Observations:

The hood filters of the type I hood in the front kitchen area have an accumulation of dust and debris.

[CA] Ventilation hood filters shall be maintained clean and good repair.

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:

1. Personal effects (clothes, dishes, food, etc) are stored throughout the facility and in the kitchen prep areas.

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

2. Facility is using a fly net catcher above a prep table in the front of house cookline area.

[CA] Use approved methods to eliminate flies in the food preparation area.

3. Facility was using a shelf on casters to block off part of the front door to be used as a "walk up window".

[CA] The door shall remain closed to prevent entrance and harborage of vermin. Any drive thru or passthrough window shall be provided with a solid or screened window, equipped with a self-closing device.

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

Inspector Observations:

Facility has converted one of the restrooms in to a dwelling unit with a shower and permanent sleeping materials. The space opens directly into the open space containing the dining room and the front of house area (cookline, dedicated handwash sink, and three compartment sink).

- Part of the dining room is sectioned off into a makeshift living room.

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

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Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
Water	Three Compartment Sink	95.00 Fahrenheit	Measured at 120F after water heater adjustment.
Chlorine - Sanitizer	Three Compartment Sink	100.00 PPM	
Eggs	Display Case Cooler	39.00 Fahrenheit	IR
Rice noodle	Counter	78.00 Fahrenheit	VC&D
Ambient Air	Display Case Cooler	38.00 Fahrenheit	

Overall Comments:

Notes:

- A follow up inspection will be conducted within 5 business days to verify compliance with major violations noted. The first follow up inspection is free of charge. Any and all subsequent follow up inspections shall be charged at the approved hourly rate of \$282.00/hr, minimum of one hour, during normal business hours: Monday through Friday 7:30 AM to 4:30 PM, and \$645 for a minimum of two hours, during non-business hours, and upon inspector availability.

- PIC expressed interest in using TPHC for their rice noodles. TPHC is restricted for foods meant for immediate consumption. Facility sells rice noodles intended for either immediate consumption or delayed use (as a grocery item).

- PIC expressed concern of their to-go only business model being impacted by requiring the front door to be closed. Discussed with PIC about potentially adding a pass through window or creating a small waiting space inside the facility for patrons.

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 **9/16/2026**. 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: Thanh
Owner
Signed On: September 02, 2026