

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 FA0305312 - LACAPHE		Site Address 740 STORY RD 5, SAN JOSE, CA 95122		Inspection Date 05/22/2025		Placard Color & Score GREEN 80		
Program PR0448285 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 1 - FP12			Owner Name THI NGUYEN		Inspection Time 14:35 - 15:30			
Inspected By HENRY LUU		Inspection Type ROUTINE INSPECTION		Consent By THO				FSC Anh Le 07/27/2028

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						
K06	Adequate handwash facilities supplied, accessible	X						
K07	Proper hot and cold holding temperatures			X				N
K08	Time as a public health control; procedures & records		X		X			N
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						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		
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		X
K46	No unapproved private home/living/sleeping quarters		
K47	Signs posted; last inspection report available		

OFFICIAL INSPECTION REPORT

Facility FA0305312 - LACAPHE		Site Address 740 STORY RD 5, SAN JOSE, CA 95122	Inspection Date 05/22/2025
Program PR0448285 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 1 - FP12		Owner Name THI NGUYEN	Inspection Time 14:35 - 15:30
K48	Plan review		
K49	Permits available		
K58	Placard properly displayed/posted		

Comments and Observations

Major Violations

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

Inspector Observations: *Oolong boba subjected to time as a public health control (TPHC) lacked label.*

Employee at the front stated that the boba was prepared about 2 hours prior, and that after three hours, the boba is returned to the refrigerator.

[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.*

[COS] *Employee placed label on container of boba.*

**** Repeat violation.** *Failure to comply will result in further enforcement action and usage of TPHC will be revoked.*

Minor Violations

K07 - 3 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

Inspector Observations: *Egg cream, ube cream, and cloud cream maintained out in ambient temperature measured between 47F to 50F.*

Manager stated that the cream was taken out approximately 15-30 minutes prior while preparing orders and is then returned into the preparation refrigerator and/or maintained on ice.

At the time, no ice was observed inside the container. Manager stated that the employee was just cleaning out the container and had not yet placed ice inside the container.

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

[COS] *Ice was added to the container to immediately cool creams.*

**** Repeat violation**

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

Inspector Observations: *Observed a fly inside the kitchen area.*

[CA] *Use any and all approved methods to abate live flies.*

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 plastic jars previously used to store jellies now being used to store creams.*

[CA] *Food containers intended for single use shall not be reused. Replace with reusable food grade containers.*

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: *Scoop for brown sugar maintained inside the bulk bin with handle in direct contact with ingredient.*

[CA] *Store scoop handle in such a way that the handle does not come in direct contact with food to prevent contamination.*

OFFICIAL INSPECTION REPORT

Facility FA0305312 - LACAPHE	Site Address 740 STORY RD 5, SAN JOSE, CA 95122	Inspection Date 05/22/2025
Program PR0448285 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 1 - FP12	Owner Name THI NGUYEN	Inspection Time 14:35 - 15:30

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

Inspector Observations: *Heavy accumulation of grime observed on floor and wall below the food preparation sink.*

[CA] *Walls and/or floors in food preparation area shall be kept clean.*

Performance-Based Inspection Questions

Needs Improvement - Food in good condition, safe, unadulterated.
Needs Improvement - Proper hot and cold holding temperatures.
Needs Improvement - Time as a public health control; procedures & records.

Measured Observations

Item	Location	Measurement	Comments
Hot water	Three-compartment sink	125.00 Fahrenheit	
Chlorine sanitizer	Three-compartment sink	100.00 PPM	
Ube cream	Two-door upright refrigerator	41.00 Fahrenheit	
Milk	Two-door reach-in refrigerator	41.00 Fahrenheit	
Cloud cream	Two-door upright refrigerator	41.00 Fahrenheit	
Milk	Two-door upright refrigerator	42.00 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 **6/5/2025**. 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: Tho L.
Manager
Signed On: May 22, 2025