

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 FA0250669 - PHO 90 DEGREE		Site Address 222 GREAT MALL DR, MILPITAS, CA 95035		Inspection Date 07/07/2021	
Program PR0361013 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name GM PHO 90 DEGREE CORP		Inspection Time 11:20 - 13:30
Inspected By GLENCIJOY DAVID	Inspection Type ROUTINE INSPECTION		Consent By NGOC BUI	FSC Dao Ngo 07/11/2023	

Placard Color & Score
GREEN
68

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				N
K06 Adequate handwash facilities supplied, accessible	X						
K07 Proper hot and cold holding temperatures		X		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	X	
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		
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

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

Inspector Observations: Measured rice at 92F on shelf and bean sprouts at 72F on shelf. Per owner, foods have been out for less than one hour.

Measured beef ball at 95F, pork chop at 101F, beef bone at 123F, pork at 102F, and chicken at 111F on counter. Per owner, food was removed from cooking at 11AM and will be used until 1PM and moved into cooler.

Measured ham at 45F-52F and tofu at 42F-52F in inserts. Per owner, foods were left out for less than one hour prior to being placed in inserts.

Measured tomatoes at 67F on counter. Per owner, tomatoes are only used at lunch rush from 11AM-1PM.

Measured boba at 80F on shelf. Per owner, boba will be used until 2 PM.

Measured egg rolls at 89F-97F on shelf.

[CA] PHFs shall be held at 41°F or below or at 135°F or above.

[COS] Rice and bean sprouts were moved into three door cooler. Bags of ice were added to foods on counter to facilitate cooling and will be moved into walk in cooler. Tomatoes were moved into inserts. Owner states that boba and egg rolls will be served or discarded by 2PM.

Minor Violations

K05 - 3 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

Inspector Observations: Employee rinsed gloves after cooking. [CA] Properly wash hands with soap, warm water and dry using single use paper towels as required. Gloves shall be properly used and changed when required.

K09 - 3 Points - Improper cooling methods; 114002, 114002.1

Inspector Observations: Rice cooling in tight, plastic bag. Tofu is cooling in deep, plastic container with tight plastic cover. [CA] Cool foods using approved containers which facilitate heat transfer, such as metal. Properly cool PHF's using shallow containers, using no more than 2 inches for solid foods and no more than 4 inches for liquids. When cooling PHF's, food may be left uncovered or loosely covered to allow rapid cooling.

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: Flies landed on food-contact surface of strainer and utensil was not immediately removed from service. Employee was directed to clean strainer prior to use. [CA] In use preparation surfaces shall be cleaned at least every 4 hours or as required.

Accumulation of brown mold-like substance on inner panel of ice machine. [CA] Clean and sanitize interior of ice machine regularly.

Accumulation of debris on equipment in storage. [CA] The food-contact surfaces of cooking equipment and pans shall be kept free of encrusted grease deposits and other soil accumulations.

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

Inspector Observations: Several flies and fruit flies present in prep area and drink area. [CA] Food facility shall be kept free of insects, weevils, ants, gnats, and fruit flies.

K26 - 2 Points - Unapproved thawing methods used; frozen food; 114018, 114020, 114020.1

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Inspector Observations: *Two packs of beef are thawing on counter in front of walk in freezer.*

[CA] *Frozen potentially hazardous food shall only be thawed in one of the following ways:*

- 1) under refrigeration that maintains the food temperature at 41°F or below,*
- 2) completely submerged under potable running water for a period not to exceed two hours at a water temperature of 70°F or below, and with sufficient water velocity to agitate and flush off loose particles into the sink drain,*
- 3) in a microwave oven if immediately followed by immediate preparation,*
- 4) as part of a cooking process.*

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: *Eggs stored above rice in three door cooler. [CA] All food shall be separated and protected from cross-contamination. Store all raw meat or other raw products of animal origin below ready-to-eat food items.*

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: *Plastic "to-go" bags are used to store meats and vegetables. [CA] Equipment and utensils shall be designed and constructed to be durable and retain characteristic qualities under normal use conditions.*

Single use containers are reused to store food. [CA] Food containers intended for single use shall not be reused.

Cardboard used to line shelving throughout prep area and floor at cook line. [CA] Discontinue the use of cardboard boxes to line shelves and flooring, use approved equipment made of materials that is easily cleanable, durable, smooth, and nonabsorbent.

