

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 FA0205274 - PHO & BANH MI		Site Address 1007 S DE ANZA BL, SAN JOSE, CA 95129		Inspection Date 04/03/2025		Placard Color & Score <div style="font-size: 2em; font-weight: bold; text-align: center;">GREEN</div> <div style="font-size: 3em; font-weight: bold; text-align: center;">79</div>		
Program PR0303016 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name LUONG, JADE		Inspection Time 10:10 - 12:00			
Inspected By FRANK LEONG		Inspection Type ROUTINE INSPECTION		Consent By THI NGUYEN				FSC Exempt

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				N
K06	Adequate handwash facilities supplied, accessible			X	X			N
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 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		
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	X	
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

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

Inspector Observations: *In the kitchen area, on the counter-top and in the counter-top steam table, measured cooked chicken and cooked pork stored between 95F and 125F. Per operator, chicken has been stored for about 30 minutes. [CA] Ensure potentially hazardous foods are held cold at 41F or below or held hot at 135F and above to prevent bacterial growth.. [COS] Operator moved cooked chicken and cooked pork to the stovetop, reheated to 165F, and stored in the counter-top steam table.*

In the kitchen area, in a 2 door prep unit, measured cooked rice noodles and cooked rice at 55F. Per operator, cooked rice noodles and rice stored in the unit for an hour. Observed equipment was not fully functioning and measured ambient air temperature at 56F. [CA] Ensure potentially hazardous foods are held cold at 41F or below or held hot at 135F and above to prevent bacterial growth. [COS] Operator discarded cooked rice noodles and rice.

Minor Violations

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

Inspector Observations: *Observed employee attempt to handle/cook food after touching a garbage bin with gloved hands. [CA] Employees that switch tasks or have contaminated hands shall properly wash hands at the handwash station using hand soap and paper towels. [COS] Operator instructed to wash hands at nearby handwash station.*

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

Inspector Observations: *By the food prep room, at the handwash station, observed a lack of paper towels in the paper towel dispenser. Observed nearby handwash station in the kitchen area accessible and stocked with hand soap and paper towels. [CA] Ensure handwash stations are provided with hand soap and paper towels in their respective dispensers. [COS] Operator restocked paper towel dispenser with paper towels at the handwash station.*

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

Inspector Observations: *In the back storage room, observed rodent droppings on top of bulk food packages, and on the edges of walls. In the kitchen area and the mop area, observed cockroach droppings on corner edges and crevices. [CA] Ensure facility is kept free of vermin and activity. Clean and sanitize all areas with activity. Seal all cracks and crevices to prevent harborage of vermin. Contact pest control to provide service as necessary.*

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: *Observed unapproved equipment used within the facility including cardboard to line shelving, and wooden shelving installed. In the dry storage area, observed an unapproved wooden wall installed to separate the dry storage area. At the pho prep area, observed a fabricated counter installed for holding pho broth. [CA] Ensure only approved materials and equipment are used within the facility. All materials shall be approved, smooth, durable, and easily cleanable. Discontinue use of unapproved materials and equipment.*

K41 - 2 Points - Plumbing unapproved, not installed, not in good repair; improper backflow devices; 114171, 114189.1, 114190, 114192, 114193, 114193.1, 114199, 114201, 114269

Inspector Observations: *Observed missing faucet at the 3 compartment sink. [CA] Ensure an approved faucet is installed at the 3 compartment sink. Faucet shall be able to provided water to all compartments at the 3 compartment sink.*

Performance-Based Inspection Questions

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Needs Improvement - Adequate handwash facilities: supplied or accessible.

Needs Improvement - Proper hot and cold holding temperatures.

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

Measured Observations

Item	Location	Measurement	Comments
chlorine sanitizer	warewash machine	50.00 PPM	
beef broth	on induction stove	202.00 Fahrenheit	
rice noodles	2 door prep unit	55.00 Fahrenheit	
cooked beef	stovetop	167.00 Fahrenheit	
chicken broth	on induction stove	194.00 Fahrenheit	
hot water	3 compartment sink	120.00 Fahrenheit	
cooked tendon	2 door prep unit (pho prep area)	41.00 Fahrenheit	
raw beef	2 door prep unit (pho prep area)	41.00 Fahrenheit	
cooked chicken	counter-top/steam table	95.00 Fahrenheit	Measured between 95F and 125F.
cooked pork	counter-top/steam table	95.00 Fahrenheit	Measured between 95F and 125F.
hot water	handwash sink	100.00 Fahrenheit	
beef bones	walk-in refrigerator	41.00 Fahrenheit	
cooked rice	2 door prep unit	55.00 Fahrenheit	
sliced brisket	2 door prep unit (pho prep area)	41.00 Fahrenheit	
cooked chicken	walk-in refrigerator	40.00 Fahrenheit	
sandwich butter spread	2 door prep unit	41.00 Fahrenheit	
marinated pork	2 door prep unit	40.00 Fahrenheit	

Overall Comments:

OWNERSHIP CHANGE INFORMATION

NEW FACILITY NAME: PHO BANH MI D3

NEW OWNER: NT SATA LLC

The applicant has completed the facility evaluation application process for an Environmental Health Permit.

The permit category for this facility is FP14. An invoice for the permit fee in the amount of \$1,723.00 will be mailed to the billing address on the application. Payment must be submitted within 10 days of receipt of the invoice. The owner is responsible for contacting our department if an invoice is not received and remit payment within 30 days.

The Environmental Health Permit will be effective: 05/01/2025 - 04/30/2026 This report serves as a temporary permit. However, the permit will be deemed invalid if the permit fee is not paid in full within 30 days from the date of this report. Okay to Operate.

An official permit will be mailed to the address on file and shall be posted in public view upon receipt.

**Structural Review inspection conducted on 04/03/2025*

**Permit condition: n/a*

**Obtain food safety manager certificate within 60 days. All other food employees must have valid food handler cards within 30 days from hire date.*

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 **4/17/2025**. 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.

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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: THI NGUYEN
COO

Signed On: April 03, 2025