

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 FA0208456 - DONG QUE RESTAURANT | | Site Address 2852 ALUM ROCK AV, SAN JOSE, CA 95127 | | Inspection Date 06/01/2023 | | Placard Color & Score <div style="background-color: green; color: white; padding: 10px; text-align: center;"> GREEN 73 </div> | | |
| Program PR0300070 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11 | | | Owner Name DONG QUE RESTAURANT, INC | | Inspection Time 11:20 - 13:20 | | | |
| Inspected By HELEN DINH | | Inspection Type ROUTINE INSPECTION | | Consent By THAO & QUANG (O) | | | | FSC 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 | | | | | | 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 | | | | | | |
| K06 | Adequate handwash facilities supplied, accessible | X | | | | | | N |
| K07 | Proper hot and cold holding temperatures | X | | | | | | S |
| 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 | | |
| 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 | X | |
| 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 | 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 | | |
| 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 | | X |
| K49 Permits available | | |
| K58 Placard properly displayed/posted | | |

Comments and Observations

Major Violations

No major violations were observed during this inspection.

Minor Violations

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

Inspector Observations: *Employee food handler cards and food safety certificate not available for review at the time of inspection.*

[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.*

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.

K14 - 3 Points - Food contact surfaces unclean and unsanitized; 113984(e), 114097, 114099.1, 114099.4, 114099.6, 114101, 114105, 114109, 114111, 114113, 114115(a,b,d), 114117, 14125(b), 114141

Inspector Observations: *Observed the build-up of a mold like material within the ice machine. [CA] Clean and sanitize ice machine as needed to prevent the build-up of mold like materials.*

K16 - 3 Points - Not in compliance with shell stock tags, condition; 114039-114039.5

Inspector Observations: *Shellfish tags for fresh clams are not maintained for 90 days.*

[CA] *The identity of the source of shellstock that are sold or served shall be maintained for 90 calendar days from the dates of harvest by using an approved recordkeeping system that keeps the tags or labels in chronological order correlated to the date or dates the shellstock are sold or served.*

K22 - 3 Points - Sewage and wastewater improperly disposed; 114197

Inspector Observations: *Observed the floor drain below the preparation sink, next to the ice machine to be slow draining.*

[CA] *Clear drain so that it is free flowing.*

Observed the hand wash sink at the cook line to be slow draining.

[CA] *Clean hand wash sink drain so that it is free flowing.*

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

Inspector Observations: *1. Observed old rodent droppings under storage racks within the new dry storage room.*

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

2. Found flies throughout facility. [CA] Each food facility shall be free of pest such as flies. Continue to provide approved pest control services.

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 the washing of shellfish within the three compartment sink. [CA] Discontinue the use of the three compartment sink for food preparation sink. Use the designated food preparation sink.*

Observed raw chicken stored above ready to eat food items within the walk in refrigerator.

[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.*

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

Inspector Observations: *Observed WD40 and other chemicals stored above the hand wash sink at the cook line.*

[CA] *Store chemicals separate and away from the storage and preparation of food or food contact surfaces and linens.*

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K30 - 2 Points - Food storage containers are not identified; 114047, 114049, 114051, 114053, 114055, 114067(h), 114069 (b)

Inspector Observations: *Observed food boxes stored directly on the floor of the walk in freezer, refrigeration and dry storage rooms.*

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

Observed unlabeled containers used to store various bulk food items within the dry storage room.

[CA] *Containers holding food or food ingredients that are removed from their original packages shall be identified with the common name of the food if not easily recognizable.*

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: *Observed the use of plastic to-go bags and garbage bags to directly store food within the refrigerators. [CA] Use food grade bags or containers to store food.*

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

Inspector Observations: *Observed the use of a solid fuel charcoal grill at the secondary cook line. [CA] Solid fuel grills shall be under dedicated ventilation hoods.*

Observed the build-up of soot and grease on the hood filters above the solid fuel grill.

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

K48 - 2 Points - Plan review unapproved; 114380

Inspector Observations: *Found the following items added to facility: 2 door cold top/reach in (@ cooks line); walk-in-cooler (L); walk-in-freezer (L), ice machine (L); 3 door sliding unit (L), 1-compartment sink (L); mop sink (RR), hand sink (2RR), cove base flooring, ceiling panel, water heater (RR), dry storage room and a washing machine. [CA] 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. The installation of new equipment must go through the plan check department for review and approval, submit plans and specification sheets.*

Follow-up By
07/06/2023

Note: *Facility acquired adjacent facility. Facility was previously a dry cleaner site.*

Performance-Based Inspection Questions

Needs Improvement - Adequate handwash facilities: supplied or accessible.

Measured Observations

| Item | Location | Measurement | Comments |
|--------------------|--------------------------------|-------------------|--------------------|
| bean sprouts | 2 door open top prep fridge | 37.00 Fahrenheit | |
| pho | walk in fridge | 39.00 Fahrenheit | |
| chicken feet | 2 door reach in | 40.00 Fahrenheit | |
| squid | 2 door cold top | 66.00 Fahrenheit | process of cooling |
| warm water | handsink (prep & 4RR) | 100.00 Fahrenheit | |
| raw chicken | walk in fridge | 37.00 Fahrenheit | |
| fish cake | 2 door cold top | 40.00 Fahrenheit | |
| curry sauce | one door open top prep fridge | 39.00 Fahrenheit | |
| pho broth | stove top grill | 190.00 Fahrenheit | |
| hot water | warewash/(2x) 1-comp/ mop sink | 120.00 Fahrenheit | |
| hot water | 3 comp sink | 120.00 Fahrenheit | |
| pho | new walk in fridge | 38.00 Fahrenheit | |
| noodle | walk in fridge | 40.00 Fahrenheit | |
| catfish | 2 door reach | 40.00 Fahrenheit | |
| chlorine sanitizer | warewashing machine | 100.00 PPM | |
| cream | 3 door upright fridge | 40.00 Fahrenheit | |
| frog meat | 2 door cold top/reach in | 41.00 Fahrenheit | |

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Overall Comments:

Joint inspection with T. Ketchu

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 **6/15/2023**. 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: Quang Tran
Owner

Signed On: June 01, 2023