

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 FA0272192 - DUC PHUONG TOFU		Site Address 3005 SILVER CREEK RD 204, SAN JOSE, CA 95121		Inspection Date 11/14/2024		Placard Color & Score <div style="background-color: yellow; padding: 10px; text-align: center;"> YELLOW 65 </div>		
Program PR0411700 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 2 - FP13			Owner Name NGUYEN, DUONG		Inspection Time 11:00 - 12:30			
Inspected By MARCELA MASRI		Inspection Type ROUTINE INSPECTION		Consent By UYEN				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		X			
K06	Adequate handwash facilities supplied, accessible			X				S
K07	Proper hot and cold holding temperatures	X						S
K08	Time as a public health control; procedures & records		X		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				S
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	X	
K33	Nonfood contact surfaces clean		
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	X	X
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	X	
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	
K49	Permits available	
K58	Placard properly displayed/posted	

Comments and Observations

Major Violations

K05 - 8 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

Inspector Observations: FOUND A COUPLE OF FRONT SERVICE STAFF WEARING GLOVES, PERFORMING CASHIER DUTIES AND THEN WITHOUT CHANGING GLOVES OR WASHING HANDS, THEY PROCEEDED TO PREPARE AND/SERVE OPEN FOOD TO THE CUSTOMERS. [CA] ENSURE THE THE CASHIERS DO NOT HANDLE OPEN FOOD AND IF THEY DO, THEY NEED TO TAKE OFF THEIR GLOVES AND WASH THEIR HANDS PRIOR TO HANDLING OPEN FOOD.

K08 - 8 Points - Improperly using time as a public health control procedures & records; 114000

Inspector Observations: FOUND THE PREPACKAGED MEALS UNDER TPHC WITHOUT A TIME AND DATE LABEL. [CA] PROVIDE THE DATE AND TIME UP TO 4 HOURS FOR THE MEALS/PRODUCTS UNDER TIME AS A PUBLIC HEALTH CONTROL. COS

Minor Violations

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

Inspector Observations: THE FOOD SAFETY CERTIFICATE FOR MANAGERS IS EXPIRED. [CA] PROVIDE A CURRENT ONE.

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

Inspector Observations: FOUND THE PAPER TOWELS OUTSIDE THE WALL DISPENSER IN THE HAND WASH SINK IN THE KITCHEN. FOUND A FEW LARGE SOILED POTS ON THE FLOOR IN FRONT OF THE HAND WASH SINK. [CA] PROVIDE THE PAPER TOWELS INSIDE THE WALL DISPENSER AND ENSURE THE WALL DISPENSER IS WORKING PROPERLY. ENSURE THE HAND WASH SINK IS ACCESSIBLE 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: FOUND AN EMPLOYEE WASHING DISHES IN THE FOOD PREPARATION SINK. [CA] USE THE 3 COMPARTMENT WARE WASH SINK TO WASH DISHES. THE FOOD PREPARATION SINK IS ONLY TO BE USED FOR FOOD.

K32 - 2 Points - Food improperly labeled & not honestly presented: 114087, 114089, 114089.1(a, b), 114090, 114093.1

Inspector Observations: REPEAT VIOLATION:

THE SOY MILK INDIVIDUAL CONTAINERS AND COCONUT INDIVIDUAL CUPS DO NOT HAVE A LABEL. . [CA] PROVIDE:

- 1. NAME OF THE FOOD**
- 2. CONTENTS OF THE FOOD IE: OZ**
- 3. INGREDIENTS**
- 4. NAME AND ADDRESS OF MANUFACTURER**

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: THE FACILITY DOES NOT HAVE CHLORINE TEST STRIPS TO MEASURE THE CONCENTRATION OF SANITIZER. [CA] PROVIDE TEST STRIPS TO MEASURE 100 PPM CHLORINE SANITIZER.

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: FOUND THE HANDLE OF THE ICE SCOOP TOUCHING THE ICE IN THE ICE CONTAINER IN THE FRONT SERVICE AREA. [CA] ENSURE THE HANDLE OF THE ICE SCOOP DOES NOT TOUCH THE ICE.

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

Inspector Observations: FOUND THE HOOD BAFFLES WITH EXCESS OF GREASE. [CA] CLEAN THE BAFFLES MORE OFTEN.

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: FOUND A PURSE STORED NEXT TO FOOD RELATED ITEMS IN THE KITCHEN DRY STORAGE SHELF. [CA] STORE PERSONAL ITEMS SEPARATE AND AWAY FROM FOOD OR FOOD RELATED ITEMS.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
PUDDING	FRONT SERVICE REFRIGERATOR	40.00 Fahrenheit	
CASSAVA	WALK IN COOLER	41.00 Fahrenheit	
HEAD CHEESE	SANDWICH REFRIGERATOR	40.00 Fahrenheit	
HOT WATER	HAND WASH SINK	100.00 Fahrenheit	
RICE	REACH IN REFRIGERATOR	41.00 Fahrenheit	
HOT WATER	3 COMPARTMENT SINK	120.00 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 **11/28/2024**. 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: UYEN NGUYEN
COOK
Signed On: November 14, 2024