

# 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 FA0202532 - VUNG TAU RESTAURANT		Site Address 1750 N MILPITAS BL, MILPITAS, CA 95035		Inspection Date 12/15/2021	
Program PR0307521 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name HUYNH, VICTOR		Inspection Time 13:45 - 16:45
Inspected By MONICA HUATO	Inspection Type ROUTINE INSPECTION		Consent By VICTOR HUYNH	FSC Please check FSC format. Please check FSC format.	

Placard Color & Score
<b>YELLOW</b>
<b>59</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						
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					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	X			
K15 Food obtained from approved source	X						
K16 Compliance with shell stock tags, condition, display		X		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	X	
K31 Consumer self service does prevent contamination		
K32 Food properly labeled and honestly presented		
K33 Nonfood contact surfaces clean	X	
K34 Warewash facilities: installed/maintained; test strips		
K35 Equipment, utensils: Approved, in good repair, adequate capacity	X	
K36 Equipment, utensils, linens: Proper storage and use	X	
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	X	
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	X	
K46 No unapproved private home/living/sleeping quarters		
K47 Signs posted; last inspection report available		

# OFFICIAL INSPECTION REPORT

Facility FA0202532 - VUNG TAU RESTAURANT	Site Address 1750 N MILPITAS BL, MILPITAS, CA 95035	Inspection Date 12/15/2021
Program PR0307521 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14	Owner Name HUYNH, VICTOR	Inspection Time 13:45 - 16:45
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: 1- Fresh noodle was measured at 49F in a basket at the cook line. Per the manufacturer specifications, the noodles need to be kept refrigerated. Per cook, the bag was taken out about 30 minutes prior for lunch time service. [CA] PHFs shall be cold held at 41°F or below. [COS] The fresh noodle was moved to refrigeration for rapid cooling and storage.**

Follow-up By  
12/20/2021

**2- Bean sprouts measured at 51F in an ice bath at the cook line. [CA] PHFs shall be cold held at 41°F or below. [COS] The bean sprouts were discarded by the cook.**

**3- Raw marinated pork measured at 55F at the 2-door under counter cooler at the cook line. Per the PIC, the pork was left out during the lunch service for ease of access by the cook. [CA] PHFs shall be cold held at 41°F or below. Avoid leaving PHF's out during the lunch service and only remove small portions from refrigeration for cooking at a time. [COS] The raw pork was moved to the walk-in freezer for rapid cooling.**

**4- Cooked shrimp was measured between 45F-46F in the insert of the preparation cooler at the cook line. [CA] PHFs shall be cold held at 41°F or below.**

K16 - 8 Points - Not in compliance with shell stock tags, condition; 114039-114039.5

**Inspector Observations: Clams were observed without a shellstock tag. Per PIC, the tag was tossed and he didn't have an invoice for the order available. [CA] Molluscan shellfish shall have shellstock tags and shall be properly stored and displayed, all shellstock tags shall be kept in chronological order for 90 days after harvest date. [COS] The clams were VC&D by the PIC, see the attached VC&D report.**

Follow-up By  
12/20/2021

### Minor Violations

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

**Inspector Observations: The employee food handler cards have expired. [CA] Each food handler shall maintain a valid food handler card for the duration of his or her employment as food handler. Ensure all employees renew their food handler card and maintain a copy on site.**

Follow-up By  
12/29/2021

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: 1- An employee was observed washing a large stock pot without a final sanitizing step. [CA] Manual sanitizing shall be accomplished in the final sanitizing rinse by contacting a chlorine solution of 100 PPM concentration for at least 30 seconds or by contacting a quaternary ammonium solution of 200 PPM concentration for at least 60 seconds. [COS] The PIC provided a chlorine sanitizer solution of 100PPM at the 2-compartment warewash sink and the pot was sanitized by the employee.**

**2- The interior panel of the ice machine had buildup of mold-like substance. [CA] Clean and sanitize the interior surfaces of the ice machine on a regular basis.**

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

**Inspector Observations: 1- Observed old rodent droppings on the floor of the storage room near the electrical box and on a container on a storage rack. [CA] The premises of each food facility shall be kept free of vermin. Clean and sanitize the area immediately.**

Follow-up By  
12/20/2021

**2- Fruit flies were observed in the storage room and near the back door on a tape trap. [CA] Food facility shall be kept free of fruit flies. Remove the tape trap and clean the areas to prevent the harborage of flying pest.**

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)

# OFFICIAL INSPECTION REPORT

Facility FA0202532 - VUNG TAU RESTAURANT	Site Address 1750 N MILPITAS BL, MILPITAS, CA 95035	Inspection Date 12/15/2021
Program PR0307521 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14	Owner Name HUYNH, VICTOR	Inspection Time 13:45 - 16:45

**Inspector Observations: 1- Observed cooked veggies stored next to raw meat in the walk-in cooler. Raw shell eggs were also observed stored over veggies in the 2-door upright cooler in the preparation area. [CA] All food shall be separated and protected from cross-contamination. Store all raw meat or other raw products of animal origin below ready-to-eat food items.**

**2- Observed cooked and raw meats in the walk-in cooler without covers. [CA] Provide covers for all stored food.**

K30 - 2 Points - Food storage containers are not identified; 114047, 114049, 114051, 114053, 114055, 114067(h), 114069 (b)

