

**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 FA0262514 - TASTY POT		Site Address 1143 STORY RD 100, SAN JOSE, CA 95122	Inspection Date 06/10/2024
Program PR0385454 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 2 - FP13		Owner Name GUO, SHAN BAO	Inspection Time 11:45 - 12:35
Inspected By HENRY LUU	Inspection Type FOLLOW-UP INSPECTION	Consent By WESTIN L.	

Placard Color & Score <b>RED</b> <b>N/A</b>
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**Comments and Observations**

**Major Violations**

Cited On: 06/05/2024

K05 - 8 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

**This violation found not in compliance on 06/10/2024. See details below.**

Cited On: 06/10/2024

K05 - 8 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

**Inspector Observations: Food preparation employee observed abating live cockroach, and then switched gloves without washing hands.**

**Follow-up By**  
06/12/2024

**[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] This Division intervened and instructed employee to properly wash hands before donning on gloves and conducting food preparation.**

Cited On: 06/05/2024

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

**Compliance of this violation has been verified on: 06/10/2024**

Cited On: 06/10/2024

K09 - 8 Points - Improper cooling methods; 114002, 114002.1

**Inspector Observations: An approximate 10 gallon stock pot of pork broth maintained inside the walk-in refrigerator measured at 53F. Employee stated that soup was prepared the night before and has not been taken out for preparation.**

**Follow-up By**  
06/12/2024

**[CA] Potentially Hazardous Foods (PHFs) shall be cooled rapidly from 135°F to 70°F or below within 2 hours and from 70°F to 41°F or below within an additional 4 hours. Approved cooling methods include: 1) Placing the food in**

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*shallow pans 2) Separating the food into thinner or smaller portions. 3) Using rapid cooling equipment (Ex. blast chiller) 4) Using containers that facilitate heat transfer (ex. stainless steel) 5) Adding ice as an ingredient. 6) Using ice paddles 7) Using an ice bath and stirring frequently 8) Accordance with a HACCP plan. Cooling foods shall have enough space around the containers for cold air to circulate, be loosely covered, or uncovered and stirred as frequently needed to evenly cool.*

**[COS] Entire pot of soup was VC&D down the food preparation sink due to improper cooling.**

Cited On: 06/05/2024

K23 - 8 Points - Observed rodents, insects, birds, or animals; 114259.1, 114259.4, 114259.5

**This violation found not in compliance on 06/10/2024. See details below.**

Cited On: 06/10/2024

K23 - 8 Points - Observed rodents, insects, birds, or animals; 114259.1, 114259.4, 114259.5

**Inspector Observations: Cockroach activity observed in the following areas:**

**Follow-up By  
06/12/2024**

- *Two live adult cockroaches on the underside corner of the food preparation table across from the ice machine where pots are prepared.*
- *One dead cockroach observed on floor between the food preparation table mentioned above and the food preparation refrigerator.*
- *2+ live cockroaches observed in-between electrical outlet and wall outside of the walk-in refrigerators by the two-door upright refrigerator.*
- *One live cockroach observed inside the bundle of electrical wires above the entrance into the dry storage room.*
- *One live cockroach nymph observed at the corner of the dry storage room behind where the bundle of electrical wires are located. Cockroach observed crawling inside gap/crack between the ceiling and wall.*

*Per manager, facility is serviced every two weeks. Last service was conducted on 06/08/2024. Pest control report was provided for review.*

**[CA] The premises of each food facility shall be kept free of vermin. A food facility shall not operate when there is a vermin infestation that has resulted in the contamination of food contact surfaces, food packaging, utensils, food equipment, or adulteration of food(s). The food facility shall cease operation of the food facility immediately. The food facility shall remain closed until: there is no longer evidence of a vermin infestation; all contaminated surfaces have been cleaned and sanitized; and contributing factors such as cleaning, repairs, and the elimination of harborages have been resolved.**

**Minor Violations**

N/A

**Measured Observations**

Item	Location	Measurement	Comments
Meat skewer	Walk-in refrigerator	41.00 Fahrenheit	
Pork broth	Walk-in freezer	37.00 Fahrenheit	
Chlorine sanitizer	Mechanical dish machine	50.00 PPM	
Fishball with roe	Food preparation refrigerator	41.00 Fahrenheit	
Raw beef	Walk-in refrigerator	39.00 Fahrenheit	
Cooked intestines	Walk-in refrigerator	40.00 Fahrenheit	
Hot water	Three-compartment sink	120.00 Fahrenheit	
Raw lamb	Food preparation refrigerator	41.00 Fahrenheit	

**Overall Comments:**

- *On-site for follow-up inspection after facility earned a conditional pass during a routine inspection on 06/05/2024.*
- *Facility is hereby closed due to evidence of a cockroach infestation.*
  - *See violation above.*
- *Facility is to remain closed until vermin infestation is completely abated.*

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**- Subsequent follow-up inspection shall be billed at \$290/hour, minimum one hour, during normal business hour, Monday - Friday 7:30 AM to 4:30 PM, and \$629/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.**

**- 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.**

## CLOSURE / PERMIT SUSPENSION NOTICE

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 **6/24/2024**. 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.

This notice is to inform you that as of this date the Environmental Health Permit for the above mentioned food facility is hereby suspended and all operations therewith are ordered to cease. This action is taken in accordance with Section 114409 of the California Health and Safety Code which states 'If any imminent health hazard is found, unless the hazard is immediately corrected, an enforcement officer may temporarily suspend the permit and order the food facility or cottage food operation immediately closed.'

You have the right to make a written request for a hearing within 15 days after receipt of this notice to show just cause why the permit suspension is not warranted. Failure to request such a hearing within the 15-day period shall be deemed a waiver of the right to a hearing. After these violations have been corrected, you must call the Department of Environmental Health for a reinspection to reinstate the permit to operate. Phone #: (408)918-3400.

**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




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**Received By:** Westin L.  
 Manager

**Signed On:** June 10, 2024