

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 FA0212191 - TONG SOON GARDEN RESTAURANT		Site Address 3240 EL CAMINO REAL, SANTA CLARA, CA 95051		Inspection Date 08/11/2025		Placard Color & Score YELLOW 55		
Program PR0300393 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name JOON H KIM		Inspection Time 14:00 - 16:00			
Inspected By KATHY VO		Inspection Type ROUTINE INSPECTION		Consent By ELLEN LU (SERVER)				FSC Joonho Kim 11/10/2027

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						
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						
K07	Proper hot and cold holding temperatures		X		X			N
K08	Time as a public health control; procedures & records					X		
K09	Proper cooling methods		X		X			N
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						
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				

GOOD RETAIL PRACTICES		OUT	COS
K24	Person in charge present and performing duties	X	
K25	Proper personal cleanliness and hair restraints		
K26	Approved thawing methods used; frozen food	X	
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	X	
K35	Equipment, utensils: Approved, in good repair, adequate capacity	X	
K36	Equipment, utensils, linens: Proper storage and use		
K37	Vending machines		
K38	Adequate ventilation/lighting; designated areas, use		
K39	Thermometers provided, accurate	X	
K40	Wiping cloths: properly used, stored	X	
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		
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

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

Inspector Observations: *Measured mussels, squid, and scallops in the 3-compartment sink at 59F. Per employees, seafoods were moved to 3-compartment sink for thawing approximately 30 minutes prior to temperature measurement. Measured raw beef on a bowl elevated off the floor at 67F. Per employees, raw beef was moved from refrigeration approximately 1 hour prior to temperature measurement.*

[CA] *Potentially Hazardous Foods shall be kept at 41F or below or 135F or above.*

[SA] *Mussels, squid, scallops, and raw beef were moved to walk-in refrigeration for rapid cooling.*

Follow-up By 08/14/2025

K09 - 8 Points - Improper cooling methods; 114002, 114002.1

Inspector Observations: *On the preparation counter, observed fried chicken and cooked beef stored in deep bowls covered in tight plastic wrapping. Chicken and beef measured at 79F. Per employees, chicken and beef were cooked approximately 2.5 hours prior to temperature measurement. [CA] After heating or hot holding, Potentially Hazardous Foods shall be cooled rapidly from 135°F to 70°F within 2 hours and from 70°F to 41°F within 4 hours. Approved cooling methods include: 1) placing the food in shallow pans, 2) separating the food into thinner or smaller portions, 3) using rapid cooling equipment, 4) using containers that facilitate heat transfer (ex. stainless steel), 5) adding ice as an ingredient, 6) using ice paddles, or 7) using an ice bath and stirring frequently. Cooling foods shall have enough space around the containers for cold air to circulate, be loosely covered, or uncovered and stirred as frequently needed to evenly cool. [COS] Cooked chicken and beef were voluntarily condemned and discarded. See VC&D form.*

Follow-up By 08/14/2025

Minor Violations

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

Inspector Observations: *Observed employees eating from uncovered dish in the kitchen. [CA] No employee shall eat or drink in the food preparation, food contact, or food storage areas. Provide designated area for eating or drinking.*

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

Inspector Observations: *Observed multiple employees did not wash hands prior to donning gloves and handling produce and clean equipment. When instructed to wash hands, employees washed hands while wearing gloves. No direct contamination of food observed. [CA] Employees are required to wash their hands: 1) before beginning work, 2) before handling food or clean equipment, 3) as often as necessary during food preparation to remove soil and contamination, 4) when switching from raw to ready to eat foods, 5) after touching body parts, 6) after coughing, sneezing, eating, or drinking, 7) after using the restroom, and 8) any time when contamination may occur. Gloves shall be used and changed following proper handwashing as required. [COS] Specialist instructed employees on proper handwashing practices in between glove usage.*

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

Inspector Observations: *Observed multiple live flies and gnats throughout the kitchen. [CA] The premises of each food facility shall be free of vermin and other non-disease carrying insects.*

K24 - 2 Points - Person in charge not present and not performing duties; 113945-113945.1, 113984.1, 114075

Inspector Observations: *No person in charge at the time of inspection. Manager was contacted over the phone. [CA] A designated person in charge who is responsible for operation of facility shall be present at the food facility during all hours of operation.*

K26 - 2 Points - Unapproved thawing methods used; frozen food; 114018, 114020, 114020.1

