

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 FA0206929 - NEW CHINA STATION B-B-Q | | Site Address 1710 TULLY RD A, SAN JOSE, CA 95122 | | Inspection Date 04/04/2024 | | Placard Color & Score <div style="background-color: yellow; padding: 10px; text-align: center;"> YELLOW 66 </div> | | |
| Program PR0306817 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10 | | | Owner Name CHAN'S GARDEN INC | | Inspection Time 10:30 - 11:40 | | | |
| Inspected By HENRY LUU | | Inspection Type ROUTINE INSPECTION | | Consent By DAU | | | | FSC Dau Kien Luu 02/17/2027 |

| 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 | | | | | | |
| 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 | | | | | | |
| K09 | Proper cooling methods | | X | | X | | | N |
| 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 | | |
| 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 | 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 | | |
| 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 | X | |
| 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: Numerous PHF items maintained at the steam table measured as follows:

Follow-up By
04/10/2024

- Marinated squid - 71F.
- Soy sauce marinated pork small intestines - 78F.
- Marinated pork stomach - 117F.
- Marinated pork large intestines - 120F to 133F.

Manager stated that all items were prepared in the morning approximately 1-2 hours prior.

Approximately 20+ par-cooked roast duck hanging on the railings measured at 53F. Employee stated that duck is in active preparation and has been hanging to dehydrate for approximately 3 hours.

Two whole par-cooked roast pigs hanging outside of the walk-in refrigerator measured at 55F. Employee stated that pig is in active preparation and has been hanging to dehydrate for approximately 2 hours.

Approximately 10+ whole raw pigs observed hanging along dry storage shelves. PHF item measured between 44F to 47F. Manager stated that pigs were being prepared and has been hanging for less than one hour.

Four tubs of raw marinated BBQ pork maintained inside the two-door upright refrigerator measured at 45F. Ambient temperature of the refrigerator measured at 49F. Employee stated that items were prepared the day before.

[CA] PHFs shall be held at 41°F or below or at 135°F or above. Use only small portions of food during preparation so that it does not exceed the maximum amount of time allowed for diligent prep (two hours).

[COS] PHF items on steam table will be subjected to TPHC and shall be discarded by 1:00 PM. Whole ducks and whole pigs were relocated into the walk-in refrigerator to immediately cool, while some were immediately placed inside roasting ovens to be cooked. Tubs of raw marinated BBQ pork were relocated into walk-in refrigerators to immediately cool.

K09 - 8 Points - Improper cooling methods; 114002, 114002.1

Inspector Observations: Large pot, approximately 8-10 gallons of cooked duck feet, maintained inside the walk-in refrigerator measured between 55F to 58F. Employee stated that the duck feet was first deep fried, cooked in sauce, and is allowed to cool prior to being relocated into the walk-in refrigerator to continue the cooling process. Head chef stated that the duck feet was prepared yesterday at about 2:00 PM and was placed inside the walk-in refrigerator at about 5:00 PM.

Follow-up By
04/10/2024

[CA] Potentially Hazardous Foods (PHFs) shall be cooled rapidly from 135°F to 70°F or below within 2 hours and from 70°F to 41°F or below within an additional 4 hours.

Approved cooling methods include: z

- 1) Placing the food in shallow pans.
- 2) Separating the food into thinner or smaller portions.
- 3) Using rapid cooling equipment (Ex. blast chiller).
- 4) Using containers that facilitate heat transfer (ex. stainless steel).
- 5) Adding ice as an ingredient.
- 6) Using ice paddles.
- 7) Using an ice bath and stirring frequently.
- 8) Accordance with a HACCP plan.

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Cooling foods shall have enough space around the containers for cold air to circulate, be loosely covered, or uncovered and stirred as frequently needed to evenly cool.

[COS] Entire pot of cooked duck feet was VC&D due to improper cooling. See separate VC&D form.

Minor Violations

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: Observed cardboard boxes used to separate raw pork during the preparation process. Observed raw pork hanging against/in close proximity to heavily rusted shelving and racks.

[CA] All food shall be separated and protected from possible contamination. Discontinue the use of cardboard boxes.

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

Inspector Observations: Heavy accumulation of food residue and grime observed on door handles of the walk-in refrigerator and walk-in freezer.

Observed rust and build up of food residues/grime on shelvings throughout facility.

[CA] Nonfood-contact surfaces of equipment shall be kept free of an accumulation of dust, dirt, food residue, and other debris. Make plans to repair and/or replace shelving.

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 currently has a mechanical dish machine with integral drainboards on both sides with a sink and gooseneck spray, and a two-compartment ware wash sink with dual integral drain boards.

