

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 FA0207154 - PHO PASTEUR		Site Address 1818 TULLY RD 132, SAN JOSE, CA 95122		Inspection Date 02/01/2023		Placard Color & Score <div style="background-color: green; color: white; padding: 10px; text-align: center;"> GREEN 82 </div>		
Program PR0304175 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name NGUYEN, NGOC HAO T		Inspection Time 11:45 - 12:45			
Inspected By HENRY LUU		Inspection Type ROUTINE INSPECTION		Consent By HAO NGUYEN				FSC Peter Lai 04/06/2023

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						S
K04	Proper eating, tasting, drinking, tobacco use	X						
K05	Hands clean, properly washed; gloves used properly	X						S
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		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		
K25	Proper personal cleanliness and hair restraints		
K26	Approved thawing methods used; frozen food	X	
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		
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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K48	Plan review	
K49	Permits available	
K58	Placard properly displayed/posted	

Comments and Observations

Major Violations

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

Inspector Observations: *Four plastic buckets of pho broth maintained on the bottom of the food preparation table actively cooling maintained tightly covered and stored next to each other. No proactive cooling methods were being conduct to expedite the cooling process.*

Soups measured were measured at 135F. Per manager the soups were prepared in the morning and placed inside the buckets at approximately 8:00 AM. At time of measurement, the soups have been out for an elapsed time of four hours.

[CA] *When cooling PHF's, food may be left uncovered or loosely covered to allow rapid cooling. When cooling PHF's, stir frequently to facilitate rapid cooling. Properly store cooling foods in such a way to allow proper air flow. Cool foods using approved containers which facilitate heat transfer, such as metal. After heating or hot holding, PHFs shall be cooled rapidly from 135°F to 70°F within 2 hours and from 70°F to 41°F within 4 hours.*

[COS] *Buckets of soups were relocated to area near the side door of the facility with more airflow. Covers were also partially lifted.*

Minor Violations

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

Inspector Observations: *Employee's food handler cards are expired. [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.*

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

Inspector Observations: *The only hand washing station in the kitchen was partially obstructed with large stock pot placed on top of the wash basin. Paper towel dispenser was obstructed with said pot. Faucets were difficult to turn and observed with heavy build up on grime.*

When questioned about hand washing policy, manager stated that hands were washed at the food preparation sink (next sink over) because of limited space. Manual pump-style soap dispenser was also maintained at the food preparation sink. Wall mounted soap dispenser at the hand washing station was missing, and per manager, the dispenser broke.

[CA] *Handwashing facility shall be clean, unobstructed, and accessible at all times. Utilize sinks for their designated purpose. Hands shall be washed only at the hand washing sink.*

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

Inspector Observations: *Large bucket of cooked tripe thawing in ambient temperature. [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.*

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: *Flatten cardboard boxes used as platforms placed over plastic covered buckets of soup. [CA] Discontinue use of cardboard. Utilize approved approved equipment made of materials that is easily cleanable, durable, smooth, and nonabsorbent.*

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Performance-Based Inspection Questions

Needs Improvement - Proper cooling methods.

Measured Observations

Item	Location	Measurement	Comments
Hot water	Food preparation sink	121.00 Fahrenheit	
Cooked beef flank	Food preparation refrigerator	40.00 Fahrenheit	Top insert
Cooked beef tendon	Food preparation refrigerator	41.00 Fahrenheit	
Raw beef slices	Food preparation refrigerator	39.00 Fahrenheit	Top insert
Cooked ox tail	Food preparation refrigerator	41.00 Fahrenheit	
Pho broth	Cook line	165.00 Fahrenheit	
Raw marinated beef	Drawer refrigerator	40.00 Fahrenheit	
Cooked chicken	Food preparation refrigerator	39.00 Fahrenheit	
Raw beef slices	Drawer refrigerator	37.00 Fahrenheit	
Cooked beef brisket	Food preparation refrigerator	39.00 Fahrenheit	Top insert
Pho broth	Walk-in refrigerator	42.00 Fahrenheit	
Raw shelled eggs	Food preparation refrigerator	40.00 Fahrenheit	Top insert - by back door
Deep fried tofu	Drawer refrigerator	40.00 Fahrenheit	Top insert - by back door

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 **2/15/2023**. 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.

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: Hao Nguyen
Manager
Signed On: February 01, 2023