

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 FA0203098 - PHO SAIGON CORNER		Site Address 16760 MONTEREY RD, MORGAN HILL, CA 95037		Inspection Date 02/06/2024		Placard Color & Score RED 72
Program PR0300830 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name TIN NGUYEN		Inspection Time 14:45 - 16:15	
Inspected By GINA STIEHR	Inspection Type ROUTINE INSPECTION	Consent By NHAN HUYNH	FSC Bryant Nguyen 08/28/2026			

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						S
K06	Adequate handwash facilities supplied, accessible							N
K07	Proper hot and cold holding temperatures		X		X			N
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		
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		
K36	Equipment, utensils, linens: Proper storage and use		
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		X
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		
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

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

Inspector Observations: *Observed potentially hazardous food (PHF) located on a food prep surface that measured in the temperature danger zone (bean sprouts 64F). The bean sprouts were stored in standing water and, according to the PIC, were only out for a few minutes. [CA] Ensure PHFs are under proper temperature control or time control. PHFs under temperature control must be cold held at 41F or below OR hot held at 135F or above. If using time control (TPHC- Time as a Public Health Control), the facility must fill out the Department's TPHC form, time mark the food for 4 hours and discard the food at the end of the 4 hour mark. [COS] PIC put the bean sprouts back into the refrigerator.*

Follow-up By
02/09/2024

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: *Observed brown mold like substance on inside panel of ice machine. [CA] Thoroughly clean and sanitize ice machine on a regular basis.*

Follow-up By
02/09/2024

Observed mold in plastic hoses dispensing sanitizer at 3 comp sink. [CA] Clean or replace plastic dispenser hoses.

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

Inspector Observations: *Observed 2 live juvenile cockroaches (one under 3 comp sink and one above hood). Observed dead cockroaches (one near water heater, one under food prep sink, and 3 behind cookline). Also observed cockroach feces in the corners where the wall meets the ceiling above the back handwash sink. [CA] Thoroughly clean and sanitize facility (kill and remove live cockroaches, remove dead cockroaches and remove cockroach feces). Seal all cracks and crevices. Minimize gap under back delivery door with weather stripping. Recommend using professional pest control and set a minimum of 20 glue traps to monitor for rodent cockroach activity.*

Follow-up By
02/09/2024

Minor Violations

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

Inspector Observations: *Hood and hood lights were off while employees were cooking. [CA] Ensure hood and hood lights are on and working properly to effectively remove cooking odors, smoke, steam, grease, heat, and vapors.*

K41 - 2 Points - Plumbing unapproved, not installed, not in good repair; improper backflow devices; 114171, 114189.1, 114190, 114192, 114193, 114193.1, 114199, 114201, 114269

Inspector Observations: *Observed minor leak from faucet at front handwash station. [CA] Repair leak and maintain in good condition.*

Performance-Based Inspection Questions

- Needs Improvement - Adequate handwash facilities: supplied or accessible.
- Needs Improvement - Food contact surfaces clean, sanitized.
- Needs Improvement - Proper hot and cold holding temperatures.

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Measured Observations

Item	Location	Measurement	Comments
eggroll	lowboy freezer	5.00 Fahrenheit	
hot water	handwash sink	100.00 Fahrenheit	
hot water	3 comp sink	120.00 Fahrenheit	
bean sprouts	in a bowl of standing water	64.00 Fahrenheit	
brisket, pork	food prep cold hold	42.00 Fahrenheit	
hot water	food prep sink	120.00 Fahrenheit	
shrimp	reach-in freezer	13.00 Fahrenheit	
shrimp	food prep cold hold	39.00 Fahrenheit	
chicken	2 door reach-in freezer	4.00 Fahrenheit	

Overall Comments:

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 **2/20/2024**. 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



Received By: Nhan Huynh
Employee
Signed On: February 06, 2024