

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 FA0210173 - CHINA DELIGHT RESTAURANT		Site Address 5813 COTTLE RD, SAN JOSE, CA 95123		Inspection Date 06/10/2025		Placard Color & Score <div style="background-color: yellow; padding: 10px; text-align: center;"> YELLOW 67 </div>			
Program PR0302412 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name JMH BUSINESS		Inspection Time 11:45 - 13:00				
Inspected By JENNIFER RIOS		Inspection Type ROUTINE INSPECTION		Consent By CHEE					FSC Jennifer Hin 12/20/2029

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		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		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		
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	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		
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		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: 1. Rice on counter measured 117F. Per PIC, it was removed from the hot holding half hour prior to temperature measurement.

2. Pork on counter measured 82F. Per PIC, it is par cooked for service.

3. Raw shelled eggs in container near wok. Per PIC, it is used when they need to make fried rice.

4. Noodles on counter measured 52F. Per PIC, it is out for use when chow mein is ordered.

5. Fried chicken in cold holding insert of preparation unit measured 52F. Fried chicken in the bottom part of preparation unit measured 52F. Ambient air of the unit measured 55F. Per PIC, the unit is filled before facility opens, 1 hour prior to temperature measurement.

[CA] Maintain PHF at 41F or below or 135F or above. [SA] All items above will be discarded at the end of lunch service, 2:30pm.

K14 - 8 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 employee prepping raw chicken at the preparation sink. Employee then washed the container that was holding the raw chicken in the preparation sink. Employee placed container back into storage for further use without sanitizing. [CA] Ensure that equipment is washed in the warewashing sink only, discontinue use of preparation sink. All equipment must be sanitized after washing prior to placing back out for use. [COS] Equipment was placed into mechanical warewash to be sanitized.

Minor: Observed employee using a towel to dry equipment after it was sanitized in mechanical warewash. [CA] Equipment and utensils must be air dried or properly stored to facilitate drying after sanitizing.

Minor Violations

K04 - 3 Points - Improper eating, tasting, drinking or tobacco use in food preparation area; 113977

Inspector Observations: Observed employee eating in back preparation area. [CA] No employee shall eat or drink in the food prep, food contact storage, or food storage areas, use designated area.

K13 - 3 Points - Food not in good condition/unsafe/adulterated; 113967, 113976, 113980, 113988, 113990, 114035, 114041, 114254(c), 114254.3

Inspector Observations: Observed duck hanging in walk in fridge in contact with shelving units that had debris/grime/mold like substance accumulated on it. Duck was in contact with debris on shelving unit. [CA] Ensure that food is stored so that it is covered/protected from contamination.

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

Inspector Observations: Observed small black flies in the employee restroom and preparation sink by the restroom. [CA] Food facility shall be kept free of non-disease carrying insects, weevils, ants, gnats, and fruit flies.

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

Inspector Observations: Observed heavy accumulation of debris/mold like substance on shelving units in walk in fridge. [CA] Nonfood-contact surfaces of equipment shall be kept free of an accumulation of dust, dirt, food residue, and other debris.

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

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Inspector Observations: *Observed heavily stained/scored cutting boards. [CA] Surfaces of equipment such as cutting blocks and boards that are scratched and scored so that they can no longer be effectively be cleaned and sanitized shall be resurfaced or replaced.*

Preparation unit is not maintaining PHF at 41F or below. Ambient air measured 55F. [CA] Refrigeration must be capable of maintaining PHFs at 41°F or below.

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: *Observed bowls as scoops in bulk food storage containers. [CA] Provide scoops with handles and store scoop handle in such a way that the handle does not come in direct contact with food to prevent contamination.*

Observed mayo containers reused to store walnuts and vinegar bottles with the top cut off reused to store raw meats. [CA] Single use food container (e.g. soy sauce container, milk carton, apple juice container, can food, wine bottle) shall not be reused to store food.

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

Inspector Observations: *Observed heavy accumulation of debris/grime on floors around equipment and on the walls around equipment. [CA] Regularly clean under and around cooking equipment to prevent accumulation of debris.*

Performance-Based Inspection Questions

N/A

Measured Observations

Item	Location	Measurement	Comments
Hot water	Single compartment sink	130.00 Fahrenheit	
Duck	Walk in fridge	41.00 Fahrenheit	
Beef	Under counter reach in	38.00 Fahrenheit	
Warm water	Restroom handwash	100.00 Fahrenheit	
Ambient air	Preparation unit	55.00 Fahrenheit	
Potstickers	Reach in freezer	6.00 Fahrenheit	
Rice	On counter	117.00 Fahrenheit	
Fried chicken	Preparaion unit - under	52.00 Fahrenheit	
Raw pooled eggs	On counter	52.00 Fahrenheit	
Chlorine	Mechanical warewash	50.00 PPM	
Fried chicken	Preparation unit	52.00 Fahrenheit	
Rice	Hot holding	190.00 Fahrenheit	
Raw chicken	Cold holding insert	41.00 Fahrenheit	
Noodles	On counter	52.00 Fahrenheit	
Warm water	Handwash	100.00 Fahrenheit	
Chicken	Walk in fridge	41.00 Fahrenheit	
Pork	On counter	82.00 Fahrenheit	par cooked.

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 **6/24/2025**. 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.

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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



Received By: Andy Wong
Assistant manager

Signed On: June 10, 2025