

# 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

|                                                                                  |  |                                                              |                                |                                      |                                         |                                                                                                                                                                                                |  |            |
|----------------------------------------------------------------------------------|--|--------------------------------------------------------------|--------------------------------|--------------------------------------|-----------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|------------|
| <b>Facility</b><br>FA0271044 - PHO 90 DEGREES                                    |  | <b>Site Address</b><br>999 STORY RD 9090, SAN JOSE, CA 95122 |                                | <b>Inspection Date</b><br>07/23/2026 |                                         | <b>Placard Color &amp; Score</b><br><div style="font-size: 2em; font-weight: bold; text-align: center;">RED</div> <div style="font-size: 3em; font-weight: bold; text-align: center;">66</div> |  |            |
| <b>Program</b><br>PR0408946 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14 |  |                                                              | <b>Owner Name</b><br>BUI, NGOC |                                      | <b>Inspection Time</b><br>14:00 - 15:20 |                                                                                                                                                                                                |  |            |
| <b>Inspected By</b><br>MAMAYE KEBEDE                                             |  | <b>Inspection Type</b><br>ROUTINE INSPECTION                 |                                | <b>Consent By</b><br>PHUC TRAN       |                                         |                                                                                                                                                                                                |  | <b>FSC</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      |     |     |     |
| K06                            | Adequate handwash facilities supplied, accessible                           | X  |       |       |        |     |     | N   |
| 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     |       | 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                                                        |     |     |
| 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                    |     |     |
| 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 | X   |     |
| 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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|                                                                           |                                   |                                                       |                                  |
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| Program<br>PR0408946 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14 |                                   | Owner Name<br>BUI, NGOC                               | Inspection Time<br>14:00 - 15:20 |
| 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: Servers working in the front area were observed collecting soiled dishes and cleaning tables and then serving open food for customers without washing hands.**

**[CA] Employee must be trained to wash hand in between touching unclean surface and ready to eat food products, after cleaning or handling chemicals, after picking up something off of the floor, after handling the register/money, after handling garbage, after touching face, hair or body, after eating, drinking, smoking, and chewing gum, after using the bathroom, and after sneezing, coughing, or using a tissue. The employee was told to wash his hands and change his gloves (COS).**

Follow-up By  
07/23/2026

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: The sanitizer concentration on the low temperature mechanical dishwasher that was used to wash the dishes was measured at zero ppm chlorine.**

**[CA] Whenever sanitizing of utensils/equipment is conducted using a low temperature mechanical dishwasher, there must be a 50-ppm residual chlorine level when the cycle completes. Until the mechanical dishwasher is fixed, please use the three manual compartments sink to wash, rinse, and sanitize the dishes with 200 ppm quaternary ammonia or 100 ppm chlorine, unless otherwise specified by manufacturer of the chemical. The person in charge refilled one sink of the warewash sink with lukewarm water and added bleach manually to create a 100-ppm chlorine solution to sanitize the utensils washed in the mechanical dishwasher (SA).**

Follow-up By  
07/23/2026

K23 - 8 Points - Observed rodents, insects, birds, or animals; 114259.1, 114259.4, 114259.5

**Inspector Observations: Multiple live and dead cockroaches were observed on the floor, below and behind the hand, preparation, and wash sinks of both kitchens.**

**[CA] Eliminate vermin from the facility by a legal method. Until the vermin are eliminated, the facility's Health Permit is suspended and shall remain closed. Please call our office at 408 918 3400 for a follow-up inspection.**

**The owner of the facility must hire a pest control company to conduct an intervention. The structural issues including the cracks, crevices, and gaps between the wall and the sinks and the preparation tables and the walls must be caulk or sealed. To prevent vermin hiding and breeding and easy cleaning of the floor area, all food products must remove from the floor and stored on shelves or dunnage racks. Any operational and structural issues that contribute to the vermin infestation must also be addressed. During a follow-up inspection, no live or dead vermin should be observed in the facility. .**

Follow-up By  
07/24/2026

### Minor Violations

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

**Inspector Observations: Multiple household spray cans were observed back in the storage area.**

**[CA] Please stop using the household chemicals to eliminate insects from the facility.**

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

**Inspector Observations: Many food products on boxes were stored directly on the floor or on milk crate back in the storage area.**

