

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 FA0250669 - PHO 90 DEGREE		Site Address 222 GREAT MALL DR, MILPITAS, CA 95035		Inspection Date 06/21/2022	
Program PR0361013 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name GM PHO 90 DEGREE CORP		Inspection Time 11:10 - 14:20
Inspected By GLENCIJOY DAVID	Inspection Type ROUTINE INSPECTION	Consent By VAN	FSC Not Available		

Placard Color & Score
YELLOW
51

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						N
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				N
K06 Adequate handwash facilities supplied, accessible		X		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				
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				N
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		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	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	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

K06 - 8 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

Inspector Observations: No soap in women's restroom. [CA] Provide handwashing cleanser in dispenser at handwash stations at all times. [COS] Soap dispenser was refilled.

Follow-up By
06/28/2022

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

Inspector Observations: Measured:

- boba at 90F on counter
- garlic and oil at 76F and egg roll at 89F on shelf
- tomatoes at 56F and eggs at 65F on counter
- squid at 62F and fish balls at 62F in inserts
- pork at 53F, chicken at 53F, beef at 53F, galbi at 51F in reach in cooler
- bean sprouts at 71F on shelf
- bean sprouts at 52F in walk in cooler
- beef at 49F in right prep cooler
- shrimp spring roll at 73F on shelf.

[CA] PHFs shall be held at 41°F or below or at 135°F or above.

[SA] Boba, garlic and oil, egg rolls, and spring rolls will be used for another two hours and discarded. Food in inserts and reach in cooler were moved to walk in cooler. Bean sprouts were moved to walk in cooler.

Follow-up By
06/28/2022

K22 - 8 Points - Sewage and wastewater improperly disposed; 114197

Inspector Observations: Floor sink for two compartment sink next to ice machine was clogged and draining slowly. Wastewater from floor sink overflowed and drained to floor drain in front of two compartment sink. [CA] Food facility shall not operate if there is sewage overflowing or backing up in the food facility. The food facility, or impacted areas, shall remain closed until all plumbing problems have been corrected and all contaminated surfaces have been cleaned and sanitized. [COS] Floor sink was unclogged and wastewater was draining properly.

Minor: Ice shaver in drink prep area is draining into handwash sink. [CA] Liquid waste shall be disposed of through the approved plumbing system and shall discharge into the public sewerage or into an approved private sewage disposal system.

Follow-up By
06/28/2022

Minor Violations

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

Inspector Observations: No Food Safety Certificate (FSC) available. FSC on site is used for Story location. [CA] Food facilities that prepare, handle, or serve nonprepackaged foods shall have a valid FSC available for review at all times.

Majority of 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 and shall be available for review at all times.

K05 - 3 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

Inspector Observations: Employee rinsed gloves after cleaning. [CA] Properly wash hands with soap, warm water and dry using single use paper towels as required. Gloves shall be properly used and changed when required.

Follow-up By
06/28/2022

K09 - 3 Points - Improper cooling methods; 114002, 114002.1

Inspector Observations: Deep containers of pork are cooling on counter. [CA] Properly cool PHF's using shallow containers, using no more than 2 inches for solid foods and no more than 4 inches for liquids.

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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: Accumulation of black mold-like substance on white panel of ice machine. [CA] Clean and sanitize interior of ice machine regularly.

Follow-up By
06/28/2022

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

Inspector Observations: Several flies present in facility. [CA] Food facility shall be kept free of insects, weevils, ants, gnats, and fruit flies.

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: Eggs stored above egg cake and noodles in three door cooler. [CA] All food shall be separated and protected from cross-contamination. Store all raw meat or other raw products of animal origin below ready-to-eat food items.

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

Inspector Observations:

REPEAT VIOLATION

Accumulation of grease and debris on hood and hood filters. [CA] Clean mechanical exhaust hood and filters of accumulations.

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

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: Measured ambient air at 52F of reach in cooler. [CA] Refrigeration must be capable of maintaining PHFs at 41°F or below.

Follow-up By
06/28/2022

REPEAT VIOLATIONS

Plastic "to-go" bags are used to store meats and vegetables. [CA] Equipment and utensils shall be designed and constructed to be durable and retain characteristic qualities under normal use conditions.

Single use containers are reused to store food. [CA] Food containers intended for single use shall not be reused.

Cardboard used to line shelving throughout prep area and floor at cook line. [CA] Discontinue the use of cardboard boxes to line shelves and flooring, use approved equipment made of materials that is easily cleanable, durable, smooth, and nonabsorbent.

Sugar cane extractor does not appear to be ANSI/NSF certified. [CA] All utensils and equipment shall be certified or classified for sanitation by an American National Standards Institute (ANSI) accredited certification program (e.g. NSF, UL EPH, UL Sanitation, CSA Sanitation, or ETL Sanitation).

