

# 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><br>FA0209350 - DALAT CAFE RESTAURANT                            |  | <b>Site Address</b><br>408 E WILLIAM ST, SAN JOSE, CA 95112 |                                  | <b>Inspection Date</b><br>10/23/2026 |                                         | <b>Placard Color &amp; Score</b><br><div style="background-color: red; color: white; padding: 10px; text-align: center; font-size: 24px; font-weight: bold;">RED</div> <div style="background-color: black; color: white; padding: 10px; text-align: center; font-size: 36px; font-weight: bold;">63</div> |  |                                        |
| <b>Program</b><br>PR0301844 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11 |  |                                                             | <b>Owner Name</b><br>TRAN, PHONG |                                      | <b>Inspection Time</b><br>09:45 - 12:30 |                                                                                                                                                                                                                                                                                                            |  |                                        |
| <b>Inspected By</b><br>ALEXANDER ALFARO                                         |  | <b>Inspection Type</b><br>ROUTINE INSPECTION                |                                  | <b>Consent By</b><br>HUNG            |                                         |                                                                                                                                                                                                                                                                                                            |  | <b>FSC</b> Phong An Tran<br>12/10/2029 |

  

| 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     |       | 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  |       |       |        |     |     |     |
| 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                                          | X   |     |
| 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                                                      |     |     |
| 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                                                     | X   |     |
| K40                   | Wiping cloths: properly used, stored                                                | X   |     |
| K41                   | Plumbing approved, installed, in good repair; proper backflow devices               | X   |     |
| 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                                      |     |     |

# OFFICIAL INSPECTION REPORT

|                                                                          |                                                      |                                  |
|--------------------------------------------------------------------------|------------------------------------------------------|----------------------------------|
| Facility<br>FA0209350 - DALAT CAFE RESTAURANT                            | Site Address<br>408 E WILLIAM ST, SAN JOSE, CA 95112 | Inspection Date<br>10/23/2026    |
| Program<br>PR0301844 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11 | Owner Name<br>TRAN, PHONG                            | Inspection Time<br>09:45 - 12:30 |
| K48                                                                      | Plan review                                          |                                  |
| K49                                                                      | Permits available                                    |                                  |
| K58                                                                      | Placard properly displayed/posted                    |                                  |

## Comments and Observations

### Major Violations

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

**Inspector Observations:** *By the front service counter, observed visibly soiled handle of rolling cart in direct contact with sliced jalapeños.*

**[CA]** *All food shall be produced, prepared, stored, and served so as to be pure and free from adulteration and spoilage.*

**[COS]** *PIC discarded bowl of jalapeños.*

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

**Inspector Observations:**

**1. Observed Vermin: Documented in the following areas:**

- A live nymph cockroach and a live adult German cockroach in warewashing sink
- A live adult cockroach on the wall behind handwashing sink
- A live adult cockroach with ootheca on floor in the warewashing area
- Two live adult cockroaches on hinges of back kitchen doors by men's restroom
- A dead nymph cockroach in front of cookline
- A few dead nymph cockroaches on edge of left prep cooler
- A dead nymph cockroach in hinge of chest freezer
- Numerous dead cockroaches of varying life stages in back dry storage room
- A dead cockroach with ootheca behind toilet in women's restroom
- Observed cockroach droppings on chest freezer.
- Observed clusters of cockroach droppings on kitchen door frames and hinges.

**2. Photographs:** Taken for documentation purposes.

**3. Supervisor Notified:** Anjani Sircar

**4. Notification:** The person in charge during inspection, Hung, has been informed that the facility must close immediately.

**[CA]:** *The premises of each food facility must be maintained free of vermin. A facility cannot operate if there is a vermin infestation that leads to contamination of food contact surfaces, packaging, utensils, food equipment, or adulteration of food. The facility is required to cease operations immediately and must remain closed until all corrective actions on the provided checklist are completed.*

**Requirements Before Reopening:**

1. Email the signed and completed Reopening Checklist to the assigned inspector.
2. Submit a copy of the pest control report from a licensed provider.

### Minor Violations

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

**Inspector Observations:** *Food handler cards were unavailable upon request.*

**[CA]** *Food handler cards of employees that handle, serve, and prepare food shall be made available upon request.*

K26 - 2 Points - Unapproved thawing methods used; frozen food; 114018, 114020, 114020.1

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**Inspector Observations:** *By the cookline, observed two large bags of frozen shrimp paste thawing at room temperature. Shrimp paste measured 33F. Per PIC, shrimp paste was delivered an hour prior to temperature measurement.*

**[CA]** *Potentially hazardous foods shall be thawed in one of the following ways: 1) under refrigeration that maintains the food temperature at 41F, 2) completely submerged under cold running water for no more than two hours, 3) in a microwave oven, 4) as part of the cooking process.*

**[COS]** *PIC transferred bags of shrimp paste to the walk-in cooler.*

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

**Inspector Observations:** *1. In the back of the kitchen, observed rice noodles soaking in two 5-gallon buckets stored directly on the floor. In the walk-in freezer, observed food in 5-gallon buckets stored directly on the floor. 2. In the walk-in cooler, observed various meats stored in plastic grocery bags. Observed siracha bottle being reused to store soy sauce.*

**[CA]**

*1. All food shall be stored at least 6 inches above the floor on approved shelving to prevent contamination. 2. All food shall be stored in approved, food grade containers. Discontinue the use of plastic grocery bags and siracha bottles to store food.*

