

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 FA0208042 - DI VANG RESTAURANT		Site Address 2455 ALVIN AV, SAN JOSE, CA 95121		Inspection Date 09/13/2023	
Program PR0306691 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name NGUYEN, TRANG NGOC		Inspection Time 14:00 - 15:10
Inspected By HENRY LUU	Inspection Type ROUTINE INSPECTION	Consent By NANCY	FSC Not Available		

Placard Color & Score
GREEN
72

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						
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						
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				
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		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		
K27 Food separated and protected		
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	X	
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		
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

K21 - 8 Points - Hot and cold water not available; 113953(c), 114099.2(b), 114163(a), 114189, 114192, 114192.1, 11419

Inspector Observations: At time of inspection, facility did not have hot water.

According to kitchen employee, hot water was available in the morning.

[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. Facility shall not operate without adequate supply of hot water.

[COS] Waitress adjusted water heater. Hot water measured at 100F at three-compartment sink and food preparation sink.

Minor Violations

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

Inspector Observations: Five-year Food Safety Certified (FSC) manager certificate unavailable for review. [CA] Food facilities that prepare, handle, or serve non-prepackaged potentially hazard foods shall have a valid Food Safety Certificate available for review at all times.

Employees' three-year food handler cards unavailable for review.

[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.

Information on a Food Safety Certificate and Food Handler cards are available at <https://www.sccgov.org/sites/cpd/programs/fsp/Pages/FSC.aspx>. <https://cpd.sccgov.org/sb-602-food-handler-cards>

****** Repeat violation - noted on 12/13/2022.**

Further enforcement action will be taken, up to but not including suspension of health permit for failure to obtain required certificates upon next routine inspection.

K06 - 3 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

Inspector Observations: Hand wash station by the entrance of the facility was partially obstructed with rolling cart of clean utensils.

Hand wash station by three-compartment sink completely obstructed.

[CA] Handwashing facility shall be clean, unobstructed, and accessible at all times.

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: Chlorine sanitizer at the three-compartment sink measured at 50 ppm.

[CA] Manual sanitization 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.

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

Inspector Observations: Numerous dead cockroaches observed on floor underneath the three-compartment sink.

No other live or dead activity observed.

[CA] Clean and sanitize area of dead cockroaches.

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

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Inspector Observations: Manager or "person in charge" (PIC), not present at time of inspection.

[CA] A "person in charge" who is responsible for operation of facility shall be present at the food facility during all hours of operation.

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

Inspector Observations: Observed heavy accumulation of oil, grease, and food residue encrusted on cooking equipment.

[CA] Nonfood-contact surfaces of equipment shall be kept free of an accumulation of dust, dirt, food residue, and other debris.

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 wide opened during time of inspection.

[CA] Keep back door closed at all times to prevent the entrance and harborage of vermin.

Wet mop stored on floor in-between food preparation table and ice machine.

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

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 oil and debris observed on floors, especially underneath the cook line.

Heavy accumulation of food residue observed on wall of the beverage preparation table underneath the microwave.

[CA] Walls and/or floors in food preparation area shall be kept clean. Regularly clean under cooking equipment to prevent accumulation of debris.

Heavy staining observed on ceiling panels throughout kitchen. [CA] Clean and maintain ceiling panels. Ensure ventilation hood is on during cooking and in working order to remove smoke, steam, and odors from kitchen.

Performance-Based Inspection Questions

Needs Improvement - Demonstration of knowledge; food manager certification.

Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
Raw clams	Two-door merchandiser	40.00 Fahrenheit	
Fancy pork	Food preparation refrigerator	38.00 Fahrenheit	
Fish balls	Food preparation refrigerator	35.00 Fahrenheit	Top insert
Calamari	Food preparation refrigerator	37.00 Fahrenheit	Top insert
BBQ pork	Food preparation refrigerator	39.00 Fahrenheit	
Cooked pork hock	Two-door merchandiser	39.00 Fahrenheit	
Soup	Three-door merchandiser	41.00 Fahrenheit	
Cooked vermicelli noodles	Two-door merchandiser	41.00 Fahrenheit	

Overall Comments:

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 **9/27/2023**. 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.

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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: Nancy Nguyen
Waitress

Signed On: September 13, 2023