

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 12/20/2022
Program PR0437158 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14	Owner Name NGUYEN, LE THANH	Inspection Time 12:05 - 13:15
Inspected By HENRY LUU	Inspection Type FOLLOW-UP INSPECTION	Consent By TOM

Placard Color & Score RED N/A

Comments and Observations

Major Violations

Cited On: 12/19/2022

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 12/20/2022. See details below.

Cited On: 12/19/2022

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

This violation found not in compliance on 12/20/2022. See details below.

Cited On: 12/19/2022

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

This violation found not in compliance on 12/20/2022. See details below.

Cited On: 12/19/2022

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

This violation found not in compliance on 12/20/2022. See details below.

Cited On: 12/20/2022

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

Inspector Observations: Cockroach activity observed in the following areas:

- Two live nymphs observed on the top door hinge of the middle door of the food preparation refrigerator.
- Numerous dead cockroaches observed on the top door hinges of the food preparation refrigerator.
- Two live adults and one juvenile observed below the removable metal lip of the wok line.
- One live juvenile, one egg sac, and one dead adult observed on the ice shaver on the food preparation table by the beverage preparation sink.
- Dead cockroaches observed on the right side top of the beverage preparation refrigerator - observed during the routine inspection.
- Live cockroach observed on sticky trap below the beverage preparation refrigerator.
- One dying juvenile observed on the floor below the locker.

Facility was serviced by pest control company on the morning of 12/20/2022 prior to the follow-up inspection.

[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

Cited On: 12/19/2022

K49 - 2 Points - Permits not available; 114067(b,c), 114381(a), 114387

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Measured Observations

N/A

Overall Comments:

- On-site for follow-up inspection after facility was closed due to vermin on a routine inspection on 12/19/2022.
- Facility is to remain closed until vermin infestation is completely abated.
- Subsequent follow-up inspection shall be billed at \$219/hour during normal business hour, Monday - Friday 7:30 AM to 5:00 PM, or \$493/hour 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 red placard. Failure to comply may result in enforcement actions per County Ordinance Code Section B11-55.

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 **1/3/2023**. 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



Received By: Tom
Owner
Signed On: December 20, 2022