

# 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 01/10/2022	
Program PR0437158 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name NGUYEN , LE THANH		Inspection Time 12:15 - 13:15
Inspected By HENRY LUU	Inspection Type RISK FACTOR INSPECTION	Consent By MINDY	FSC Not Available		

Placard Color & Score
<b>GREEN</b>
<b>N/A</b>

RISK FACTORS AND INTERVENTIONS	IN	OUT		COS/SA	N/O	N/A	PBI
		Major	Minor				
K01 Demonstration of knowledge; food safety certification			X				N
K02 Communicable disease; reporting/restriction/exclusion	X						S
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						S
K06 Adequate handwash facilities supplied, accessible	X						S
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				N

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		
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

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 observed manually washing utensils with no measurable sanitizer inside three-compartment sink. Facility also lacked any type of sanitizer. [CA] Ensure all food contact surfaces are properly cleaned and sanitized with the required minimum sanitizer concentration - 100 ppm chlorine or 200 ppm quaternary ammonia. [COS] Manager obtained chlorine. Employee rewashed and sanitized utensils currently inside sanitizing basin.**

### Minor Violations

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

**Inspector Observations: Food safety certified manager certificate unavailable for review. Employees' food handler cards unavailable for review. [CA] Provide valid five year food safety manager certificate within 60 days. Provide valid food handler cards for all employees within 30 days. Maintain certificates at facility.**

K07 - 3 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

**Inspector Observations: Multiple PHF food items (washed beans sprouts, deep fried tofu, cooked coagulated pork blood) maintained out in ambient temperature. Per manager, all items were prepared in the morning within the hour, and are usually all used up within two hours. [CA] Ensure all PHF are maintained hot at 135F or above, or cold at 41F or below. Time may be used (time as public health control - TPHC) rather than temperature as a control. Food may be kept out of temperature control for a maximum of four hours prior to disposal or immediate consumption. [COS] Employee relocated items inside preparation refrigerator.**

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

**Inspector Observations: Customer with non-service animal dining inside dining room. [CA] Only service-animals are allowed inside a food facility. Pets may not enter indoor dining or food preparation areas.**

### Performance-Based Inspection Questions

- Needs Improvement - No rodents, insects, birds, or animals.
- Needs Improvement - Food contact surfaces clean, sanitized.
- Needs Improvement - Demonstration of knowledge; food manager certification.

### Measured Observations

Item	Location	Measurement	Comments
Tomato soup	Stove	204.00 Fahrenheit	
Diced shrimp	Merchandiser refrigerator	41.00 Fahrenheit	
Raw fish	Preparation refrigerator	38.00 Fahrenheit	
Bean sprouts	Merchandiser	40.00 Fahrenheit	
Chlorine sanitizer	Three-compartment sink	100.00 PPM	After set up
Hot water	Three-compartment sink	127.00 Fahrenheit	
Cooked qual egg	Preparation refrigerator	41.00 Fahrenheit	Top insert

### Overall Comments:

**A risk factor inspection is an inspection focusing on factors known to directly contribute to causing a foodborne illness. Structural issues and good retail practices were not assessed during this inspection.**

**Signature not obtained due to COVID-19 and social distancing parameters.**

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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 **1/24/2022**. 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:

<b>[CA]</b>	Corrective Action
<b>[COS]</b>	Corrected on Site
<b>[N]</b>	Needs Improvement
<b>[NA]</b>	Not Applicable
<b>[NO]</b>	Not Observed
<b>[PBI]</b>	Performance-based Inspection
<b>[PHF]</b>	Potentially Hazardous Food
<b>[PIC]</b>	Person in Charge
<b>[PPM]</b>	Part per Million
<b>[S]</b>	Satisfactory
<b>[SA]</b>	Suitable Alternative
<b>[TPHC]</b>	Time as a Public Health Control

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**Received By:** Tom  
Manager

**Signed On:** January 10, 2022

**Comment:** No signature obtained due to COVID surge.