

# 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

|                                                                                  |                                              |                                                                   |                                     |                                      |                                         |
|----------------------------------------------------------------------------------|----------------------------------------------|-------------------------------------------------------------------|-------------------------------------|--------------------------------------|-----------------------------------------|
| <b>Facility</b><br>FA0282755 - TAY HO                                            |                                              | <b>Site Address</b><br>2047 EL CAMINO REAL, SANTA CLARA, CA 95050 |                                     | <b>Inspection Date</b><br>04/28/2025 |                                         |
| <b>Program</b><br>PR0424122 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14 |                                              |                                                                   | <b>Owner Name</b><br>DAVID PHAM     |                                      | <b>Inspection Time</b><br>14:25 - 16:00 |
| <b>Inspected By</b><br>MINDY NGUYEN                                              | <b>Inspection Type</b><br>ROUTINE INSPECTION | <b>Consent By</b><br>DAVID                                        | <b>FSC KENNY PHAM</b><br>02/12/2030 |                                      |                                         |

Placard Color & Score

**GREEN**  
**82**

| 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  |       |       |        |     |     |     |
| 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  |       |       |        |     |     | S   |
| 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  |       |       |        |     |     | S   |
| 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                                      |  |  |  |  |     |     |
| 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                                                      |  |  |  |  |     |     |
| 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 |  |  |  |  |     |     |
| 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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|                                                                           |                                                            |                                  |
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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:** *Inside the walk-in refrigerator: measured internal temperatures of various PHFs (meats, banh cong, pork, blood...) to be 47F. Some foods had been held for more than 4 hours.*

**[CA]** *Keep potentially hazardous foods at 41F and below or 135F and above*

**[COS]** *Foods that were held for more than 4 hours were discarded. Other foods were moved to a different refrigerator or freezer. See VCD form.*

#### Minor violations:

*Inside the middle prep unit's prep insert: measured internal temperature of bi (shredded pork skin) to be 48F. Employee stated bi had been held since 11am today (less than 4 hours prior).*

*Inside the rightmost prep unit: measured internal temperatures of shrimp and meat loaf to be 47F. Note: other PHFs in this unit measured 41F and below.*

**[CA]** *Keep potentially hazardous foods at 41F and below or 135F and above.*

### Minor Violations

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

**Inspector Observations:** *At the front handwash sink: observed lack of a splash guard, and clean wares were stored next to the sink.*

**[CA]** *Install an approved splash guard at the handwash sink and/or store clean equipment away from the sink to prevent contamination.*

K19 - 3 Points - Non-compliance with consumer advisory for raw or undercooked foods; 114012, 114093

**Inspector Observations:** *Menu offers undercooked egg (for rice plate dishes) but no consumer advisory was available.*

**[CA]** *If a menu offers undercooked animal product, a consumer advisory must be provided on the menu. The consumer advisory consists of BOTH:*

- 1) "Disclosure":** *Clearly indicate WHICH menu items contain undercooked animal products. AND*
- 2) "Reminder":** *The following statement in writing on the menu: "Consuming raw or undercooked meats, poultry, seafood, shellfish, or eggs may increase your risk of foodborne illness, especially if you have certain medical conditions."*

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:** *Ambient temperature of the walk-in refrigerator measured 46F with a metal probe thermometer after the door was kept closed for 30 minutes.*

**[CA]** *Repair refrigerator so that it can keep foods at 41F and below.*

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:** *In the rear dry storage area, inside dry bulk food bins: observed bowls/cups without handles being used as scoops, and observed handle of scoop was in contact with the food.*

**[CA]** *Use approve scoops with handles. Ensure scoops are stored so that the handle is not in contact with the food.*

### Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

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## Measured Observations

| Item                                            | Location                              | Measurement       | Comments        |
|-------------------------------------------------|---------------------------------------|-------------------|-----------------|
| BI (PORK SKIN)                                  | PREP INSERT, MIDDLE PREP UNIT         | 48.00 Fahrenheit  | HELD SINCE 11AM |
| CHLORINE                                        | DISHWASHER                            | 50.00 PPM         |                 |
| SOUP                                            | HOT HOLDING                           | 180.00 Fahrenheit |                 |
| PORK LOAF, SHRIMP                               | PREP INSERTS, RIGHTMOST PREP UNIT     | 47.00 Fahrenheit  |                 |
| BANH CUON (RICE NOODLE ROLLS WITH MEAT FILLING) | PREP COUNTER                          | 67.00 Fahrenheit  | TPHC            |
| HOT WATER                                       | 3-COMPARTMENT SINK                    | 120.00 Fahrenheit |                 |
| RICE                                            | RICE WARMER                           | 145.00 Fahrenheit |                 |
| DESSERTS                                        | UPRIGHT GLASS DOOR REFRIGERATOR       | 40.00 Fahrenheit  |                 |
| JELLY                                           | REACH-DOWN PREP UNIT, FRONT PREP AREA | 37.00 Fahrenheit  |                 |
| BROTH                                           | LARGE POT, REAR STORAGE AREA          | 125.00 Fahrenheit | COOLING         |
| MEAT LOAF                                       | PREP INSERT, LEFTMOST PREP UNIT       | 41.00 Fahrenheit  |                 |
| MEATS, BLOOD, BANH CONG                         | WALK-IN REFRIGERATOR                  | 47.00 Fahrenheit  |                 |
| WARM WATER                                      | HANDWASH SINK                         | 100.00 Fahrenheit |                 |
| SLICED MEATS                                    | PREP INSERTS, RIGHTMOST PREP UNIT     | 41.00 Fahrenheit  |                 |
| TOFU, BEAN SPROUTS                              | PRE UNIT                              | 40.00 Fahrenheit  |                 |

## Overall Comments:

***Provided TPHC form.***

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 **5/12/2025**. 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:** David Pham  
Owner

**Signed On:** April 28, 2025