

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 FA0207944 - NEW DONG PHUONG TOFU		Site Address 2359 MCKEE RD, SAN JOSE, CA 95116		Inspection Date 07/27/2026		Placard Color & Score GREEN 70		
Program PR0304190 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name DONG, DOUNG HUE		Inspection Time 11:50 - 14:30			
Inspected By MARCELA MASRI		Inspection Type ROUTINE INSPECTION		Consent By DUNG DONG				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						S
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		
K06	Adequate handwash facilities supplied, accessible	X						S
K07	Proper hot and cold holding temperatures		X		X			N
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				
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		
K36	Equipment, utensils, linens: Proper storage and use		
K37	Vending machines		
K38	Adequate ventilation/lighting; designated areas, use	X	
K39	Thermometers provided, accurate		
K40	Wiping cloths: properly used, stored	X	
K41	Plumbing approved, installed, in good repair; proper backflow devices		
K42	Garbage & refuse properly disposed; facilities maintained		
K43	Toilet facilities: properly constructed, supplied, cleaned		X
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

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

Inspector Observations: FOUND ALL THE FOOD AT THE FRONT HOT HOLDING UNIT BETWEEN 102F AND 113F STORED IN THE UNIT FOR OVER 4 HRS. FOUND A CONTAINER WITH BEAN SPROUTS AT 67F ON THE SHELF IN THE KITCHEN. [CA] KEEP HOT POTENTIALLY HAZARDOUS FOOD AT 135F OR ABOVE AND COLD POTENTIALLY HAZARDOUS FOOD AT 41F OR BELOW. SEE VC&D

Minor Violations

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

Inspector Observations: REPEAT VIOLATION

MISSING THE FOOD SAFETY CERTIFICATE FOR MANAGERS AND THE FOOD HANDLER'S CARDS FOR THE FOOD EMPLOYEES. [CA] PROVIDE FOOD SAFETY CERTIFICATE FOR MANAGERS AND THE FOOD HANDLER'S CARDS FOR THE FOOD EMPLOYEES.

FAILURE TO COMPLY WITH THIS VIOLATION MAY RESULT IN FURTHER ENFORCEMENT ACTION.

K14 - 3 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: FOUND CILANTRO AND PEANUTS STORED ON THE DRAINBOARDS AT THE 3 COMPARTMENT SINK. [CA] FOOD SHALL NOT BE PLACED AT THE 3 COMPARTMENT SINK. USE THE FOOD PREPARATION SINK FOR FOOD PREPARATION.

K22 - 3 Points - Sewage and wastewater improperly disposed; 114197

Inspector Observations: FOUND WASTE WATER IN THE MOP BUCKET. [CA] DISCARD THE WASTE WATER IN THE SANITARY SEWER.

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

Inspector Observations: FOUND FRUIT FLIES IN THE KITCHEN AND DRY STORAGE ROOM. [CA] REMOVE THE FLIES

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

Inspector Observations: 2 LIGHT ARE NOT WORKING AT THE HOOD. [CA] PROVIDE WORKING LIGHTS.

K40 - 2 Points - Wiping cloths: improperly used and stored; 114135, 114185.1 114185.3(d,e)

Inspector Observations: FOUND A COUPLE OF WIPING CLOTHS STORED ON THE KITCHEN COUNTERS. [CA] STORE WIPING CLOTHS IN A SANITIZER SOLUTION WHILE NOT IN USE.

K43 - 2 Points - Toilet facilities: improperly constructed, supplied, cleaned; 114250, 114250.1, 114276

Inspector Observations: THE RESTROOM DOOR DOES NOT SELF CLOSE. [CA] PROVIDE A SELF CLOSING DOOR.

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

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Inspector Observations: FOUND A COUPLE OF CELL PHONES STORED ON COUNTERS AT THE FRONT SERVICE COUNTERS AND KITCHEN COUNTERS.

FOUND A MOP IN THE BUCKET. [CA] HANG THE MOP TO AIR DRY.

FOUND CLUTTER WITH BOXES, BOOTS AND POTS STORED ON THE FLOOR IN THE LARGE DRY STORAGE ROOM. [CA] REMOVE THE CLUTTER AND KEEP THE FLOORS CLEAR FOR CLEANING.

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

Inspector Observations: THE FLOOR IS MISSING A FEW TILES BY THE COOKING RANGE. [CA] REPLACE THE TILES.

Performance-Based Inspection Questions

Needs Improvement - Proper hot and cold holding temperatures.

Measured Observations

Item	Location	Measurement	Comments
BEAN SPROUTS	IN WATER	67.00 Fahrenheit	
VARIOUS FOODS ON THE HOT HOLDING UNIT	HOT HOLDING UNIT	102.00 Fahrenheit	
STUFFED VEGETABLES	WALK IN COOLER	36.00 Fahrenheit	
MEAT BALLS	WALK IN COOLER	36.00 Fahrenheit	
TOFU	WALK IN COOLER	36.00 Fahrenheit	
IMITANTION CHICKEN	REACH DOWN FREEZER	16.00 Fahrenheit	
HOT WATER	HAND WASH SINK	100.00 Fahrenheit	
PORK BUNS	REACH DOWN FREEZER	10.00 Fahrenheit	
HOT WATER	3 COMPARTMENT SINK	120.00 Fahrenheit	
RICE	HOT HOLDING	191.00 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 **8/10/2026**. 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: KEVIN LE
PARTNER
Signed On: July 27, 2026