

**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 FA0209910 - PHO BOWL		Site Address 5316 MONTEREY HY, SAN JOSE, CA 95111	Inspection Date 12/18/2023
Program PR0302686 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11		Owner Name BLUE PEPPER INC.	Inspection Time 11:50 - 12:30
Inspected By JENNIFER RIOS	Inspection Type LIMITED INSPECTION	Consent By TONY	

Placard Color & Score <b>RED</b> <b>N/A</b>
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**Comments and Observations**

**Major Violations**

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

*Inspector Observations: Observed several live juvenile cockroaches on the wall by the handwash sink. Observed several live juvenile cockroaches by three compartment sink. Observed dead cockroaches on floor by three compartment and handwash sink. [CA] The premises of each food facility shall be kept free of vermin. A food facility shall not operate when there is a vermin infestation that has resulted in the contamination of food contact surfaces, food packaging, utensils, food equipment, or adulteration of food(s). The food facility shall cease operation of the food facility immediately. The food facility shall remain closed until: there is no longer evidence of a vermin infestation; all contaminated surfaces have been cleaned and sanitized; and contributing factors such as cleaning, repairs, and the elimination of harborages have been resolved.*

**Minor Violations**

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

*Inspector Observations: Handsoap and paper towels were not provided at handwash sink at entrance to kitchen. [CA] Ensure that handsoap and paper towels are provided at handwash sinks in dispensers at all times during operation.*

**Performance-Based Inspection Questions**

N/A

**Measured Observations**

Item	Location	Measurement	Comments
warm water	Handwash	100.00 Fahrenheit	

**Overall Comments:**

*Employee declined to continue inspection after closure was discussed due to the evidence of live cockroaches. Employee requested that they close down immediately and a full inspection done at a later date. Limited inspection conducted.*

*Clean and sanitize all food and nonfood contact surfaces. Remove all evidence of cockroaches from facility and ensure there is no evidence of vermin found at follow up inspection. If evidence is found, facility will be subject to further enforcement action.*

*Facility will remain closed at this time and will not reopen until a follow up inspection is conducted. Facility is to cease and desist all food sales and operations, including food preparation. Do not remove, cover-up, or relocate red placard. Failure to comply may result in enforcement actions.*

*If a second follow-inspection is conducted, there will be a \$290/hr charge at a minimum one-hour charge. Contact Jennifer Rios, 669-287-9408 for a follow up inspection*

*\*If professional pest control services are obtained during the closure, please provide the pest control report from service during re-inspection.*

*For after hour inspections (after 4:30pm Monday through Friday and on weekends) there will be a \$629 charge/hour.*

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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 **1/1/2024**. 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:** Tony Thai  
Employee

**Signed On:** December 18, 2023