

# 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

<b>Facility</b> FA0261772 - CO LA		<b>Site Address</b> 947 MCLAUGHLIN AV, SAN JOSE, CA 95122		<b>Inspection Date</b> 08/02/2022		<b>Placard Color &amp; Score</b> <div style="background-color: black; color: white; padding: 10px; text-align: center;"> <b>RED</b>  <b>73</b> </div>		
<b>Program</b> PR0383909 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			<b>Owner Name</b> BICH NGUYEN		<b>Inspection Time</b> 19:05 - 20:00			
<b>Inspected By</b> HENRY LUU		<b>Inspection Type</b> ROUTINE INSPECTION		<b>Consent By</b> BICH NGUYEN				<b>FSC</b> 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						
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		
K06	Adequate handwash facilities supplied, accessible		X					
K07	Proper hot and cold holding temperatures					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	X	
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	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	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

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

**Inspector Observations:** *The only hand wash station in the kitchen was obstructed with cardboard placed on top. Hand wash station also lacked paper towels.*  
**[CA]** *Handwashing facility shall be clean, unobstructed, and accessible at all times. Single-use sanitary towels shall be provided in dispensers at all times.*

Follow-up By 08/09/2022
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*Hot water dispenser in the mens restroom is inoperable. [CA] All food facilities shall provide an operable handwashing station with both hot and cold water.*

K23 - 8 Points - Observed rodents, insects, birds, or animals; 114259.1, 114259.4, 114259.5

**Inspector Observations:** *Cockroach activity observed in the following areas:*

Follow-up By 08/09/2022
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- Numerous live nymphs observed crawling on floor in front of the cook line.
- Live nymph observed inside janitorial sink.
- Dead cockroaches observed falling out of hand soap dispenser when dispensing hand soap.
- Live cockroaches observed inside crevices on the underside of the preparation refrigerator across from the cook line.
- Live cockroach of various life stages observed inside crevice of the meat slicer.
- Live cockroach observed on floor by the door jamb by the cook line.
- Live cockroaches of various life stages observed inside crevice of the chrome electrical outlet panel by the food preparation table.
- Live cockroaches observed crawling up wall at the front counter area.
- Numerous dead cockroaches observed on floor throughout facility.
- Heavy accumulation of cockroach feces observed on cardboard boxes holding alcohol bottles.

*Per owner, facility has pest control servicing facility once per month. Pest control reports unavailable for review.*

**[CA]** *The premises of each food facility shall be kept free of vermin. A food facility shall not operate when there is a vermin infestation that has resulted in the contamination of food contact surfaces, food packaging, utensils, food equipment, or adulteration of food(s). The food facility shall cease operation of the food facility immediately. The food facility shall remain closed until: there is no longer evidence of a vermin infestation; all contaminated surfaces have been cleaned and sanitized; and contributing factors such as cleaning, repairs, and the elimination of harborages have been resolved.*

### 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' food handlers 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.*

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

**Inspector Observations:** *Raw chicken thawing in ambient temperature at the food preparation sink. [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.*

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

**Inspector Observations: Heavy build up of grease, grime, and food debris observed on and in-between cooking equipment at the cook line. [CA] Nonfood-contact surfaces of equipment shall be kept free of an accumulation of dust, dirt, food residue, and other debris.**

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: Back doors of facility maintained opened during entire inspection. [CA] Keep back door closed at all times to prevent the entrance and harborage of vermin.**

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

**Inspector Observations: Sleeping arrangement observed at the back shared hallway of the plaza. [CA] No sleeping accommodations shall be maintained or kept in any room where food is prepared, stored, or sold.**

## Performance-Based Inspection Questions

N/A

## Measured Observations

Item	Location	Measurement	Comments
Hot water	Three-compartment sink	120.00 Fahrenheit	

## Overall Comments:

- Facility is hereby closed due to the presence of vermin.
- Facility is to remain closed until there is no longer evidence of a vermin infestation and written authorization is provided by this Division to resume operations.
- Subsequent follow-up inspections after the first follow-up shall be billed at \$219 per hour, minimum one hour, during normal business hours, and \$493 per hour, minimum one hour, during non-business hours, and upon inspector availability.

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- Deep clean facility to remove any food sources.
- Obtain pest control service. Provide pest control reports upon follow-up inspection.
- Seal any and all holes, gaps, cracks, and/or crevices to prevent harboring of vermin.
- Remove all live and dead cockroaches. Sanitize the affected areas.
- Ensure vermin infestation is abated prior to scheduling for follow-up inspection.

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- A copy of this inspection report was printed for owner and emailed

## **CLOSURE / PERMIT SUSPENSION NOTICE**

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 **8/16/2022**. 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.

This notice is to inform you that as of this date the Environmental Health Permit for the above mentioned food facility is hereby suspended and all operations therewith are ordered to cease. This action is taken in accordance with Section 114409 of the California Health and Safety Code which states 'If any imminent health hazard is found, unless the hazard is immediately corrected, an enforcement officer may temporarily suspend the permit and order the food facility or cottage food operation immediately closed.'

You have the right to make a written request for a hearing within 15 days after receipt of this notice to show just cause why the permit suspension is not warranted. Failure to request such a hearing within the 15-day period shall be deemed a waiver of the right to a hearing. After these violations have been corrected, you must call the Department of Environmental Health for a reinspection to reinstate the permit to operate. Phone #: (408)918-3400.

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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



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**Received By:** Bich Nguyen  
Owner

**Signed On:** August 02, 2022