Sugar cane extractor does not appear to be ANSI/NSF certified. [CA] All utensils and 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).

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: *Scoop handles stored in direct contact with bulk foods. Cups and bowls with no handles used as scoops for bulk foods. [CA] Provide scoop with handle and store scoop handle in such a way that the handle does not come in direct contact with food to prevent contamination.*

Cloth towel used in direct contact with food. [CA] Linen shall not be used in contact with food.

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

Inspector Observations: *Accumulation of grease and debris on hood and hood filters. [CA] Clean mechanical exhaust hood and filters of accumulations.*

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

Inspector Observations: *Accumulation of water and debris on floors. [CA] Floors in food preparation area shall be kept clean.*

Performance-Based Inspection Questions

Needs Improvement - Food contact surfaces clean, sanitized.

Needs Improvement - Hands clean/properly washed/gloves used properly.

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Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
egg roll	shelf	89.00 Fahrenheit	
tendon	prep cooler - left	41.00 Fahrenheit	
pork blood	prep cooler - right	41.00 Fahrenheit	
beef	prep cooler - left	41.00 Fahrenheit	
rice	three door cooler	87.00 Fahrenheit	cooling
fish balls	two door freezer	11.00 Fahrenheit	
galbi	walk in freezer	14.00 Fahrenheit	IR
tomatoes	counter	67.00 Fahrenheit	
tea	clear dink cooler	41.00 Fahrenheit	
hot water	three compartment sink	120.00 Fahrenheit	
chicken	prep cooler - right	63.00 Fahrenheit	cooling
shrimp	two door freezer	14.00 Fahrenheit	
ground pork	walk in cooler	35.00 Fahrenheit	
chicken	prep cooler - right	41.00 Fahrenheit	
chicken	walk in cooler	41.00 Fahrenheit	
bean sprouts	shelf	92.00 Fahrenheit	
boba	shelf	80.00 Fahrenheit	
beef	reach in cooler	41.00 Fahrenheit	
crystal boba	prep cooler - drink	32.00 Fahrenheit	
pork	prep cooler - right	41.00 Fahrenheit	
beef ball	counter	95.00 Fahrenheit	
pork	walk in cooler	37.00 Fahrenheit	
chlorine	warewash machine	50.00 PPM	
fish balls	inserts	37.00 Fahrenheit	
hot water	handwash sink	100.00 Fahrenheit	
pork	reach in cooler	72.00 Fahrenheit	cooling
galbi	reach in cooler	41.00 Fahrenheit	
pork	walk in freezer	16.00 Fahrenheit	IR
passion fruit concentrate	reach down freezer	3.00 Fahrenheit	IR
beef ball	prep cooler - left	41.00 Fahrenheit	
noodles	three door cooler	41.00 Fahrenheit	
beef	prep cooler - left	41.00 Fahrenheit	
shrimp	inserts	39.00 Fahrenheit	
beef bone	counter	123.00 Fahrenheit	
half and half	prep cooler - drink	48.00 Fahrenheit	prep
rice	shelf	72.00 Fahrenheit	
chicken	three door cooler	41.00 Fahrenheit	
chicken	counter	111.00 Fahrenheit	
chicken	grill	184.00 Fahrenheit	
egg roll filling	walk in cooler	36.00 Fahrenheit	
broth	Crockpot holder	155.00 Fahrenheit	
papaya	prep cooler - drink	31.00 Fahrenheit	
bean sprouts	walk in cooler	41.00 Fahrenheit	
hot water	prep sinks	120.00 Fahrenheit	
pork chop	counter	101.00 Fahrenheit	
ham	three door cooler	41.00 Fahrenheit	
tofu	inserts	52.00 Fahrenheit	
pork	counter	102.00 Fahrenheit	
rice	three door cooler	52.00 Fahrenheit	prep
chicken	reach in cooler	41.00 Fahrenheit	
ham	inserts	52.00 Fahrenheit	

Overall Comments:

Report e-mailed to facility.

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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 **7/21/2021**. 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

Received By: Ngoc Bui
Owner

Signed On: July 07, 2021

Comment: Signature not obtained due to COVID-19 and social distancing parameters. A copy of this report will be e-mailed to the operator.