

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 05/02/2022		Placard Color & Score <div style="background-color: yellow; padding: 10px; text-align: center;"> YELLOW 64 </div>		
Program PR0304175 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name NGUYEN, NGOC HAO T		Inspection Time 12:50 - 14:30			
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						S
K03	No discharge from eyes, nose, mouth	X						S
K04	Proper eating, tasting, drinking, tobacco use	X						S
K05	Hands clean, properly washed; gloves used properly		X		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		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				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						
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		
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	X	
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

K05 - 8 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

Inspector Observations: Employee observed handling raw meat and then continued onto handling ready-to-eat vegetables without first washing hands. Employee also observed cleaning in place meat slicer, changing gloves, and then continuing onto food preparation.

Follow-up By
05/05/2022

Employee observed washing hands at the food preparation sink with gloves still donned on.

[CA] Ensure all employees are properly washing hands as required. When changing gloves to switch between tasks where hands become contaminated, remove soiled gloves, wash hands before donning on new gloves.

[COS] Employees removed gloves and rewashed hands.

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

Inspector Observations: Multiple pots of soup maintained on the preparation table out in ambient temperature measured between 89F and 109F. Per manager, soups were reheated in the morning and maintained warm for immediate reheating upon orders. Soups were reheated approximately two hours prior.

Follow-up By
05/05/2022

Container of portioned raw marinated beef, approximately five-pounds total maintained inside the walk-in refrigerator measured at 53F. Per manager, the beef has been inside the walk-in refrigerator since the night prior.

Ambient temperature of walk-in refrigerator measured at 52F.

[CA] PHFs shall be held at 41F or below or at 135F or above. [COS] Manager placed pots onto the stove to reheat to hot hold. Raw beef inside the walk-in refrigerator were VCD. All other PHF items were relocated to separate refrigerators to immediately cool.

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

Inspector Observations: Approximately ten five-gallon buckets of pho broth maintained inside the walk-in refrigerator measured at 60F. Per manager, soups were prepared and placed inside the walk-in refrigerator the night prior at approximately 7:00PM.

Follow-up By
05/05/2022

Approximately four five-gallon buckets of pho broth maintained out in ambient temperature actively cooling kept fully covered. Approximately two one-gallon containers of soup broth maintained out in ambient temperature actively cooling kept fully covered.

Container of cooked rice maintained inside walk-in refrigerator actively cooling, measured at 88F, kept fully covered.

[CA] After heating or hot holding, PHFs shall be cooled rapidly from 135F to 70F or below within two hours and from 70F to 41F or below within an additional four hours. Approved cooling methods include: 1) Placing the food in shallow pans 2) Separating the food into thinner or smaller portions. 3) Using rapid cooling equipment (Ex. blast chiller) 4) Using containers that facilitate heat transfer (ex. stainless steel) 5) Adding ice as an ingredient. 6) Using ice paddles 7) Using an ice bath and stirring frequently 8) Accordance with a HACCP plan. Cooling foods shall have enough space around the containers for cold air to circulate, be loosely covered, or uncovered and stirred as frequently needed to evenly cool. [COS] Soups inside the walk-in refrigerator from the night prior were VCD.

Minor Violations

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

Inspector Observations: The only hand washing sink in the kitchen obstructed with small cardboard box inside the wash basin. [CA] Ensure hand washing station is unobstructed and easily accessible at all times. [COS] Employee relocated box.

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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: *Meat slicer that is cleaned in place was cleaned only with a wet rag. [CA] Meat slicer shall be washed, rinsed and sanitized every four hours or less after initial use. Utilize sanitizing solution with rags for items that need to be cleaned in place.*

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 buckets of soups, boxes and containers of food and/or food ingredients maintained on floor. [CA] Food shall be stored at least six-inches above the floor to prevent contamination.*

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: *Ambient temperature of walk-in refrigerator measured at 52F. [CA] Refrigeration must be capable of maintaining PHFs at 41F or below.*

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: *Back-door of facility maintained opened during inspection. [CA] Keep back door closed at all times to prevent the entrance and harborage of vermin.*

Performance-Based Inspection Questions

Needs Improvement - Proper cooling methods.
Needs Improvement - Food contact surfaces clean, sanitized.
Needs Improvement - Hands clean/properly washed/gloves used properly.

Measured Observations

Item	Location	Measurement	Comments
Hot water	Two-compartment sink	134.00 Fahrenheit	Sprayer
Raw beef slices	Preparation refrigerator	35.00 Fahrenheit	
Cooked beef brisket	Preparation refrigerator	39.00 Fahrenheit	Top insert
Pho broth	Stove	200.00 Fahrenheit	Hot holding
Cooked beef tendon	Preparation refrigerator	41.00 Fahrenheit	Top insert
Pho broth	Stove	189.00 Fahrenheit	Final reheating temperature
Cooked beef brisket	Preparation refrigerator	39.00 Fahrenheit	
Raw beef slices	Preparation refrigerator	40.00 Fahrenheit	Top insert

Overall Comments:

Two or more major violations were observed during the inspection. A follow-up inspection will be conducted two to three business days to verify compliance of all major violations. Subsequent follow-up inspection after first follow-up shall be billed \$219 per hour during business hours, and \$493 per hour, during non-business hours, and upon inspector availability.

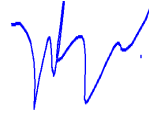
When required to determine compliance, a single reinspection will be conducted without additional charge. If subsequent reinspections are required, an hourly fee (minimum one hour) at the current rate approved by the Board of Supervisors will be assessed for each and every reinspection until the necessary changes or corrections are made. Unless otherwise noted by the inspector, all violations are to be corrected no later than **5/16/2022**. 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.

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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: Hao Nguyen
Manager

Signed On: May 02, 2022