

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 FA0253496 - DA THAO CAFE		Site Address 888 STORY RD, SAN JOSE, CA 95122		Inspection Date 04/21/2025		Placard Color & Score YELLOW 51			
Program PR0369079 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			Owner Name NGUYEN, DIANE		Inspection Time 10:30 - 12:05				
Inspected By HENRY LUU		Inspection Type ROUTINE INSPECTION		Consent By TRAM				FSC Quan Le 04/23/2027	

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				N
K05	Hands clean, properly washed; gloves used properly		X		X			N
K06	Adequate handwash facilities supplied, accessible		X		X			N
K07	Proper hot and cold holding temperatures		X		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						
K14	Food contact surfaces clean, sanitized		X		X			
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		
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	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	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		
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

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 kitchen employee utilizing the same gloves switching in-between ware washing and cleaning/mopping. Employee did not change gloves or wash hands.*

Follow-up By
04/24/2025

[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 wash hands and change gloves.*

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

Inspector Observations: *The only hand washing station in the kitchen was obstructed with a bag of uncooked noodles. At the time, the hand soap dispenser was stocked with soap, however, failed to dispense soap.*

Follow-up By
04/24/2025

[CA] *Handwashing facilities shall be equipped with handwashing cleanser and single-use sanitary towels in dispensers. Hand soap and paper towels shall be readily available and easily accessible at all times. Handwashing facility shall be clean, unobstructed, and accessible at all times.*

[COS] *Obstruction was removed. Dried soap clogged on the soap dispenser nozzle was cleaned. Soap dispenser observed dispensing soap normally.*

K07 - 8 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

Inspector Observations: *Plastic container of cooked macaroni noodles maintained out in ambient temperature measured at 67F. Manager stated that the noodles were prepared from home the day before and was taken out from the refrigerator to prepare an order.*

Follow-up By
04/24/2025

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

[COS] *Food item was VC&D.*

K14 - 8 Points - Food contact surfaces unclean and unsanitized; 113984(e), 114097, 114099.1, 114099.4, 114099.6, 114101, 114105, 114109, 114111, 114113, 114115(a,b,d), 114117, 14125(b), 114141

Inspector Observations: *Observed kitchen employee ware washing and failing to conduct final sanitization.*

Follow-up By
04/24/2025

[CA] *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.*

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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).

[COS] Instructed employee to setup three-compartment sink for proper ware washing.

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

Inspector Observations: Per manager, the following food items were prepared from a home setting:

**Follow-up By
04/24/2025**

- Large plastic container of soup, approximately 2 gallons, maintained inside the two-door upright refrigerator.
- Plastic container of cooked macaroni maintained out in ambient temperature at the food preparation table.
- Plastic container of cooked pork meat maintained inside the two-door upright refrigerator.

[CA] Food must be from an approved source or properly documented. Facility is to immediately cease and desist preparing food from home.

[COS] Food was removed from facility and/or VC&D.

Minor Violations

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

Inspector Observations: Employees' personal beverages observed stored in areas of food preparation.

[CA] No employee shall eat or drink in the food prep, food contact storage, or food storage areas, use designated area. Provide designated location for employees to store personal food and beverages, separated and protected from restaurant food and food contact surfaces.

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: Facility lacks test strips to measure sanitizer concentration.

[CA] Testing equipment and materials shall be provided to adequately measure the applicable sanitization method used during manual or mechanical warewashing.

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 ice scoop maintained 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.

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

Inspector Observations: Observed pan used to fry eggs at the food preparation table. Facility lacks food preparation sink and dedicated ventilation hood to conduct any type of food preparation.

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

Remove unapproved cooking equipment.

Performance-Based Inspection Questions

- Needs Improvement - Proper eating, tasting, drinking, tobacco use.
- Needs Improvement - Adequate handwash facilities: supplied or accessible.
- Needs Improvement - Hands clean/properly washed/gloves used properly.
- Needs Improvement - Food obtained from approved source.

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Measured Observations

Item	Location	Measurement	Comments
Warm water	Hand wash sinks	101.00 Fahrenheit	
Hot water	Three-compartment sink	122.00 Fahrenheit	
Milk	Two-door upright 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/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:

- Facility lacks dedicated food preparation sink and ventilation hood.
- All food items served shall be prepackaged and ready-to-eat.
- All sandwiches served shall contain vegetables that are already pre-washed and pre-cut.
- Food served shall be from an approved source. Proper documentation shall be maintained and provided upon request.

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 **5/5/2025**. 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: Lam H.
Manager
Signed On: April 21, 2025