

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 FA0254409 - RONG BIEN RESTAURANT		Site Address 1111 STORY RD 1080, SAN JOSE, CA 95122		Inspection Date 11/15/2022		Placard Color & Score <div style="background-color: green; color: white; padding: 10px; text-align: center;"> GREEN 70 </div>		
Program PR0371087 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name RB DONG NAI CORPORATIO		Inspection Time 12:15 - 13:45			
Inspected By HENRY LUU		Inspection Type ROUTINE INSPECTION		Consent By THUY				FSC Becky Nguyen 03/22/2027

RISK FACTORS AND INTERVENTIONS		IN	OUT		COS/SA	N/O	N/A	PBI
			Major	Minor				
K01	Demonstration of knowledge; food safety certification	X						
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				
K06	Adequate handwash facilities supplied, accessible	X						
K07	Proper hot and cold holding temperatures		X		X			
K08	Time as a public health control; procedures & records						X	
K09	Proper cooling methods					X		
K10	Proper cooking time & temperatures	X				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						
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							
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		
K33	Nonfood contact surfaces clean		
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		
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		

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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: *Bags of cooked white rice and cooked tomato rice maintained above the microwave measured between 85F to 90F. Employee stated that rice is kept out during the lunch rush and is then returned to the refrigerator to cool. PHF has been kept out in ambient temperature for approximately one hour.*

Bean sprouts in water maintained in ambient temperature measured at 54F.

[CA] PHFs shall be held at 41°F or below or at 135°F or above. [COS] Instructed employee to return rice to refrigerator to immediately cool and to add ice to bean sprouts.

Minor Violations

K04 - 3 Points - Improper eating, tasting, drinking or tobacco use in food preparation area; 113977

Inspector Observations: *Employees' opened beverages stored on food preparation counters. [CA] No employee shall eat or drink in the food prep, food contact storage, or food storage areas, use designated area.*

K05 - 3 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

Inspector Observations: *Employees observed using bare hands to handle ready-to-eat food items (bean sprouts, salad dishes) and garnishes (green onions and cilantro). [CA] Bare hand and arm contact with non-prepackaged ready-to-eat foods shall be minimized by using utensils such as scoops, tongs, gloves, paper wrappers, or other implements.*

K21 - 3 Points - Hot and cold water not available; 113953(c), 114099.2(b), 114163(a), 114189, 114192, 114192.1, 11419

Inspector Observations: *Food preparation sink lacks hot water. [CA] Hot water shall be supplied at a minimum temperature of at least 120°F measured from the faucet throughout facility except at handwash sinks.*

K22 - 3 Points - Sewage and wastewater improperly disposed; 114197

Inspector Observations: *Waste drain pipe observed missing from the spray sink on the right side of the mechanical dish machine. Waste water leaks directly onto the floor below. Employee uses broom to sweep accumulated waste water on the floor into the floor sink near by. [CA] Liquid waste shall be disposed of through the approved plumbing system and shall discharge into the public sewerage or into an approved private sewage disposal system.*

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: *Tub of raw chicken maintained above tubs of raw fish. [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 and in ascending order based on cooking temperature requirements.*

Tub of raw chicken maintained on top of raw catfish with the bottom of the tub of chicken in direct contact with fish. [CA] All food shall be separated and protected from possible contamination. Provide lids and/or covers.

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: *Bowls and small disposable clear containers used as scoops for bulk ingredients inside the dry storage room. [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). Provide scoops with handles.*

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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: Knives and cleavers maintained inside the condensate catch basin behind the two-door upright freezer.

[CA] All cleaned utensils shall be stored in a clean, dry location where they are not exposed to splash, dust, or other contamination, and at least six inches above the floor.

Hand washing station at the front service area observed being used for ware washing and/or sanitizing of tea cups. Hand washing station in the kitchen observed being used as a dump sink, with pots used for food stored inside. [CA] Utilize sinks for their designated purposes. All ware washing shall be conducted at the three-compartment sink/ware washing area. Discontinue washing/sanitizing utensils inside the hand wash sinks.

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: Back door of facility maintained completely opened during inspection. [CA] Keep back door closed at all times to prevent the entrance and harborage of vermin.

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

Inspector Observations: Heavy accumulation of dust and oils/grease observed on wall on the left side of the ventilation hood. [CA] Clean and maintain walls. Ensure ventilation hood is working properly and is on during cooking.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
Raw marinated meats	Food preparation refrigerator	40.00 Fahrenheit	Across burners/grill
Cooked ground pork	Food preparation refrigerator	39.00 Fahrenheit	Top insert - across burners/grill
Cooked pork bones	Walk-in refrigerator	41.00 Fahrenheit	
Raw pork roast	Walk-in refrigerator	40.00 Fahrenheit	
Bags of cooked rice	Walk-in refrigerator	41.00 Fahrenheit	
Cooked prawns	Food preparation refrigerator	40.00 Fahrenheit	Top insert - across burners/grill
Raw calamari	Food preparation refrigerator	40.00 Fahrenheit	Across wok line
Deep fried tofu	Three-door upright refrigerator	40.00 Fahrenheit	
Grilled pork	Grill	171.00 Fahrenheit	
Cooked beef organ meats	Food preparation refrigerator	40.00 Fahrenheit	Top insert - across burners/grill
Cooked prawns	Food preparation refrigerator	41.00 Fahrenheit	Top insert - across wok line
Raw pooled eggs	Walk-in refrigerator	40.00 Fahrenheit	
Raw fish	Food preparation refrigerator	41.00 Fahrenheit	Across burners/grill
Cooked quail eggs	Food preparation refrigerator	40.00 Fahrenheit	Top insert - across burners/grill
Hot water	Three-compartment sink	126.00 Fahrenheit	
Cooked prawns	Stove	155.00 Fahrenheit	
Raw marinated beef	Food preparation refrigerator	39.00 Fahrenheit	Top insert - across three-door upright refrigerator
Pork bone soup	Stove pot stove	187.00 Fahrenheit	Hot holding
Raw catfish	Walk-in refrigerator	41.00 Fahrenheit	
Cooked rice	Rice warmer	140.00 Fahrenheit	
Chlorine sanitizer	Mechanical ware wash	50.00 PPM	
Raw fish	Three-door upright refrigerator	40.00 Fahrenheit	
Raw mussels	Three-door upright refrigerator	41.00 Fahrenheit	
Quarted tomatoes	Food preparation refrigerator	41.00 Fahrenheit	Top insert - across three-door upright refrigerator
Cooked corkscrew pasta	Food preparation refrigerator	41.00 Fahrenheit	Across wok line

Overall Comments:

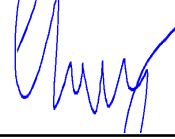
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When required to determine compliance, a single reinspection will be conducted without additional charge. If subsequent reinspections are required, an hourly fee (minimum one hour) at the current rate approved by the Board of Supervisors will be assessed 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 **11/29/2022**. 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:

[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: Thuy
PIC
Signed On: November 15, 2022