

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 FA0265038 - VUA KHO BO & O MAI		Site Address 2549 S KING RD #A8, SAN JOSE, CA 95122		Inspection Date 12/11/2024		Placard Color & Score YELLOW 60		
Program PR0390970 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			Owner Name DAO, LIEN		Inspection Time 14:15 - 16:00			
Inspected By HENRY LUU		Inspection Type ROUTINE INSPECTION		Consent By PATRICK				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						
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		X			N
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			
K14	Food contact surfaces clean, sanitized					X		N
K15	Food obtained from approved source		X		X			N
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	X	
K28	Fruits and vegetables washed		
K29	Toxic substances properly identified, stored, used	X	
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	X	
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	
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	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		X
K58	Placard properly displayed/posted		

Comments and Observations

Major Violations

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

Inspector Observations: Hand wash station at the preparation area lacked paper towels.

[CA] Handwashing facilities shall be equipped with handwashing cleanser and single-use sanitary towels in dispensers. Paper towels and hand soap shall be readily available and easily accessible at all times.

Follow-up By
12/16/2024

Hand wash station in the preparation area and inside the restroom partially obstructed with containers maintained in front. Employees are required to reach over in order to conduct hand washing.

[CA] Handwashing facility shall be clean, unobstructed, and accessible at all times.

Paper towels were maintained outside of dispensers inside the restroom.

[CA] Paper towels shall be stored inside the dispenser to prevent potential contamination.

K15 - 8 Points - Food not obtained from approved source; 113980, 113982, 114021-114031, 114041

Inspector Observations: Observed large bag of individually bagged frozen yogurt. Owner stated that items were prepared from home.

Follow-up By
12/16/2024

[CA] Food must be from an approved source or properly documented.

[COS] Instructed owner to remove items from facility.

**** Note: Invoice shall be maintained and readily available for all food items being sold.**

Minor Violations

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

K13 - 3 Points - Food not in good condition/unsafe/adulterated; 113967, 113976, 113980, 113988, 113990, 114035, 114041, 114254(c), 114254.3

Inspector Observations: Observed two large bags of dried squid with ants inside. One bag also contained mold-like growth inside. Owner stated that the item will be discarded.

[CA] Food is adulterated if it bears or contains any poisonous or deleterious substance that may render it impure or injurious to health and shall be discarded immediately. Moldy food shall be removed immediately from use.

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: Cases and bags of food items stored directly on the floor throughout the entire facility.

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

K29 - 2 Points - Toxic substances improperly identified, stored, used; 114254, 114254.1, 114254.2

Inspector Observations: Observed domestic insecticide spray maintained underneath the food preparation sink.

[CA] Only those insecticides, rodenticides, and other pesticides that are necessary and specifically approved for use in a food facility may be used. Store chemicals separate and away from the storage and preparation of food or food contact surfaces and linens.

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

Inspector Observations: Prepackaged food items lacked labels. Owner stated that items are purchased in bulk and is repackaged for sale.

[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.

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K33 - 2 Points - Nonfood contact surfaces not clean; 114115(c)

Inspector Observations: *Observed heavy food residues on shelving in the back kitchen area.*

[CA] *Nonfood-contact surfaces of equipment shall be kept free of an accumulation of dust, dirt, food residue, and other debris.*

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: *Ware wash sink in the back area observed heavily cluttered with prepackaged food, equipment, and documents on the drain boards and inside the compartments. Only one compartment was available for use.*

Owner stated that the ware wash sink is not used. All utensils are washed at the food preparation sink in the front service area. Owner was unaware of the use of bleach as sanitizer.

At time of inspection, no active ware washing was being conducted.

[CA] *All food facilities that prepares food or multiservice utensils and equipment are used shall provide a three-compartment sink with two integral metal drain boards for manually washing, rinsing, and sanitizing equipment and utensils.*

- Remove all obstructions from the three-compartment sink.

- Manual warewashing shall be accomplished by using a three-compartment sink where the utensils are first precleaned, washed with hot soapy water, rinsed with hot water, sanitized with an approved method, and air dried. Use 1 TBS of bleach (5.25%) per 1 gal. of water for chlorine solution (100 PPM). Use 1 tbs of quaternary ammonium (10%) per 2 gal. of water for quaternary ammonium (200 PPM).

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: *Ice scoop stored inside ice machine with handle in direct contact with consumable ice.*

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

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 facility heavily cluttered with items:*

- Documents, clothing, inoperable soft serve machine.

[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.*

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 black sticky residue observed on floor below the ware wash sink.*

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

K49 - 2 Points - Permits not available; 114067(b,c), 114381(a), 114387

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Inspector Observations: --48 HOUR NOTICE--

**Follow-up By
12/13/2024**

Our records indicate this facility is operating without a valid permit and has a delinquent account. Your balance due is \$ 1,383.75. Payment must be made immediately to DEH at the address at the top of this report or via our website at www.Ehinfo.org.

A facility that submits payment of the outstanding balance within 48 hours (2 business days) of this notice will be issued and mailed an operating permit by this department. Failure to comply within 48 hours will result in facility closure and additional enforcement, including but not limited to reinspection(s) and additional cost recovery fees.

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. Penalties and fees incurred due to enforcement activities must be paid in full prior to the issuance of an operating permit.

Performance-Based Inspection Questions

- Needs Improvement - Food contact surfaces clean, sanitized.
- Needs Improvement - Adequate handwash facilities: supplied or accessible.
- Needs Improvement - Food obtained from approved source.

Measured Observations

Item	Location	Measurement	Comments
Hot water	Food preparation sink	121.00 Fahrenheit	
Warm water	Hand wash sink	102.00 Fahrenheit	
Dumplings	Two-door merchandiser freezer	8.00 Fahrenheit	
Steamed buns	Two-door merchandiser freezer	10.00 Fahrenheit	
Squid	Two-door merchandiser refrigerator	5.00 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.

**** Note:**

- Observed used gloves being stored at the hand wash sink in the front service area and at the food preparation sink. Gloves intended for single-use shall be single-use and is to be discarded after use.
- Microenterprise Home Kitchen Operation - MEHKO - Elizabeth Tobin - 408-918-3419 or visit website at EHInfo.org.

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 **12/25/2024**. 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.

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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: Lien
Owner

Signed On: December 11, 2024