[CA] All food facilities that prepares food or multiservice utensils and equipment are used shall provide a three-compartment sink with two integral metal drain boards for manually washing, rinsing, and sanitizing equipment and utensils.

Follow-up By
04/18/2024

**- Facility will be required to upgrade ware wash area to include a three-compartment ware wash sink.
- Plans shall be submitted for the sink by the comply-by date.
- A person proposing to build or remodel a food facility shall submit plans and specifications for review and shall receive plan approval prior to starting any new construction or remodeling. Contact DEH at 408-918-3400 or at www.ehinfo.org to obtain plan check requirements.**

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: Ambient temperature of the two-door upright refrigerator measured at 49F.

[CA] Refrigeration must be capable of maintaining PHFs at 41°F or below.

Observed wooden pallet maintained inside the walk-in freezer.

[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.

Observed cardboard used to line floors throughout the facility.

[CA] Discontinue the use of cardboard boxes to line shelves/flooring, use approved equipment made of materials that is easily cleanable, durable, smooth, and nonabsorbent. Eliminate slipping hazard.

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: Employee observed using food preparation sink to rinse hands. [CA] Use sinks for their designated purposes. All hand washing shall be conducted at the hand wash sink.

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

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Inspector Observations: Hot water faucet at the two-compartment ware wash sink inoperable.

[CA] Repair plumbing fixture and maintain in clean and good repair. Hot water shall be supplied at a minimum temperature of at least 120°F measured from the faucet throughout facility except at handwash sinks.

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

Inspector Observations: Restroom door maintained opened using bungee cords.

[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: Mop racks/holders unavailable at the janitorial sink. Mop was maintained inside mop bucket.

[CA] After use, mops shall be placed in a position that allows them to air-dry without soiling walls, equipment, or supplies. Mop rack or other devices not made available to hang and store cleaning tools.

Observed hanging sticky fly traps in use.

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

K45 - 2 Points - Floor, walls, ceilings: not built, not maintained, not clean; 114143(d), 114266, 114268, 114268.1, 114271, 114272

Inspector Observations: Observed numerous broken floor tiles throughout kitchen.

[CA] Replace broken floor tiles with a smooth and of durable construction and nonabsorbent material that is easily cleanable.

Heavy build up of dust observed on walls, especially in areas where roast duck and roast pork are being dried.

Heavy build up of grime observed on floors, especially underneath the ware wash area.

[CA] Walls and/or floors in food preparation area shall be kept clean.

Performance-Based Inspection Questions

Needs Improvement - Proper cooling methods.

Needs Improvement - Proper hot and cold holding temperatures.

Measured Observations

| Item | Location | Measurement | Comments |
|------------------------------|---------------------------------------|-------------------|--|
| Oil ginger sauce | Merchandiser refrigerator | 40.00 Fahrenheit | |
| Hot water | Two-compartment food preparation sink | 120.00 Fahrenheit | Outside of walk-in refrigeration units |
| Squid | Walk-in refrigerator | 41.00 Fahrenheit | |
| Parcooked whole roast pig | Walk-in freezer | 36.00 Fahrenheit | 21F to 36F |
| Rice | Rice warmer | 148.00 Fahrenheit | Butcher station |
| Rice | Rice warmer | 153.00 Fahrenheit | Near hand wash station |
| Cooked pork small intestines | Walk-in refrigerator | 41.00 Fahrenheit | |
| Cooked pork large intestines | Walk-in refrigerator | 40.00 Fahrenheit | |
| Warm water | Butcher hand wash station | 113.00 Fahrenheit | |

Overall Comments:

OWNERSHIP CHANGE INFORMATION

NEW FACILITY NAME: Lion Supermarket - BBQ Restaurant

NEW OWNER: Long Champ Corporation

The applicant has completed the facility evaluation application process for an Environmental Health Permit.

The permit category for this facility is FP11. An invoice for the permit fee in the amount of \$1,540.00 + 25% penalty fee will be mailed to the billing address on the application. Payment must be submitted within 10 days of receipt of the invoice. The owner is

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responsible for contacting our department if an invoice is not received and remit payment within 30 days.

The Environmental Health Permit will be effective: 05/01/2024 - 04/30/2025 This report serves as a temporary permit. However, the permit will be deemed invalid if the permit fee is not paid in full within 30 days from the date of this report. Okay to Operate.

An official permit will be mailed to the address on file and shall be posted in public view upon receipt.

***Structural Review inspection conducted on 04/04/2024**

***Permit condition: NA**

- 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 \$290/hour, minimum one hour, during normal business hours (Monday - Friday, 7:30 AM to 4:30 PM), and \$629/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 **4/18/2024**. 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: Dau L.
Manager
Signed On: April 04, 2024