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Inspector Observations: *Observed mussels, squid, and scallops thawing in standing water in the 3-compartment sink. [CA] Frozen potentially hazardous food shall only be thawed in one of the following ways: 1) under refrigeration that maintains the food temperature at 41°F or below, 2) completely submerged under potable running water for a period not to exceed two hours at a water temperature of 70°F or below, and with sufficient water velocity to agitate and flush off loose particles into the sink drain, 3) in a microwave oven if immediately followed by immediate preparation, 4) as part of a cooking process.*

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 bowl of raw chicken stored on tray placed directly on top of the trash can. [CA] Food shall be separated and protected from contamination. [COS] Bowl of raw chicken was relocated to preparation counter.*

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

Inspector Observations: *1. In the walk-in cooler, observed fried chicken stored in grocery bag. [CA] Food shall be stored in approved food grade containers with tight fitting lids.*

2. In the walk-in freezer, observed multiple foods stored directly on the floor. [CA] Food shall be stored six inches above the floor to prevent contamination.

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

Inspector Observations: *Observed accumulation of grease and food debris at the cook line, especially underneath cooking equipment and on the ventilation hoods. [CA] Nonfood-contact surfaces of equipment shall be kept free of an accumulation of dust, dirt, food residue, and other debris.*

K34 - 2 Points - Warewashing facilities: not installed or maintained; no test strips; 114067(f,g), 114099, 114099.3, 114099.5, 114101(a), 114101.1, 114101.2, 114103, 114107, 114125

Inspector Observations: *1. Observed active food preparation (thawing of seafood and raw beef) in the 3-compartment sink. [CA] Food preparation shall take place in designated preparation sink.*

2. Facility lacks sanitizer test strips for appropriate sanitizer (chlorine in the mechanical dishwasher). [CA] Testing equipment and materials shall be provided to adequately measure the applicable sanitization method used during manual or mechanical warewashing.

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: *Observed use of plug-in, domestic steamer (Boar) for dumplings. [CA] Discontinue use of unapproved equipment. 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).*

K39 - 2 Points - Thermometers missing or inaccurate; 114157, 114159

Inspector Observations: *Facility lacks a metal probe thermometer. [CA] An accurate easily readable metal probe thermometer (accurate to +/- 2°F) that is designed to measure the temperature of thin masses shall be provided and readily available to accurately measure the temperatures of potentially hazardous foods.*

K40 - 2 Points - Wiping cloths: improperly used and stored; 114135, 114185.1 114185.3(d,e)

Inspector Observations: *Observed soiled wiping cloths stored on food preparation counters. [CA] Wiping cloths shall be stored in an approved sanitizing concentration when not in use.*

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 knob for hot water at the 2-compartment sink next to mechanical dishwasher is broken. Hot water is available at other nearby sinks. [CA] Plumbing fixtures shall be maintained in good repair.*

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Performance-Based Inspection Questions

Needs Improvement - Proper hot and cold holding temperatures.
Needs Improvement - Hands clean/properly washed/gloves used properly.
Needs Improvement - Proper cooling methods.

Measured Observations

Item	Location	Measurement	Comments
cooked beef	3-door preparation unit	57.00 Fahrenheit	Cooling. Per employee, cooked 4 hours prior.
water	3-compartment sink	120.00 Fahrenheit	
raw beef	bowl elevated off floor	67.00 Fahrenheit	
water	preparation sink	120.00 Fahrenheit	
fried chicken, cooked beef	preparation counter	79.00 Fahrenheit	VC&D
dumplings	chest freezer	9.00 Fahrenheit	
rice	rice cooker	161.00 Fahrenheit	
beverages	2-door upright cooler (front)	41.00 Fahrenheit	
jjampong	cook line	189.00 Fahrenheit	
shrimp	3-door preparation unit	41.00 Fahrenheit	
black bean sauce	steam table	154.00 Fahrenheit	
seafood	3-compartment sink	59.00 Fahrenheit	
ambient	walk-in freezer	1.00 Fahrenheit	
water	handwash sink	100.00 Fahrenheit	
imitation crab	3-door preparation unit	41.00 Fahrenheit	
sanitizer (chlorine)	mechanical dishwasher	50.00 PPM	
shrimp	walk-in cooler	41.00 Fahrenheit	

Overall Comments:

A follow-up inspection will be conducted within 3 business days to verify compliance of major violations. The first follow-up will be free of charge. Subsequent follow-up inspections after the first follow-up shall be billed at \$298/hour during normal business hours (Monday - Friday, 7:30 AM to 4:30 PM), and \$645/hour during non-business hours, and upon inspector availability.

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 **8/25/2025**. 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.

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: Ellen Lu
Server

Signed On: August 11, 2025