

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 FA0291728 - BUN RIEU TAN DINH		Site Address 999 STORY RD 9045, SAN JOSE, CA 95122		Inspection Date 10/02/2025		Placard Color & Score YELLOW 69		
Program PR0437158 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name NGUYEN, LE THANH		Inspection Time 14:30 - 15:40			
Inspected By HENRY LUU		Inspection Type ROUTINE INSPECTION		Consent By LE THANH				FSC Thanh Chau 08/02/2028

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		X			N
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						
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	X	
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	X	
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		
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 employee dropping container of raw pork on floor, pick up pork to discard, and then attempted to continue onto food preparation without changing gloves and washing hands. When instructed to wash hands, employee rinsed hands with only water at the food preparation sink.*

Follow-up By
10/06/2025

[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 employee to proper wash hands with soap and dry with paper towels at the hand wash sink.

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

Inspector Observations: *The following food items observed were maintained out in ambient temperature:*

Follow-up By
10/06/2025

- Approximately 8 containers of steamed egg cake maintained at the dining room - 80F.
- Container of soup maintained at the two-door reach-in refrigerator where the air fryers are maintained - 113F.
- Bowl of green onions with deep fried pork fat in soil - 79F.
- Tray of approximately 6-8 individually wrapped turmeric noodles - 80F.
- Plate of fried eggs and Chinese sausage - 84F.

Owner stated that all items are subjected to time as a public health control (TPHC) and is discarded after four hours. All items per employees were prepared within the last 2-3 hours. Some items are new on the menu and are not included in the approved written procedures.

PHF items subjected to TPHC not labeled:

- Various types of rice and udon noodles at the cook line.
- Pork blood.
- Bean sprouts.
- Pork rolls with escargot.

Employee stated that items were taken out of temperature control at 11:00 AM. When instructed to provide time labels for all items, employee place sticker with a time of 2:00 PM to 5:00 PM.

[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.

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[COS] Items that were past the four hours were VC&D into the trash. All other items were properly labeled.

*** Note: New written procedures were provided to manager.**

Minor Violations

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

Inspector Observations: Old rodent droppings observed inside the electrical panel box as well as the ledge behind the ice machine. Old rodent droppings observed on floor below the dry storage rack outside of the electrical panel box.

Owner stated that facility is serviced monthly. No contamination of food or food contact surfaces was observed.

[CA] Clean and sanitize area of old droppings.

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 cases of herbs maintained on the floor outside of the restroom corridors. Appears that employees may have been preparing herbs before changing task.

Observed numerous bowls of raw meats maintained on the left side drain board and inside the left most sink of the three-compartment sink during active ware washing.

Observed multiple cases of food maintained directly on the floor inside the kitchen.

[CA] All food shall be separated and protected from possible contamination. Food preparation shall only occur in approved areas. Food shall be stored at least 6 inches above the floor to prevent contamination.

Raw shelled eggs observed maintained above ready-to-eat food items in the three-door upright refrigerator in the dining room.

[CA] All food shall be separated and protected from cross-contamination. Store all raw meat or other raw products of animal origin below ready-to-eat food items.

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: Facility is utilizing three domestic air fryers with visible signs of build up of grease on walls.

Facility is also using domestic crock pot to prepare Vietnamese sweet desserts.

[CA] All utensils and equipment shall be approved, installed properly, & meet applicable standards. All utensils and equipment shall be certified or classified for sanitation by an American National Standards Institute (ANSI) accredited certification program (e.g. NSF, UL EPH, UL Sanitation, CSA Sanitation, or ETL Sanitation). Remove unapproved equipment.

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: Employees observed utilizing three-compartment sink for food preparation. Employees observed utilizing food preparation sink for hand washing.

[CA] Utilize sinks for the designated purpose. Food preparation shall only occur on at the food preparation sink. Hands shall be washed only at the hand wash sink.

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

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Inspector Observations: Observed facility using three domestic air fryers on top of the two-door reach-in refrigerator. Wall behind the air fryers are line with aluminum oil and heavily stained with grease.

[CA] Provide approved exhaust hood ventilation over all cooking equipment as required to effectively remove cooking odors, smoke, steam, grease, heat, and vapors.

*** Note: Equipment has been not approved for use. Remove air fryers.**

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: Employees' personal cellphones observed stored in areas of food preparation.

[CA] No person shall store clothing or personal effects in any area used for the storage and preparation of food or food contact surfaces.

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

Inspector Observations: Heavy build up of grease observed on wall behind air fryers. Build up of food debris on floors, especially underneath the preparation table and refrigerator.

[CA] Walls and/or floors in food preparation area shall be kept clean. Regularly clean under equipment to prevent accumulation of debris.

Performance-Based Inspection Questions

Needs Improvement - Hands clean/properly washed/gloves used properly.
Needs Improvement - Time as a public health control; procedures & records.
Needs Improvement - Proper hot and cold holding temperatures.

Measured Observations

Item	Location	Measurement	Comments
Chlorine sanitizer	Three-compartment sink	100.00 PPM	
Raw marinated beef short rib	Three-door reach-in refrigerator	41.00 Fahrenheit	
Jello dessert	Two-door upright refrigerator	40.00 Fahrenheit	Beverage preparation area
Raw shelled eggs	Three-door upright refrigerator	41.00 Fahrenheit	Dining room
Raw comminuted pork	Food preparation refrigerator	40.00 Fahrenheit	
Hot water	Three-compartment sink	130.00 Fahrenheit	
Raw marinated pork chop	Two-door reach-in refrigerator	41.00 Fahrenheit	
Marinated beef	Three-door upright refrigerator	40.00 Fahrenheit	Dining room
To-go containers of beef stew	Three-door upright refrigerator	40.00 Fahrenheit	
Ambient	Two-door upright freezer	20.00 Fahrenheit	
Steamed egg cake	Two-door reach-in refrigerator	41.00 Fahrenheit	
Cooked rice	Rice cooker	139.00 Fahrenheit	
Tomato crab soup	Cook line	180.00 Fahrenheit	
Raw calamari	Three-door upright refrigerator	39.00 Fahrenheit	
Cooked udon noodles	Food preparation 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 for a minimum of 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.

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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 **10/16/2025**. 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: Tom C.
Manager
Signed On: October 02, 2025