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 gapping between warewashing sink and wall.*

**[CA]** *All equipment shall be approved, installed properly, and meet applicable standards. Seal warewashing sink to the wall.*

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:** *In the dry storage area, observed bowls stored in bulk containers of dry ingredients.*

**[CA]** *All food shall be separated and protected from contamination. Use approved utensils such as scoops or spoons with handles to ensure hands do not come in direct contact with food.*

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

**Inspector Observations:**  
*Facility lacks a probe type thermometer.*

**[CA]** *An accurate easily readable metal probe thermometer (accurate to +/- 2°F) that is designed to measure the temperature of thin masses shall be provided and readily available to accurately measure the temperatures of potentially hazardous foods.*

K40 - 2 Points - Wiping cloths: improperly used and stored; 114135, 114185.1 114185.3(d,e)

**Inspector Observations:** *Observed wiping cloths stored on chest freezer and prep tables.*

**[CA]** *Wiping cloths when not in use shall be stored in a sanitizing bucket with sanitizer at the appropriate concentration, such as quaternary ammonia at 200ppm or chlorine at 100ppm.*

K41 - 2 Points - Plumbing unapproved, not installed, not in good repair; improper backflow devices; 114171, 114189.1, 114190, 114192, 114193, 114193.1, 114199, 114201, 114269

**Inspector Observations:** *Under the warewashing sink, observed grease trap with a food metal tray as a lid.*

**[CA]** *All plumbing and plumbing fixtures shall be installed in compliance with local plumbing ordinances, shall be maintained so as to prevent any contamination, and shall be kept clean, fully operative, and in good repair. Ensure grease trap has an approved lid.*

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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 employee phone stored on top of rice cooker. Observed employee water bottle stored on prep table behind service counter.**

**[CA] Ensure personal items are stored in employee lockers or other designated areas for employee storage.**

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

**Inspector Observations: 1. Observed accumulation of food debris behind and under cookline.  
2. Observed gap in metal seal on wall next to the handwashing sink.**

**[CA] Food facilities shall be kept clean and in good repair.**

**1. Regularly clean under and around cooking equipment to prevent the accumulation of food debris.  
2. Seal gap in metal seal on wall to prevent the harborage of vermin.**

## Performance-Based Inspection Questions

Needs Improvement - Food in good condition, safe, unadulterated.

## Measured Observations

| Item               | Location                                           | Measurement       | Comments      |
|--------------------|----------------------------------------------------|-------------------|---------------|
| hot water          | warewashing sink                                   | 130.00 Fahrenheit |               |
| ambient            | two door upright cooler in next to service counter | 40.00 Fahrenheit  |               |
| meat               | walk-in cooler                                     | 38.00 Fahrenheit  |               |
| shrimp patty       | prep insert                                        | 39.00 Fahrenheit  |               |
| warm water         | restroom sink                                      | 100.00 Fahrenheit |               |
| rice noodles       | 5-gallon buckets on floor                          | 70.00 Fahrenheit  | diligent prep |
| cooked beef        | two door prep cooler                               | 37.00 Fahrenheit  |               |
| sliced tomatoes    | prep insert                                        | 38.00 Fahrenheit  |               |
| cooked rice        | walk-in cooler                                     | 37.00 Fahrenheit  |               |
| rice               | rice cooker                                        | 204.00 Fahrenheit |               |
| chlorine sanitizer | chemical dishwasher                                | 50.00 PPM         |               |

## Overall Comments:

**Facility is prohibited from all food service activities which include, but not limited to: preparation, service, handling, distribution, and sale.**

**Facility shall remain closed until vermin infestation is completely abated and authorization is provided by this Division.**

### Requirements Before Reopening:

**1. Email the signed and completed Reopening Checklist to the assigned inspector.  
2. Submit a copy of the pest control report from a licensed provider.**

**Once the above is corrected, contact the main office at 408-918-3400 to submit the required documentation and schedule the follow-up inspection.**

**\*\*Subsequent follow-up inspection after first follow-up shall be billed \$290/hour, one hour minimum, during normal business hours (Monday - Friday, 7:30 AM to 4:30 PM), or \$664 for a minimum of two hours, during non business hours and in accordance with the inspector's 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.**

**\*\*A facility found to be in continued operation without a permit may incur a penalty of three (3) times the operating permit fee, and fee(s) for re-inspection(s) charged at the current hourly rate approved by the Santa Clara County Board of Supervisors.\*\***

**Joint inspection with N. Hak. Report written by N. Hak.**

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## CLOSURE / PERMIT SUSPENSION NOTICE

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 **11/6/2026**. 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.

This notice is to inform you that as of this date the Environmental Health Permit for the above mentioned food facility is hereby suspended and all operations therewith are ordered to cease. This action is taken in accordance with Section 114409 of the California Health and Safety Code which states 'If any imminent health hazard is found, unless the hazard is immediately corrected, an enforcement officer may temporarily suspend the permit and order the food facility or cottage food operation immediately closed.'

You have the right to make a written request for a hearing within 15 days after receipt of this notice to show just cause why the permit suspension is not warranted. Failure to request such a hearing within the 15-day period shall be deemed a waiver of the right to a hearing. After these violations have been corrected, you must call the Department of Environmental Health for a reinspection to reinstate the permit to operate. Phone #: (408)918-3400.

### 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: Phuc  
Manager  
Signed On: October 23, 2026