**Inspector Observations: Observed food stored on the floor in the walk-in cooler and walk-in freezer.[CA] Food shall be stored at least 6 inches above the floor to prevent contamination. Move the food to approved shelving.**

K33 - 2 Points - Nonfood contact surfaces not clean; 114115(c)

**Inspector Observations: The exterior and interior surfaces of the refrigerators and freezers throughout the facility have accumulation of food debris and/or stains. [CA] Nonfood-contact surfaces of equipment shall be kept free of an accumulation of dust, dirt, food residue, and other debris. Clean the surfaces of the units regularly.**

K35 - 2 Points - Equipment, utensils - Unapproved, unclean, not in good repair, inadequate capacity; 114130, 114130.1, 114130.2, 114130.3, 114130.4, 114130.5, 114132, 114133, 114137, 114139, 114153, 114155, 114163, 114165, 114167, 114169, 114175, 114177, 114180, 114182

**Inspector Observations: 1- Single-use food container are used to store in use spices at the cook line. [CA] Single-use food containers shall not be reused to store food.**

**2- Observed portable propane burners stored on a table in the dining area. [CA] All utensils and equipment shall be certified or classified for sanitation by an American National Standards Institute (ANSI) accredited certification program (e.g. NSF, UL EPH, UL Sanitation, CSA Sanitation, or ETL Sanitation). Remove the portable propane burners.**

K36 - 2 Points - Equipment, utensils, linens: Improper storage and use; 114074, 114081, 114119, 114121, 114161, 114178, 114179, 114083, 114185, 114185.2, 114185.3, 114185.4, 114185.5

**Inspector Observations: 1- A soup spoon was observed stored in the pot of egg and pork stew. [CA] Store the scoop handle in such a way that the handle does not come in direct contact with food to prevent contamination.**

**2- Fiber cloths were observed in multiple areas being used to cover food items. [CA] Remove the fiber cloths and use only food grade covers.**

K41 - 2 Points - Plumbing unapproved, not installed, not in good repair; improper backflow devices; 114171, 114189.1, 114190, 114192, 114193, 114193.1, 114199, 114201, 114269

**Inspector Observations: Observed two drain lines in the floor sink near the ice machine. [CA] All drain lines discharging liquid into a floor sink must be provided with a minimum 1-inch air gap measured between the end of the line and the top rim of the floor sink.**

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: 1- Observed multiple cell phones stored on shelving across the preparation area. [CA] No person shall store personal effects in any area used for the storage and preparation of food or food contact surfaces.**

**2- Observed clutter and old equipment being stored in the shelves of the storage room and on a shelf next to the ice machine. [CA] The premises of a food facility shall be free of litter and items that are unnecessary to the operation or maintenance of the facility, such as equipment that is nonfunctional or no longer used. Remove all clutter and unnecessary items.**

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

# OFFICIAL INSPECTION REPORT

Facility FA0202532 - VUNG TAU RESTAURANT	Site Address 1750 N MILPITAS BL, MILPITAS, CA 95035	Inspection Date 12/15/2021
Program PR0307521 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14	Owner Name HUYNH, VICTOR	Inspection Time 13:45 - 16:45

**Inspector Observations: 1- The floors under the storage shelves in the storage room have accumulation of dirt and grime. [CA] Clean all the floor under all shelving.**

**2- The stainless steel walls in the warewash area have buildup of debris. [CA] Clean the walls in the warewash area.**

## Performance-Based Inspection Questions

Needs Improvement - Demonstration of knowledge; food manager certification.  
Needs Improvement - Proper hot and cold holding temperatures.

## Measured Observations

Item	Location	Measurement	Comments
Raw meat, Raw fish, Cooked pork ribs	Walk-in freezer	20.00 Fahrenheit	20F-28F Infrared
Cooked shrimp	Insert at preparation cooler at cook line	45.00 Fahrenheit	45F-46F
Raw fish, cooked ground beef, shell eggs	2-door undercounter cooler cook line	35.00 Fahrenheit	35F-36F Infrared
Hot water	Handwash sink	101.00 Fahrenheit	
Fresh Noodle	Container at cook line	49.00 Fahrenheit	
Raw marinated pork	2-door undercounter cooler at cook line	55.00 Fahrenheit	
Hot water	2-comp warewash sink/2-comp prep sink	120.00 Fahrenheit	
Frozen Chicken	2-door undercounter freezer	-4.90 Fahrenheit	Infrared
Raw beef & chicken	2-door undercounter cooler at cook line	40.00 Fahrenheit	
Hot water	Restroom sinks	100.00 Fahrenheit	
Raw bean sprouts & Raw shrimp	Walk-in cooler	34.00 Fahrenheit	34F-36F Infrared
Raw bean sprouts	Ice bath at cook line	51.00 Fahrenheit	
Chlorine sanitizer	Dishwasher	50.00 PPM	

## Overall Comments:

**Discussed proper temperature control requirements and proper sanitizing processes with the PIC. Educational handouts will be provided at the time of the follow-up inspection.**

**A follow-up inspection will be conducted within 3-business days.**

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 **12/29/2021**. 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: Victor Huynh  
Owner

Signed On: December 15, 2021