**[CA] To prevent insect hiding and breeding and for easy cleaning of the floor area, please store all food products at least six inches off the floor on an approved shelf or dunnage rack.**

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: Boxes of single use and other utensils were stored on the floor in on the second floor storage area.**

**[CA] For easy floor cleaning and to prevent insect/rodent infestation and hiding, store all utensils/equipment at least six inches off the floor on approved shelf/dunnage rack at all the time.**

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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:** *There is a gap between the screen doors and the concrete floor on both kitchen the back doors.*

**[CA]** *To prevent insect/rodent infestation, please install a weatherstripping on the screen door.*

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

**Inspector Observations:** *There are multiple holes, crevices, and cracks on the ceilings above the preparation areas. There are some gaps between the wash sink the wall as well.*

**[CA]** *To prevent vermin infestation and hiding, please seal the holes, crevices, and holes on the ceiling and the wall.*

*There is heavy slime and dirt buildup on the floor sinks located below the ice machine and the preparation sinks.*

**[CA]** *Conduct a thorough cleaning on the floor sinks regularly.*

*There are some damaged floor tiles in the kitchen area.*

**[CA]** *Replace the damaged floor tiles immediately.*

## Performance-Based Inspection Questions

Needs Improvement - Food contact surfaces clean, sanitized.

Needs Improvement - Adequate handwash facilities: supplied or accessible.

## Measured Observations

| Item         | Location               | Measurement       | Comments |
|--------------|------------------------|-------------------|----------|
| Chicken      | Preparation fridge     | 34.00 Fahrenheit  |          |
| Beef         | Final cook             | 165.00 Fahrenheit |          |
| Beef broth   | Stove                  | 212.00 Fahrenheit |          |
| Beef         | Preparation fridge     | 40.00 Fahrenheit  |          |
| Steam rice   | Rice cooker            | 159.00 Fahrenheit |          |
| Veggie rolls | Final cook             | 184.00 Fahrenheit |          |
| Hot water    | Three compartment sink | 125.00 Fahrenheit |          |
| Chicken      | Walk-in cooler         | 34.00 Fahrenheit  |          |

## Overall Comments:

**Note: 1. Food safety manager certificate: Chau Huynh - 07/22/2028**

**2. This routine inspection is conducted on junction with a complaint investigation for cockroach infestation. During the time of this inspection multiple live and dead cockroaches were observed on both kitchen's behind and below the handwash, utensil wash, and preparation sinks. Therefore, the facility is closed until the vermin are eliminated from the facility and a permit suspension closure sign is posted on the door. The posted placard is property of the Santa Clara County Department of Environmental Health and shall not be removed, covered up, relocated, tampered, or copied. Failure to comply may result in enforcement actions per County Ordinance Code Section B11-55.**

**A facility found to be in continued operation without a permit may incur a penalty of three (3) times the operating permit fee, and fee(s) for re-inspection(s) charged at the current hourly rate approved by the Santa Clara County Board of Supervisors. Penalties and fees incurred due to enforcement activities must be paid in full prior to the issuance of an operating permit.**

**The first follow-up inspection shall be conducted free of charge. However, any subsequent follow-up inspection after first follow-up shall be billed \$282.00/hour, minimum one hour, during normal business hours (Monday - Friday, 7:30 AM to 4:30 PM), and \$645 for the first 2 hours, thereafter \$282 each additional hour, during non-business hours, and upon inspector availability.**

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## CLOSURE / PERMIT SUSPENSION NOTICE

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 **8/6/2026**. 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.

This notice is to inform you that as of this date the Environmental Health Permit for the above mentioned food facility is hereby suspended and all operations therewith are ordered to cease. This action is taken in accordance with Section 114409 of the California Health and Safety Code which states 'If any imminent health hazard is found, unless the hazard is immediately corrected, an enforcement officer may temporarily suspend the permit and order the food facility or cottage food operation immediately closed.'

You have the right to make a written request for a hearing within 15 days after receipt of this notice to show just cause why the permit suspension is not warranted. Failure to request such a hearing within the 15-day period shall be deemed a waiver of the right to a hearing. After these violations have been corrected, you must call the Department of Environmental Health for a reinspection to reinstate the permit to operate. Phone #: (408)918-3400.

### 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: Phuc Tran  
Manager

Signed On: July 23, 2026