

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 FA0205675 - DONG PHUONG TOFU & VEGETARIAN		Site Address 1156 STORY RD, SAN JOSE, CA 95122		Inspection Date 09/30/2025		Placard Color & Score YELLOW 46		
Program PR0305440 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name TROUP, LIEU		Inspection Time 10:15 - 11:45			
Inspected By HENRY LUU		Inspection Type ROUTINE INSPECTION		Consent By THUY				FSC Lieu Truong 6/25/2027

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						
K04	Proper eating, tasting, drinking, tobacco use	X						
K05	Hands clean, properly washed; gloves used properly	X						N
K06	Adequate handwash facilities supplied, accessible		X		X			N
K07	Proper hot and cold holding temperatures		X		X			N
K08	Time as a public health control; procedures & records		X		X			N
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		X			
K14	Food contact surfaces clean, sanitized					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	X	
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		
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		
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

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 lacked paper towels.*

Follow-up By 10/02/2025

At time of inspection, the faucets observed heavily encrusted with grime and were difficult to turn. Water that initially came out of the spout also observed with hint of brown.

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

[COS] *Employee provided paper towels.*

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

Inspector Observations: *Pot of soup, fried tomatoes, and rehydrated shiitake mushrooms maintained out in ambient temperature measuring between 60F to 70F. Manager stated that all items were prepared in the morning and was kept out for about one to two hours.*

Follow-up By 10/02/2025

Numerous containers of soy products maintained out in ambient temperature measuring at 70F to 80F. Manager stated that the items will be used for food preparation as soon as the current employee is finished prepping other items.

[CA] *PHFs shall be held at 41°F or below or at 135°F or above. Use only small portions of food during preparation so that it does not exceed the maximum amount of time allowed for diligent prep.*

[COS] *Items prepared in the morning were relocated into the walk-in refrigerator to immediately cool.*

K08 - 8 Points - Improperly using time as a public health control procedures & records; 114000

Inspector Observations: *All food items maintained at the front service counter subjected to time as a public health control (TPHC) were not labeled nor had any documentation of time when items were prepared. Employee stated that all items were prepared about one to two hours prior. Temperature of items ranged from 90F to 135F.*

Follow-up By 10/02/2025

[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] *Manager arrived on site and labeled items with times.*

****** Repeat violation.** *As stated on routine inspection report on 4/22/2025, repeated violations will result in TPHC usage being revoked.*

****** Facility shall no longer utilize TPHC.** *All PHF items shall be maintained hot at 135F and above, cold at 41F and below, or to be prepared upon customer order.*

K13 - 8 Points - Food not in good condition/unsafe/adulterated; 113967, 113976, 113980, 113988, 113990, 114035, 114041, 114254(c), 114254.3

Inspector Observations: *Two hermetically sealed cans of vegetables heavily damaged at the top seam.*

[CA] *Food shall be inspected as soon as practical upon receipt and prior to any use, storage, or resale.*

Hermetically sealed cans when damaged at the seam shall not be used and shall be discarded or returned to vendor.

[COS] *Cans were discarded.*

Follow-up By 10/02/2025

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

Inspector Observations: Observed the following items from an unapproved source:

Follow-up By
10/02/2025

- 20 aluminum cups of flan.
- 10 flat to-go containers of coconut agar/jello.
- 10 flat to-go containers of coffee agar/jello.
- 6 plastic cups of coconut dessert with agar jello, coconut milk, and fruits.
- 11 plastic cups of sweet herbal desserts.
- 5 plastic to-go boxes of cut up jello/agar.
- 20 cups of Vietnamese yogurt.
- 4 cups of sweet corn dessert with coconut milk.
- 4 packs of Vietnamese pandan sponge cake.
- Approximately 50 individually wrapped tapioca/rice flour dumplings maintained out in ambient temperature.
- 7 individually wrapped vegetarian steamed buns maintained out in ambient temperature.
- 10 plastic to-go containers of savory vegetarian salad.

Employee and owner stated that items were brought in from a customer and/or were supplied from a temple in Santa Clara County. Employees did not provide address or contact information for vendors. No invoices were provided.

[CA] Food must be from an approved source or properly documented.

[COS] All food items were discarded into the trash.

Minor Violations

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

Inspector Observations: Employees' three-year food handler cards have all expired.

[CA] Each food handler shall maintain a valid food handler card for the duration of his or her employment as food handler. A valid food handler card shall be provided within 30 days of after the date of hire.

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

Inspector Observations: Dead cockroaches observed in the following areas:

- On floor inside the dry storage room.
- Numerous adults on cobwebs and duct tape on the ceiling inside and outside of the dry storage room.

Rodent droppings observed on floor underneath the dry storage racks in the dry storage room.

Per owner, pest control services facility once per month. Last service was conducted on 9/17/2025. Pest control report was provided for review upon request.

No contamination of food or food contact surfaces were observed. No live cockroach activity was observed.

[CA] Clean and sanitize area of dead cockroaches or old droppings.

K27 - 2 Points - Food not separated and unprotected; 113984(a-d,f), 113986, 114060, 114067(a,d,e,j), 114069(a,b), 114077, 114089.1(c), 114143(c)

Inspector Observations: Observed newspaper used to cover food items with paper in direct contact of the food.

[CA] All food shall be separated and protected from cross-contamination. Discontinue use of newspaper for food storage. Utilize food safe/food grade wraps.

Observed employees placing sheet pans on top of trash cans due to lack of preparation tables/spacer.

[CA] Food utensil (i.e. cutting board, baking pan, platters) shall not be used on top of a trash can to prevent cross contamination.

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

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Inspector Observations: Numerous prepackaged food items offered for sale for customer self-service lacked complete labels.

[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.

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

Inspector Observations: Heavy accumulation of grease observed on ventilation hood and hood filters.

[CA] Clean mechanical exhaust hood and/or filters of grease accumulation.

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: Mop observed stored in mop bucket.

[CA] After use, mops shall be placed in a position that allows them to air-dry without soiling walls, equipment, or supplies.

Performance-Based Inspection Questions

Needs Improvement - Proper hot and cold holding temperatures.

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

Needs Improvement - Food obtained from approved source.

Needs Improvement - Adequate handwash facilities: supplied or accessible.

Needs Improvement - Time as a public health control; procedures & records.

Measured Observations

Item	Location	Measurement	Comments
Stuffed jalapeno	Walk-in refrigerator	41.00 Fahrenheit	
Hot water	Three-compartment sink	125.00 Fahrenheit	
Warm water	Hand wash sink - front service	103.00 Fahrenheit	
Stuffed bittermelon	Walk-in refrigerator	40.00 Fahrenheit	
Rice	Rice cooker	152.00 Fahrenheit	
Tofu	Walk-in refrigerator	41.00 Fahrenheit	

Overall Comments:

- Complaint investigation was conducted concurrently with routine inspection.

- 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 for a minimum of 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.

*** Owner may be called in for office hearing due to repeated violations observed.

- Office hearing will be chargeable.

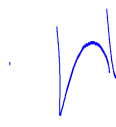
When required to determine compliance, a single reinspection will be conducted without additional charge. If subsequent reinspections are required, an hourly fee (minimum one hour) at the current rate approved by the Board of Supervisors will be assessed for each and every reinspection until the necessary changes or corrections are made. Unless otherwise noted by the inspector, all violations are to be corrected no later than **10/14/2025**. 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: Lieu T.
Owner

Signed On: September 30, 2025