

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 FA0208156 - QUE HUONG FAST FOOD		Site Address 2549 S KING RD A1, SAN JOSE, CA 95122		Inspection Date 01/16/2025		Placard Color & Score YELLOW 31		
Program PR0307431 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name AN HUYNH		Inspection Time 13:10 - 15:30			
Inspected By HENRY LUU		Inspection Type ROUTINE INSPECTION		Consent By AN N.				FSC Bien Nguyen 07/09/2026

RISK FACTORS AND INTERVENTIONS		IN	OUT		COS/SA	N/O	N/A	PBI
			Major	Minor				
K01	Demonstration of knowledge; food safety certification	X						S
K02	Communicable disease; reporting/restriction/exclusion	X						
K03	No discharge from eyes, nose, mouth	X						S
K04	Proper eating, tasting, drinking, tobacco use	X						
K05	Hands clean, properly washed; gloves used properly		X		X			N
K06	Adequate handwash facilities supplied, accessible		X		X			
K07	Proper hot and cold holding temperatures		X		X			N
K08	Time as a public health control; procedures & records		X		X			N
K09	Proper cooling methods		X		X			N
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			N
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				N
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		
K30	Food storage: food storage containers identified	X	
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		
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	X	
K39	Thermometers provided, accurate	X	
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	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

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

Inspector Observations: *Observed kitchen employee washing hands with gloves still donned on.*

Follow-up By 01/22/2025

[CA] *Ensure employees are properly washing hands as required. Employees shall wash their hands in all of the following instances:*

- (1) Immediately before engaging in food preparation, including working with non-prepackaged food, clean equipment and utensils, and unwrapped single-use food containers and utensils.*
- (2) After touching bare human body parts other than clean hands and clean, exposed portions of arms.*
- (3) Immediately after using the toilet room and again when returning into the kitchen.*
- (4) After caring for or handling any animal allowed in a food facility in pursuant to this part.*
- (5) After coughing, sneezing, using a handkerchief or disposable tissue, using tobacco, eating, or drinking.*
- (6) After handling soiled equipment or utensils.*
- (7) During food preparation as often as necessary to remove soil and contamination and to prevent cross-contamination when changing tasks.*
- (8) When switching between working with raw food and working with ready-to-eat foods.*
- (9) Before initially donning gloves for working with food.*
- (10) Before dispensing or serving food or handling clean tableware and serving utensils in the food service area.*
- (11) After engaging in other activities that contaminate the hands.*

Properly wash hands with soap, warm water and dry using single use paper towels as required. Single-use gloves shall be removed prior to washing hands.

[COS] *Instructed employees to properly wash hands.*

K06 - 8 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

Inspector Observations: *Paper towel dispenser at the only hand wash station in the kitchen inoperable. At time of inspection, faucets at the hand sink were heavily encrusted and difficult to turn.*

[CA] *Handwashing facilities shall be equipped with handwashing cleanser and single-use sanitary towels in dispensers. Handwashing facility shall be clean, unobstructed, and accessible at all times.*

[COS] *Instructed manager to provide paper towels.*

Follow-up By 01/22/2025

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

Inspector Observations: *Numerous PHF food items maintained out in ambient temperature measured between 70F to 80F. Manager stated that items were in active preparation, however, at the time of inspection, no active preparation was being conducted.*

Numerous PHF items maintained inside the walk-in refrigerator measured ranging from 43F to 48F. Ambient temperature of the walk-in refrigerator measured between 49F to 50F.

[CA] *PHFs shall be held at 41°F or below or at 135°F or above. Use only small portions of food during preparation so that it does not exceed the maximum amount of time allowed for diligent prep.*

Follow-up By 01/22/2025

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

Inspector Observations: *Times for all PHF food items subjected to time as a public health control (TPHC) at the service line were not documented and/or were still being offered for customer consumption past the maximum 4 hours.*

[CA] *When time only, rather than time and temperature is used as a public health control, PHFs shall be time marked to indicate when item is removed from temperature control, discarded if not consumed or served within 4 hours, and written procedures shall be readily available for review.*

Follow-up By 01/22/2025

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[COS] Times were provided for items prepared within the 4 hour limit. Items past the 4 hour were VC&D.

K09 - 8 Points - Improper cooling methods; 114002, 114002.1

Inspector Observations: Approximately 10+ containers of various cooked pork belly, pork spareribs, and braised pork maintained inside the walk-in refrigerator measured between 47F to 50F. Manager stated that items were either prepared yesterday, or this morning at approximately 3:00 AM in the morning, an elapsed time of more than 6 hours.

Follow-up By
01/22/2025

Observed numerous PHF items cooling in unapproved methods:

- Large pots full of soup, cooked vegetables, and proteins,
- Numerous metal containers filled with solid foods, kept covered and stacked on top of each other out in ambient temperature as well as inside the walk-in refrigerator.
- Large pots of soup maintained tightly covered with plastic and metal lids.

[CA] After heating or hot holding, Potentially Hazardous Foods (PHFs) shall be cooled rapidly from 135°F to 70°F within 2 hours and from 70°F to 41°F within 4 hours. Approved cooling methods include: 1) Placing the food in shallow pans 2) Separating the food into thinner or smaller portions. 3) Using rapid cooling equipment (Ex. blast chiller) 4) Using containers that facilitate heat transfer (ex. stainless steel) 5) Adding ice as an ingredient. 6) Using ice paddles 7) Using an ice bath and stirring frequently 8) Accordance with a HACCP plan. Cooling foods shall have enough space around the containers for cold air to circulate, be loosely covered, or uncovered and stirred as frequently needed to evenly cool.

