

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 FA0266002 - DA THANH RESTAURANT		Site Address 403 N CAPITOL AV, SAN JOSE, CA 95133		Inspection Date 02/18/2025		Placard Color & Score GREEN 72		
Program PR0392823 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			Owner Name NGUYEN, DUNG T		Inspection Time 10:55 - 12:30			
Inspected By YUEN IP		Inspection Type ROUTINE INSPECTION		Consent By TRINH				FSC Vinh Nguyen 10/06/2029

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	X			N
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						
K14	Food contact surfaces clean, sanitized		X		X			N
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		
K31	Consumer self service does prevent contamination		
K32	Food properly labeled and honestly presented	X	
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		
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		
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

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: *Employee rinsed bowl that was used for raw pork in 3 compartment sink and placed at rack for drying without sanitizing step.*

[CA] *Manual sanitization shall be accomplished in the final sanitizing rinse by contacting a chlorine solution of 100 PPM concentration for at least 30 seconds or by contacting a quaternary ammonium solution of 200 PPM concentration for at least 60 seconds.*

[COS] *Directed employee to place bowl to dishwasher for wash rinse and sanitize.*

Minor Violations

K05 - 3 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

Inspector Observations: *Employee sneezed and covered with hands with glove. Without proper hand wash, planned to go to cookline and cook.*

[CA] *Properly wash hands with soap, warm water and dry using single use paper towels as required.*

[COS] *Stopped employee and guided employee to properly washed her hands after sneezing. Employee discarded gloves and wash hands with hand soap and dry with paper towel.*

K08 - 3 Points - Improperly using time as a public health control procedures & records; 114000

Inspector Observations: *Several potentially hazardous food items (Cooked shrimp, pig liver) measured between 41F- 47F on ice.*

A paper on the wall stated to discard every 3 hours. A sticky note observed 2-5. Per PIC, food was taken out at 10am and will discard at 1pm.

[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] *PIC time mark products*

K19 - 3 Points - Non-compliance with consumer advisory for raw or undercooked foods; 114012, 114093

Inspector Observations: *Missing consumer advisory for raw beef served.*

[CA] *Provide consumer warning for the sale of raw or undercooked animal-derived foods.*

"Consuming raw or undercooked meats, POULTRY, seafood, shellfish, or EGGS may increase your risk of foodborne illness, especially if you have certain medical conditions."

K21 - 3 Points - Hot and cold water not available; 113953(c), 114099.2(b), 114163(a), 114189, 114192, 114192.1, 11419

Inspector Observations: *Water temperature measured at 81F (max) in hand wash sink in restroom.*

[CA] *Handwashing facilities shall be equipped to provide minimum 100°F water under pressure for a minimum of 15 seconds.*

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

Inspector Observations: *A bucket of meat is thawing under the counter across cookline.*

[CA] *Frozen potentially hazardous food shall only be thawed in one of the following ways: 1) under refrigeration that maintains the food temperature at 41°F or below, 2) completely submerged under potable running water for a period not to exceed two hours at a water temperature of 70°F or below, and with sufficient water velocity to agitate and flush off loose particles into the sink drain, 3) in a microwave oven if immediately followed by immediate preparation, 4) as part of a cooking process.*

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

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Inspector Observations: Missing food label or food label is not in English for prepackaged food in the cashier area.

[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.

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: Cardboard was used as liner on the floor at cookline.

[CA] Discontinue the use of cardboard boxes to line shelves/flooring, use approved equipment made of materials that is easily cleanable, durable, smooth, and nonabsorbent.

Employee washed raw pork in 3 compartment sink which is directly plumbed. 2 compartment sink with indirect connection is available.

[CA] Conduct food preparation at 2 compartment sink.

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: A cup of toothpaste and medications observed on the dry storage area shelving. Eye drop was stored on the shelf on top of food prep area.

[CA] Personal care items (medication/vitamins) shall bear a legible manufacturer's label and stored in a designated storage area for personal items.

Performance-Based Inspection Questions

Needs Improvement - Food contact surfaces clean, sanitized.

Needs Improvement - Hands clean/properly washed/gloves used properly.

Measured Observations

Item	Location	Measurement	Comments
Broth	Cooling	145.00 Fahrenheit	Cooked for 1 hour
Chlorine	Dishmachine	50.00 PPM	
Cooked shrimp	On ice	41.00 Fahrenheit	
Cooked liver	On ice	47.00 Fahrenheit	
Water	3 compartment sink	144.00 Fahrenheit	
Water	Hand wash sink	100.00 Fahrenheit	
Sausage	Shelf	78.00 Fahrenheit	Cooling
Water	2 compartment sink	120.00 Fahrenheit	
Porridge	Stove	185.00 Fahrenheit	
Shelled eggs	2 doors reach-in fridge	38.00 Fahrenheit	
Water	Hand wash sink restroom	81.00 Fahrenheit	
Rice	Rice cooker	180.00 Fahrenheit	
Bean sprouts	2 doors reach-in fridge	38.00 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 **3/4/2025**. 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.

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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: Trinh
PIC
Signed On: February 18, 2025