

**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> FA0208038 - DZUI'S CAKES & DESSERTS		<b>Site Address</b> 2451 ALVIN AV, SAN JOSE, CA 95121		<b>Inspection Date</b> 06/16/2022	
<b>Program</b> PR0306682 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			<b>Owner Name</b> THAI, TRAN		<b>Inspection Time</b> 10:30 - 12:30
<b>Inspected By</b> TRAVIS KETCHU	<b>Inspection Type</b> ROUTINE INSPECTION	<b>Consent By</b> DUY THAI	<b>FSC</b> Duy Thai 5/14/2024		

**Placard Color & Score**  
**YELLOW**  
**57**

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		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		X			N
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							
K23 No rodents, insects, birds, or animals		X		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	X	
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		
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		
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

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

**Inspector Observations: Measured boba at 100 F stored at room temperature within the boba preparation area. Measured pork dumplings at 90 F and pork buns at 110 F within the display warmer (observed warmer to be off). [CA] PHFs shall be held at 41°F or below or at 135°F or above. [COS] Boba time marked with a start time and placed on TPHC. Procedure given to facility. Pork duplings were reheated to 165 F and placed within a functional warmer.**

Follow-up By  
06/22/2022

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

**Inspector Observations: Observed gnaw marks on a bag of powdered cheese within the dry storage room. [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] Powdered eggs were discarded (VC&D).**

Follow-up By  
06/22/2022

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 manually washing dishes within the three compartment sink without a sanitizing step. No sanitizer was available for use within the facility. [CA] Manual warewashing shall be accomplished by using a three-compartment sink where the utensils are first precleaned, washed with hot soapy water, rinsed with hot water, sanitized with an approved method, and air dried. Use 1 TBS of bleach (5.25%) per 1 gal. of water for chlorine solution (100 PPM). Use 1 tbs of quaternary ammonium (10%) per 2 gal. of water for quaternary ammonium (200 PPM). [COS] Employee bought sanitizer. Wares were properly sanitized using 100 ppm chlorine within the three compartment sink.**

Follow-up By  
06/22/2022

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

**Inspector Observations: Observed rodent droppings within the following areas:**  
**1. Under food boxes within the unapproved exterior rear storage area.**  
**2. Under and on powdered cheese bags within the dry storage room**  
**3. Under preparation tables within the bakery area.**  
**Observed gnaw marks in a bag of powdered cheese stored within the rear dry storage room.**

Follow-up By  
06/22/2022

**[CA] The premises of each food facility shall be kept free of vermin. The food facility shall clean and sanitize all contaminated surfaces; and contributing factors such as cleaning, repairs, and the elimination of harborage shall be resolved.**

**[COS] Effected areas cleaned and sanitized. Contaminated bag of powdered cheese was discarded. A follow-up inspection will be conducted. If any evidence of vermin is observed during the follow-up inspection further enforcement actions will be forthcoming.**

### Minor Violations

K21 - 3 Points - Hot and cold water not available; 113953(c), 114099.2(b), 114163(a), 114189, 114192, 114192.1, 11419

**Inspector Observations: Observed the lack of a hot water supply at the customer restroom hand wash sinks and the front preparation area secondary hand wash sink. [CA] Handwashing facilities shall be equipped to provide minimum 100°F water under pressure for a minimum of 15 seconds. Handwashing facilities equipped with a mixing valve that is not readily adjustable at the faucet, shall provide warm water at least 100°F, but not greater than 108°F.**

Follow-up By  
06/22/2022

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

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**Inspector Observations:** *Observed an unapproved storage room with the storage of dry food items and utensils outside the rear of the facility. Room is not fully enclosed.*

**[CA]** *Discontinue the use of the rear exterior area for food storage. Food or food related equipment shall be stored in an approved fully enclosed food facility.*

**[COS]** *Food and food contact items were relocated into the facility.*

**Observed the storage of food and working containers on the floor of the preparation area and storage room.**

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

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

**Inspector Observations:** *Observed the build-up of food and debris under all preparation tables and equipment within the kitchen.*

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

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 lacks chlorine sanitizer test strips.*

**[CA]** *Testing equipment and materials shall be provided to adequately measure the applicable sanitization method used during manual or mechanical warewashing.*

K48 - 2 Points - Plan review unapproved; 114380

**Inspector Observations:** *Observed the unapproved extension of the front cash register/ food display area. Exposed wood surfaces and non-cove base flooring observed.*

**Observed the installation of a Cooler Depot display refrigerator in the front cashier area.**

**[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](http://www.ehinfo.org) to obtain plan check requirements.*

## Performance-Based Inspection Questions

Needs Improvement - Food contact surfaces clean, sanitized.

Needs Improvement - Adequate handwash facilities: supplied or accessible.

## Measured Observations

Item	Location	Measurement	Comments
cooked dumpling	upright fridge	39.00 Fahrenheit	
pork dumpling	hot case	90.00 Fahrenheit	
raw pork	upright freezer	20.00 Fahrenheit	
warm water	kitchen hand wash sink	100.00 Fahrenheit	
boba	prep table	110.00 Fahrenheit	
chlorine sanitizer	3 comp sink	0.00 PPM	
cream	upright fridge	38.00 Fahrenheit	
hot water	3 comp sink	120.00 Fahrenheit	
jelly	open top prep fridge	41.00 Fahrenheit	
creamer	open top prep fridge	40.00 Fahrenheit	
jelly	display case	39.00 Fahrenheit	
pork bun	hot case	110.00 Fahrenheit	
boba	steam insert	170.00 Fahrenheit	
water temperature	restroom hand wash sink	74.00 Fahrenheit	

## Overall Comments:

***A follow up inspection will be conducted on 6/22/2022. The first follow-up inspection is free of charge. Subsequent follow up inspections after first follow up shall be billed \$219/hr during business hours and \$493/hr during non business hours upon availability. Failure to comply may result in enforcement action.***

***Conducted in conjunction with CO0151951.***

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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 **6/30/2022**. 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.

## 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:** tran thai  
PIC

**Signed On:** June 16, 2022