[COS] All food items improperly cooled were VC&D.

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

Inspector Observations: Observed approximately 4-5 cans of food items heavily damaged at the top and bottom seams.

[CA] Hermetically sealed items that are damaged at the seals shall be returned to vendor or discarded.

[COS] Instructed manager to remove damaged cans.

Follow-up By
01/22/2025

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: Hot water at the three-compartment sink measured at 105F. Hot water at the food preparation sink measured at 109F.

[CA] Hot water shall be supplied at a minimum temperature of at least 120°F measured from the faucet throughout facility except at handwash sinks.

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 containers, bags, and boxes of food maintained directly on the floor inside the kitchen as well as inside the walk-in refrigerator and walk-in freezer.

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

Observed numerous employees conducting food preparation on top of boxes, buckets, stools, cutting boards on top of garbage bins, etc.

[CA] Food utensil (i.e. cutting board, baking pan, platters) shall not be used on top of a trash can to prevent cross contamination.

Observed containers of foods stored directly on top of each other with the bottom of the top containers in direct contact with the food item.

[CA] All food shall be separated and protected from possible contamination.

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 walk-in freezer filled to the door with frozen food items stacked on top of each other. This Division, nor employees are able to walk inside the walk-in freezer. Bags of frozen food observed stacked all the way to the ceiling of the walk-in refrigerator.*

[CA] *Adequate and suitable space shall be provided for the storage of food, maintain storage area clean and dry to prevent contamination.*

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

Inspector Observations: *Numerous prepackaged non-PHF snack foods and various types of refrigerated desserts inside the merchandiser refrigerator provided for customer self-service lack labels.*

[CA] *Food prepackaged in a food facility shall bear a label with the following: 1) common name of the food, 2) list of ingredients in descending order of predominance by weight, 3) quantity of contents, 4) name and place of business of the manufacturer, packer, or distributor.*

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: *Ambient temperature of the walk-in refrigerator measured between 49F to 50F via IR.*

[CA] *Refrigeration must be capable of maintaining PHFs at 41°F or below.*

**** Repeat violation - correct by comply-by date.**

Follow-up By
01/22/2025

Observed wooden cutting boards heavily damaged.

[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.*

Observed cardboard used to line shelves and storage rack for cans.

[CA] *Discontinue the use of cardboard boxes to line shelves/flooring, use approved equipment made of materials that is easily cleanable, durable, smooth, and nonabsorbent.*

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 kitchen employee utilizing three-compartment sink to conduct food preparation and hand washing.*

[CA] *Utilize sinks for their designated purposes. The three-compartment sink shall only be used for ware washing.*

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

Inspector Observations: *Observed large gas powered rice cooker in use at the front service area.*

[CA] *Provide approved exhaust hood ventilation over all cooking equipment as required to effectively remove cooking odors, smoke, steam, grease, heat, and vapors. Discontinue use of gas powered rice cooker or relocate rice cooker under ventilation hood system.*

K39 - 2 Points - Thermometers missing or inaccurate; 114157, 114159

Inspector Observations: *Thermometers not provided inside the walk-in refrigerator.*

[CA] *A thermometer +/- 2°F shall be provided and correctly located in each hot and cold holding unit containing potentially hazardous foods.*

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: *Observed non restaurant equipment stored inside the facility. Center island food preparation refrigerator is inoperable and used as dry storage.*

[CA] *The premises of a food facility shall be free of litter and items that are unnecessary to the operation or maintenance of the facility, such as equipment that is nonfunctional or no longer used.*

Observed gap below screen gate to the back of the facility.

[CA] *Eliminate gap greater than 1/4" to prevent the entrance and harborage of vermin.*

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

Inspector Observations: *At time of inspection, heavy accumulation of food debris and water observed throughout the kitchen.*

[CA] *Floors in food preparation area shall be kept clean and dry.*

Performance-Based Inspection Questions

Needs Improvement - Food in good condition, safe, unadulterated.
Needs Improvement - Hot and cold water available.
Needs Improvement - Hands clean/properly washed/gloves used properly.
Needs Improvement - Time as a public health control; procedures & records.
Needs Improvement - Proper cooling methods.
Needs Improvement - Proper hot and cold holding temperatures.

Measured Observations

Item	Location	Measurement	Comments
Cooked rice	Electric rice warmer	147.00 Fahrenheit	
Warm water	Hand wash sink	101.00 Fahrenheit	
Braised spareribs	Cook line	168.00 Fahrenheit	
Flan	Merchandise refrigerator	41.00 Fahrenheit	

Overall Comments:

- *Two or more major violations were observed during the routine inspection.*
 - *A follow-up inspection will be conducted to verify compliance of all major violations.*
 - *Subsequent follow-up inspection after first follow-up shall be billed \$298/hour, minimum one hour, during normal business hours (Monday - Friday, 7:30 AM to 4:30 PM), and \$645/hour, minimum two hours, during non-business hours, and upon inspector availability.*
 - *The posted placard is property of the Santa Clara County Department of Environmental Health and shall not be removed, covered-up, relocated, tampered, or copied. Failure to comply may result in enforcement actions per County Ordinance Code Section B11-55.*
-
- *Observed permit holder operating beyond facility limits. During time of inspection:*
 - *Inadequate space is provided for food preparation - limited food preparation table and space.*
 - *Inadequate space is provided for food storage - refrigeration units, shelving, dry storage, etc.*
 - *Facility is cooking and cooling large quantities of food items.*
 - *See violations noted above.*
 - *This Division recommends downsizing menu and the quantity of food prepared in order to minimize food safety risks.*

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 **1/30/2025**. 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: An N .
Manager

Signed On: January 16, 2025