

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 FA0202618 - NEW PHO SAIGON 2 NOODLE & GRILL RESTAU		Site Address 242 SERRA WY, MILPITAS, CA 95035		Inspection Date 09/19/2023	
Program PR0305674 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name NEW PHO SAIGAN CORPOR		Inspection Time 11:35 - 13:15
Inspected By NHA HUYNH	Inspection Type ROUTINE INSPECTION	Consent By NHAN BUI	FSC Don Chan 05/11/2024		

Placard Color & Score
GREEN
74

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						
K05 Hands clean, properly washed; gloves used properly	X						
K06 Adequate handwash facilities supplied, accessible		X		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	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	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	X	
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	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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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:

Lack of handwash soap at the handwash sink in the kitchen. [Corrective Action] Ensure handwash soap is stocked at all times. [Corrected on Site] Employee refilled the handwash soap dispenser.

Minor Violations

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:

Chlorine sanitizer concentration in the dishwasher was measured at 0 ppm. There was not active warewashing at the time of inspection. [Corrective Action] Ensure chlorine sanitizer concentration in the dishwasher is at 50 ppm. [Suitable Alternative] Employees to sanitize utensils in the 3 compartment sink (one tablespoon bleach with one gallon of water = 100 ppm) until the chlorine concentration in the dishwasher is at 50 ppm.

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

Inspector Observations:

Observed dead cockroaches under the metal wire racks at the dry storage area. [Corrective Action] Clean and sanitize under the metal wire racks at the dry storage area.

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:

Foods stored on the floor in the walk-in freezer. [Corrective Action] Store foods at least 6 inches off the floor. Facility may need to provide additional shelving in the walk-in freezer.

Open bag of rice at the dry storage area. [Corrective Action] Close the bag after using or store rice in a container with tight fitting lid.

K34 - 2 Points - Warewashing facilities: not installed or maintained; no test strips; 114067(f,g), 114099, 114099.3, 114099.5, 114101(a), 114101.1, 114101.2, 114103, 114107, 114125

Inspector Observations:

Lack of chlorine test strips. [Corrective Action] Provide test strips.

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:

Paint is peeling off the fan guard in the walk-in cooler. [Corrective Action] Repair or replace the fan guard in the walk-in cooler.

The 2 door prep unit at the service area is broken. Per employee, the unit broke this morning. [Corrective Action] Repair or replace the unit.

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

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Inspector Observations:

Knives stored in the crevice between the prep table and the 2 door prep unit. [Corrective Action] Discontinue storing the knives in the crevice.

The handle of the ice scoop observed in direct contact with ice. [Corrective Action] Store the ice scoop in such a way the handle does not touch the ice.

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:

One broken 2 door upright freezer and three broken dining table observed at the back area. [Corrective Action] Remove unused items from the premise.

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

Inspector Observations:

Missing floor tile in the walk-in cooler. Broken floor tiles at the cookline. [Corrective Action] Repair or replace the missing/broken floor tiles.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
hot water	handwash sink	103.00 Fahrenheit	
broth	walk-in cooler	42.00 Fahrenheit	
beef	off the grill	165.00 Fahrenheit	final temperature
beef	2 door prep unit (left)	40.00 Fahrenheit	
hot water	3 compartment sink	137.00 Fahrenheit	
beef	2 door prep unit (right)	40.00 Fahrenheit	
chlorine sanitizer	dishwasher	0.00 PPM	
raw shell eggs	walk-in cooler	40.00 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 **10/3/2023**. 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: Thai Nguyen
Employee

Signed On: September 19, 2023