

# 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 FA0230119 - PHO MAI 2		Site Address 814 S BASCOM AV, SAN JOSE, CA 95128		Inspection Date 06/22/2021	
Program PR0330138 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name PHO CANH		Inspection Time 12:30 - 13:30
Inspected By THAO HA	Inspection Type ROUTINE INSPECTION	Consent By LOAN LA	FSC Not Available		

Placard Color & Score
<b>YELLOW</b>
<b>58</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						
K04 Proper eating, tasting, drinking, tobacco use	X						
K05 Hands clean, properly washed; gloves used properly			X	X			N
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					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	X	
K30 Food storage: food storage containers identified	X	
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	X	
K37 Vending machines		
K38 Adequate ventilation/lighting; designated areas, use	X	
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

K13 - 8 Points - Food not in good condition/unsafe/adulterated; 113967, 113976, 113980, 113988, 113990, 114035, 114041, 114254(c), 114254.3

**Inspector Observations: Dead juvenile cockroach observed on MSG.**

**[CA] Food is adulterated if it bears or contains any poisonous or deleterious substance that may render it impure or injurious to health and shall be discarded immediately.**

**[COS] Operator discarded container of MSG.**

Follow-up By  
06/25/2021

K14 - 8 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: Employee washed hands using water spout at cookline into wok. Per employee they will rinse out wok prior to use. [CA] Do not wash hands into food contact surfaces. Ensure food contact surfaces are free from contamination by wash, rinsing and sanitizing by contacting a chlorine solution of 100 PPM concentration for at least 30 seconds or by contacting a quaternary ammonium solution of 200 PPM concentration for at least 60 seconds. [COS] Operator replaced wok with new clean wok. Dirty contaminated wok was moved to 3-comp sink to wash.**

Follow-up By  
06/25/2021

### Minor Violations

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

**Inspector Observations: Operator could not provide food safety certificate or food handler cards.**

**[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.**

**Food facilities that prepare, handle, or serve non-prepackaged potentially hazard foods shall have a valid Food Safety Certificate 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: Observed employee rinsing hands with no soap.**

**[CA] Properly wash hands with soap, warm water and dry using single use paper towels as required. [COS] Employee was instructed to properly wash hands with soap and warm water drying off with a single use paper towel.**

K21 - 3 Points - Hot and cold water not available; 113953(c), 114099.2(b), 114163(a), 114189, 114192, 114192.1, 11419

**Inspector Observations: 1) No hot water available at handwash sink.**

**[CA] Handwashing facilities shall be equipped to provide minimum 100°F water under pressure for a minimum of 15 seconds.**

**2) Prep sink observed only have slow flowing cold water.**

**[CA] An approved, adequate, protected, pressurized, potable supply of hot water and cold water shall be provided.**

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

**Inspector Observations: Dead cockroaches observed:**

- 1 in MSG
- over 1 on wall at side of cookline
- 1 behind wire over hall way
- at least 50 by hot water heater.

Follow-up By  
06/25/2021

**Per operator they had a cockroach issue, but they hadn't seen live cockroaches in the last month.**

**[CA] Clean and sanitize area of dead cockroaches or old droppings.**

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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: Spices, seasonings, and other powders observed to be stored in open containers.**  
**[CA] Store open bulk foods in approved NSF containers with tight fitting lids.**

K29 - 2 Points - Toxic substances improperly identified, stored, used; 114254, 114254.1, 114254.2

**Inspector Observations: Raid and borax observed under sink.**  
**[CA] Only those insecticides, rodenticides, and other pesticides that are necessary and specifically approved for use in a food facility may be used.**

K30 - 2 Points - Food storage containers are not identified; 114047, 114049, 114051, 114053, 114055, 114067(h), 114069 (b)

**Inspector Observations: Containers of food observed to be stored on floor of walk in.**  
**[CA] Food shall be stored at least 6 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: 1) Domestic freezer observed by customer area.**  
**[CA] New and/or replacement food 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).**

**2) Spices and seasonings observed to be stored in single use cookie containers and other food boxes.**  
**[CA] Single use food container (e.g. soy sauce container, milk carton, apple juice container, can food, wine bottle) shall not be reused to store food.**

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: Knives and other utensils observed to stored under microwave and in plastic container fully of crumbs.**  
**[CA] Multi-use utensils will be stored in a way that the working part of the utensil may not become contaminated.**

K38 - 2 Points - Inadequate ventilation and lighting in designated area; 114149, 114149.1, 114149.2, 114149.3, 114252, 114252.1

**Inspector Observations: Hood observed to missing filters. Observed grease dripping from hood onto floor.**  
**[CA] All hood ventilation filters shall be in place and in good repair to catch grease.**

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

## Performance-Based Inspection Questions

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

## Measured Observations

Item	Location	Measurement	Comments
Chlorine	3-comp sink	100.00 Fahrenheit	
Raw chicken	Walk in cooler	40.00 Fahrenheit	
Hot water	3-comp sink	120.00 Fahrenheit	
Cooked chicken	Right cookline prep unit	41.00 Fahrenheit	
Grilled pork	Left cookline prep unit	41.00 Fahrenheit	
Meat balls	Right cookline prep unit	41.00 Fahrenheit	
Milk	Front area glass door cooler	41.00 Fahrenheit	
Warm water	handwash sink	67.00 Fahrenheit	
soup	Walk in cooler	38.00 Fahrenheit	
Noodles	On counter top	172.00 Fahrenheit	
Raw beef	Left cookline prep unit	40.00 Fahrenheit	
Sliced beef	Walk in cooler	40.00 Fahrenheit	
Tripe	Right cookline prep unit	42.00 Fahrenheit	

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## Overall Comments:

**NOTE: Signature not obtained due to COVID-19 and social distancing parameters. A copy of this report will be emailed to the operator.**

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 **7/6/2021**. 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

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**Received By:** Loan La  
Manager

**Signed On:** June 24, 2021