

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 FA0205438 - DAILY DONUTS-1075		Site Address 1075 TULLY RD 22, SAN JOSE, CA 95122		Inspection Date 12/08/2023		Placard Color & Score <div style="background-color: green; color: white; padding: 10px; text-align: center;"> GREEN 84 </div>		
Program PR0303084 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			Owner Name IN, VUTHIN		Inspection Time 09:50 - 10:45			
Inspected By HENRY LUU		Inspection Type ROUTINE INSPECTION		Consent By SANDY				FSC Vuthin In 12/14/2027

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		
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		
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		
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

No major violations were observed during this inspection.

Minor Violations

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

Inspector Observations: *Employee's three-year food handler card 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.*

Information on a Food Safety Certificate and Food Handler cards are available at

<https://www.sccgov.org/sites/cpd/programs/fsp/Pages/FSC.aspx>.

<https://cpd.sccgov.org/sb-602-food-handler-cards>

K06 - 3 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

Inspector Observations: *Paper towels observed stuck inside dispenser and was difficult to obtain.*

[CA] *Single-use sanitary towels shall be provided in dispensers, shall be easily accessible and readily available at all times.*

K09 - 3 Points - Improper cooling methods; 114002, 114002.1

Inspector Observations: *Two covered plastic containers of fried eggs maintained out in ambient temperature measured between 70F to 80F. Employee stated that eggs were fried approximately 10 minutes prior and is left out to cool before relocating into the walk-in refrigerator.*

[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.*

- Cool foods using approved containers which facilitate heat transfer, such as metal.

- When cooling PHF's, food may be left uncovered or loosely covered to allow rapid cooling.

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

Inspector Observations: *Numerous fruit flies and/or drain flies observed by the two-compartment sink and water heater area.*

[CA] *Food facility shall be kept free of non-disease carrying insects, weevils, ants, gnats, and fruit flies.*

One dead cockroach observed on sticky monitoring trap behind the above ground grease trap below the drain board of the two-compartment sink. No other activity was observed during the inspection. Employee believes the facility is serviced once per month, but was unsure.

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

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 butane gas stove stored inside the locked dry storage room. Employee stated that the stove is used to fry eggs. Facility lacks cooking equipment besides deep fryer and baking oven. [CA] The use of butane gas stove is not approved. Discontinue use and remove from facility.*

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

Inspector Observations: *Heavy build up of dough, grease, and other food debris/residue on floors, especially underneath food preparation tables, storage shelves, and underneath the cook line.*

[CA] *Walls and/or floors in food preparation area shall be kept clean. Regularly clean under equipment to prevent accumulation of debris.*

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Performance-Based Inspection Questions

N/A

Measured Observations

Item	Location	Measurement	Comments
Hot water	Two-compartment sink	130.00 Fahrenheit	
Single-serving bottles of milk	Merchandiser refrigerator	40.00 Fahrenheit	
Warm water	Restroom hand sink	101.00 Fahrenheit	
Warm water	Hand wash sink	100.00 Fahrenheit	
Milk	Merchandiser refrigerator	41.00 Fahrenheit	
Milk	Chest refrigerator	39.00 Fahrenheit	
Deli ham	One-door upright refrigerator	40.00 Fahrenheit	
Sliced cheese	One-door upright refrigerator	40.00 Fahrenheit	

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 **12/22/2023**. 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: Sandy C.
Employee
Signed On: December 08, 2023