

# 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 FA0257202 - PHO NGUYEN INC.		Site Address 275 W CALAVERAS BL, MILPITAS, CA 95035		Inspection Date 08/23/2023	
Program PR0375900 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name NGUYEN, LINDA		Inspection Time 14:10 - 15:25
Inspected By NHA HUYNH	Inspection Type ROUTINE INSPECTION		Consent By LINDA NGUYEN	FSC Linda Nguyen 02/01/2023	

Placard Color & Score
<b>GREEN</b>
<b>90</b>

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						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		
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		
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		
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		
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

No major violations were observed during this inspection.

### Minor Violations

K07 - 3 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

#### Inspector Observations:

**Pork blood in the 2 door prep unit was measured at 48 degrees Fahrenheit. Observed pork blood placed in a plastic insert within a plastic insert. [Corrective Action] Maintain Potentially Hazardous Foods below 41 degrees Fahrenheit. Discontinue placing PHFs in a plastic insert within a plastic insert. Suggestion for operator is to use metal inserts for the prep unit because transfer of temperature is better.**

**Multiple food items in the walk-in cooler were measured at 48 degrees Fahrenheit. Per operator, lunch rush just ended and the walk-in cooler gets open and closed very frequently losing the cold. [Corrective Action] Ensure PHFs are maintained below 41 degrees Fahrenheit. Suggested operator to lower thermostat during busy 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:

**Pink grime build-up in the ice machine. [Corrective Action] Routinely clean and sanitize the interior of the ice machine.**

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:

**Multiple food items in boxes and containers stored on the floor in the walk-in cooler. [Corrective Action] Store all foods 6 inches above the floor to prevent contamination and to be able to mop the floor.**

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

#### Inspector Observations:

**Dust accumulation observed on the fan guard in the walk-in cooler. [Corrective Action] Routinely clean.**

### Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

### Measured Observations

Item	Location	Measurement	Comments
chlorine sanitizer	dishwasher	50.00 PPM	
meats	2 door prep unit	40.00 Fahrenheit	
half and half	2 door sliding unit	39.00 Fahrenheit	
cooked chicken, pork blood, marinated pork, cabbage, sauce, raw shell eggs	walk-in cooler	48.00 Fahrenheit	
hot water	3 compartment sink	137.00 Fahrenheit	
pork blood	2 door prep unit	48.00 Fahrenheit	
hot water	handwash sink	103.00 Fahrenheit	
meat, shrimp	walk-in cooler	34.00 Fahrenheit	

### Overall Comments:

**Continue to monitor food temperatures and ensure temperatures are below 41 degrees Fahrenheit.**

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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 **9/6/2023**. 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:

<b>[CA]</b>	Corrective Action
<b>[COS]</b>	Corrected on Site
<b>[N]</b>	Needs Improvement
<b>[NA]</b>	Not Applicable
<b>[NO]</b>	Not Observed
<b>[PBI]</b>	Performance-based Inspection
<b>[PHF]</b>	Potentially Hazardous Food
<b>[PIC]</b>	Person in Charge
<b>[PPM]</b>	Part per Million
<b>[S]</b>	Satisfactory
<b>[SA]</b>	Suitable Alternative
<b>[TPHC]</b>	Time as a Public Health Control



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**Received By:** Terrance Ha  
Chef

**Signed On:** August 23, 2023