

County of Santa Clara
Department of Environmental Health
Consumer Protection Division

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 Phone (408) 918-3400 www.ehinfo.org



OFFICIAL INSPECTION REPORT

Facility FA0266485 - VIT DONG QUE		Site Address 1143 STORY RD #190, SAN JOSE, CA 95122		Inspection Date 05/19/2025	
Program PR0393440 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name TRAN, CHAU		Inspection Time 12:55 - 14:15
Inspected By HENRY LUU	Inspection Type ROUTINE INSPECTION	Consent By CHAU	FSC Not Available		

Placard Color & Score
GREEN
73

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						S
K04 Proper eating, tasting, drinking, tobacco use			X				N
K05 Hands clean, properly washed; gloves used properly			X				N
K06 Adequate handwash facilities supplied, accessible	X						
K07 Proper hot and cold holding temperatures		X		X			N
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	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		
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: Steaming tray with approximately 5-10 small plates of steamed flour cake measured at 78F. Owner stated that items were steamed approximately 2 hours prior and is usually discarded after two hours, or taken home to be eaten.

Plastic container with approximately 20-30 small plates of steamed flour cake measured at 78F. Owner stated that items were steamed in the morning at approximately 8:00 AM. Owner stated that items will be consumed by employees.

Large container of cooked duck bones maintained out in ambient temperature measured at 75F. Owner stated that the duck is usually maintained out till the end of the day, in which the bones are refrigerated to be used to make stock the following day.

Container of cooked marinated duck maintained inside the food preparation refrigerator measured at 48F. Owner stated that the duck was prepared yesterday and has been inside the refrigerator since the night before.

Numerous PHF items (cooked duck, coagulated pork blood, cooked chicken/duck gizzards, and soups) maintained inside the preparation refrigerator measured between 48F to 65F. Owner stated that some items were prepared in the morning and/or were recently prepared. Ambient temperature of the preparation refrigerator measured between 51F to 53F via probe thermometer placed inside.

[CA] PHFs shall be held at 41°F or below or at 135°F or above.

[COS] Steamed rice cakes were separated for personal use. Container of cooked marinated duck was VC&D due to time and temperature abuse. All other food items were relocated into the two-door upright refrigerator to immediately cool.

Minor Violations

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

Inspector Observations: Five-year Food Safety Certified (FSC) manager certificate unavailable for review. [CA] Food facilities that prepare, handle, or serve non-prepackaged potentially hazard foods shall have a valid Food Safety Certificate available for review at all times.

Employees' three-year food handler cards 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.

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

Inspector Observations: Observed cook line employee chewing food while conducting food preparation.

[CA] No employee shall eat or drink in the food prep, food contact storage, or food storage areas, use designated area.

K05 - 3 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

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Inspector Observations: *Observed cook line employee using personal cellphone and continuing onto food preparation without changing gloves and washing hands.*

[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.

K22 - 3 Points - Sewage and wastewater improperly disposed; 114197

Inspector Observations: *Observed steady leak on the waste drain pipes below the far left basin of the three-compartment sink.*

[CA] *Liquid waste shall be disposed of through the approved plumbing system and shall discharge into the public sewerage or into an approved private sewage disposal system. Investigate cause and repair in an approved manner.*

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

Inspector Observations: *One dead German cockroach observed on the top of the vertical beam of the metal storage rack next to the two-door upright refrigerator.*

One dead American cockroach observed on monitoring trap on the floor at the corner of the beverage preparation/cash register area.

Owner stated that facility is serviced monthly. No other activity was observed.

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

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 preparation refrigerator measured between 51F to 53F via probe thermometer placed inside.*

Cook line employee stated that elevated temperature might be due to constant opening and closing of the preparation refrigerator.

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

**** Repeat violation**

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 container of sliced bittermelon maintained at the three-compartment sink.*

[CA] *Utilize sinks for their designated purposes. Food preparation shall be conducted at the food preparation sink.*

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Performance-Based Inspection Questions

- Needs Improvement - Hands clean/properly washed/gloves used properly.
- Needs Improvement - Proper hot and cold holding temperatures.
- Needs Improvement - Proper eating, tasting, drinking, tobacco use.

Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
Duck soup	Cook line	178.00 Fahrenheit	
Chlorine sanitizer	Mechanical dish machine	50.00 PPM	
Duck porridge	Cook line	181.00 Fahrenheit	
Cooked duck gizzard	Two-door upright refrigerator	41.00 Fahrenheit	
Cooked marinated duck	Two-door upright refrigerator	40.00 Fahrenheit	
Hot water	Three-compartment sink	125.00 Fahrenheit	
Raw duck	Two-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 **6/2/2025**. 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.

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: Chau
Owner

Signed On: May 19, 2025