

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 FA0261152 - COM TAM THIEN HUONG | | Site Address 1181 STORY RD, SAN JOSE, CA 95122 | | Inspection Date 03/22/2019 | |
| Program PR0420810 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14 | | | Owner Name NGUYEN, HIEN | | Inspection Time 12:15 - 14:00 |
| Inspected By CHRISTINA PHAN | Inspection Type ROUTINE INSPECTION | | Consent By ON SU | FSC Dang Tran 11/2/2020 | |

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|-----------------------|
| Placard Color & Score |
| GREEN |
| 73 |

| RISK FACTORS AND INTERVENTIO | 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 | | | | | | S |
| 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 | | | | | | |
| 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 PRACTICE | OUT | COS |
|---|-----|-----|
| K24 Person in charge present and performing duties | | |
| 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 | | |
| 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 | | |
| K48 Plan review | | |
| K49 Permits available | | |
| K58 Placard properly displayed/posted | | |

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Comments and Observations

Major Violations

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

Inspector Observations: *Measured bean sprouts on counter at 67F for less than one hour per PIC. [CA] Maintain at 41F or below. [SA] May sell or discard within four hours once it left temperature control. Time marked food.*

Minor Violations

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: *Observed pink build-up along white panel inside ice machine. [CA] Routinely clean and sanitize.*

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

Inspector Observations: *Observed raw/rare item on menu (eg. rare beef). [CA] CalCode requires the permit holder to provide a "Consumer Advisory" using a DISCLOSURE and REMINDER.*

1. A DISCLOSURE is a clearly written statement that includes either:

- a. A description of the animal-derived foods, such as "oysters on the half shell (raw oysters)", "raw-egg Caesar salad" and "hamburger (can be cooked to order)." or
- b. Identification of the animal derived foods marked by an asterisk (*) directing to a footnote that states that the items are served raw or undercooked, or contain or may contain raw or undercooked ingredients.

2. A REMINDER is a written statement that identifies the animal-derived foods by an asterisk that marks a footnote that includes either of the following disclosure statements:

- a. Written information regarding the safety of these food items is available upon request.
- b. Consuming raw or undercooked meats, poultry, seafood, shellfish, or eggs may increase your risk of foodborne illness, especially if you have certain medical conditions.

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

Inspector Observations: *Observed standing water in floor sink between walk-in cooler and cookline. [CA] Ensure waste water is properly disposed.*

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| Follow-up By 03/26/2019 |
|----------------------------|

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

Inspector Observations: *Observed large slab of beef thawing in standing water in prep sink. [CA] Properly thaw foods under refrigeration.*

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: *Missing splash guard between prep sink and warewash sink. [CA] Install an approved splash guard with rounded edges.*

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

Inspector Observations: *Observed bag of onion stored on floor. [CA] Store food six inches off of floor.*

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: *Observed open cup of personal employee coffee stored above rice in dry storage room. [CA] Store personal items/food away from customer area.*

Observed holes around pipes behind cookline area. Observed gaps around fixture near prep sink. [CA] Eliminate gaps to prevent vermin entry.

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

Inspector Observations: *Missing ceiling tile above water heater area. [CA] Provide an approved ceiling tile.*

Performance-Based Inspection Questions

Needs Improvement - Proper hot and cold holding temperatures.

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Measured Observations

| <u>Item</u> | <u>Location</u> | <u>Measurement</u> | <u>Comments</u> |
|-------------|-----------------------------|--------------------|-----------------|
| meat balls | prep cooler | 40.00 Fahrenheit | |
| squid | from deep fryer | 150.00 Fahrenheit | |
| beef | from stove | 179.00 Fahrenheit | |
| hot water | three compartment/prep sink | 120.00 Fahrenheit | |
| broth | walk-in cooler | 40.00 Fahrenheit | |
| rice | rice warmer | 160.00 Fahrenheit | |
| pork | reach-in cooler | 40.00 Fahrenheit | |

Overall Comments:

Note: Provide handouts for plastic straw restriction and children's meal. Currently children's meal includes a soda.

Follow up inspection to routine inspection will be conducted. Subsequent follow up inspections after first follow up shall be billed \$219/hr during business hours and \$493/hr during non business hours upon 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 **4/5/2019**. 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: On Su
PIC

Signed On: March 22, 2019