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:

REPEAT VIOLATIONS

Scoop handles stored in direct contact with bulk foods. Cups and bowls with no handles used as scoops for bulk foods. [CA] Provide scoop with handle and store scoop handle in such a way that the handle does not come in direct contact with food to prevent contamination.

Cloth towel used in direct contact with food. [CA] Linen shall not be used in contact with food.

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

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Inspector Observations:

REPEAT VIOLATION

Accumulation of water and debris on floors. [CA] Floors in food preparation area shall be kept clean.

Performance-Based Inspection Questions

Needs Improvement - Communicable disease; reporting/restriction/exclusion.

Needs Improvement - Food contact surfaces clean, sanitized.

Needs Improvement - Hands clean/properly washed/gloves used properly.

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Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
beef	reach in cooler	53.00 Fahrenheit	
hot water	three compartment sink	120.00 Fahrenheit	
pasta	three door cooler	41.00 Fahrenheit	
shrimp spring roll	shelf	73.00 Fahrenheit	
shrimp	grill	150.00 Fahrenheit	
eggs	counter	65.00 Fahrenheit	
bean sprouts	walk in cooler	52.00 Fahrenheit	
half and half	prep cooler - drink	48.00 Fahrenheit	prep
noodles	shelf	62.00 Fahrenheit	Rice Valley
broth	floor	147.00 Fahrenheit	
eggs	three door cooler	41.00 Fahrenheit	
pork	counter	105.00 Fahrenheit	cooling
chicken	reach in cooler	53.00 Fahrenheit	
pork	reach in cooler	53.00 Fahrenheit	
bo bun hue - blood broth	stove	160.00 Fahrenheit	
egg cake	three door cooler	41.00 Fahrenheit	
shrimp	inserts	38.00 Fahrenheit	
tendon	walk in cooler	41.00 Fahrenheit	
beef rib	prep cooler - left	40.00 Fahrenheit	
shrimp	inserts	32.00 Fahrenheit	
tendon	prep cooler - left	43.00 Fahrenheit	prep
pork	counter	123.00 Fahrenheit	cooling
pork	walk in freezer	21.00 Fahrenheit	IR
hot water	handwash sinks	100.00 Fahrenheit	
tripe	prep cooler - left	41.00 Fahrenheit	
steak	prep cooler - left	41.00 Fahrenheit	prep
steak	walk in cooler	48.00 Fahrenheit	prep
shrimp	walk in freezer	15.00 Fahrenheit	IR
tofu	inserts	37.00 Fahrenheit	
shrimp	prep cooler - near entrance	41.00 Fahrenheit	
steak	prep cooler - right	41.00 Fahrenheit	
tofu	three door cooler	53.00 Fahrenheit	prep
ambient air	reach in cooler	52.00 Fahrenheit	
garlic and oil	shelf	76.00 Fahrenheit	
egg roll	shelf	89.00 Fahrenheit	
pork	prep cooler - near entrance	41.00 Fahrenheit	
chicken broth	walk in cooler	56.00 Fahrenheit	prep
boba	counter	90.00 Fahrenheit	
shrimp	three door cooler	45.00 Fahrenheit	prep
papaya	prep cooler - drink	38.00 Fahrenheit	
sauce	Crockpot	135.00 Fahrenheit	
beef patty	deep fryer	165.00 Fahrenheit	
beef, sliced	prep cooler - left	41.00 Fahrenheit	
pork	counter	118.00 Fahrenheit	cooling
squid	two door freezer	9.00 Fahrenheit	IR
rare steak	prep cooler - left	41.00 Fahrenheit	
blood	prep cooler - right	43.00 Fahrenheit	prep
shrimp	deep fryer	161.00 Fahrenheit	
hot water	two compartment sinks	120.00 Fahrenheit	
tomatoes	counter	56.00 Fahrenheit	
beef broth	walk in cooler	49.00 Fahrenheit	prep
chlorine	warewash machine	50.00 PPM	
fish balls	inserts	62.00 Fahrenheit	
beef, sliced	walk in cooler	41.00 Fahrenheit	
beef	two door freezer	9.00 Fahrenheit	IR
bean sprouts	shelf	71.00 Fahrenheit	
galbi	reach in cooler	51.00 Fahrenheit	
beef	walk in cooler	41.00 Fahrenheit	
squid	inserts	62.00 Fahrenheit	
pork	prep cooler - right	41.00 Fahrenheit	

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shrimp	prep cooler - near entrance	41.00 Fahrenheit	
chicken	prep cooler - right	45.00 Fahrenheit	prep
cream	clear door cooler	41.00 Fahrenheit	
beef	prep cooler - right	49.00 Fahrenheit	
beef	prep cooler - left	41.00 Fahrenheit	
pudding	prep cooler - drink	41.00 Fahrenheit	
bean sprouts	prep cooler - near entrance	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 **7/5/2022**. 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: Van
PIC

Signed On: June 21, 2022