

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 03/08/2024	
Program PR0305674 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name NEW PHO SAIGAN CORPOR		Inspection Time 13:40 - 14:45
Inspected By NHA HUYNH	Inspection Type ROUTINE INSPECTION	Consent By NHAN BUI	FSC Don Chan 05/11/2024		

Placard Color & Score
GREEN
76

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

1. **REPEAT VIOLATION. Lack of soap at the handwash sink in the kitchen. The soap dispenser is broken.**
[Corrective Action] Ensure soap is stocked at all times. Repair or replace the soap dispenser.
[Suitable Alternative] Employee provided a pump bottle of handwash soap.

2. **Miscellaneous items were blocking access to the paper towels at the handwash sink in the service area.**
[Corrective Action] Ensure the handwash sink, paper towels and soap are easily accessible.
[Corrected on Site] Employee removed miscellaneous items.

3. **The cover for the paper towel dispenser in one of the restroom easily pops out when pulling paper towels out.**
[Corrective Action] Repair or replace the paper towel dispenser.

Minor Violations

K04 - 3 Points - Improper eating, tasting, drinking or tobacco use in food preparation area; 113977

Inspector Observations:

- Observed employee eating on the meat slicer.**
[Corrective Action] Eat in designated area to prevent contamination of food contact surfaces.

K07 - 3 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

Inspector Observations:

- Bean sprouts in the ice bath at the service area was measured at 49 degrees Fahrenheit.**
[Corrective Action] Ensure cold Potentially Hazardous Foods are maintained at or below 41 degrees Fahrenheit.
[Suitable Alternative] Employee added ice to the ice bath.

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:

- Raw meat stored above bean sprouts and lettuce in the walk-in cooler.**
[Corrective Action] Store raw meat below ready-to-eat foods and produce.

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:

- REPEAT VIOLATION. Knives stored in the crevice between the work table and the 2 door prep cooler.**
[Corrective Action] Discontinue storing knives in the crevice. Store knives in a clean and dry container.

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 carbon on the filters of the exhaust hood.**
[Corrective Action] Routinely clean.

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:

1. **REPEAT VIOLATION. Refrigeration units and deep fryer unit observed at the back area.**
[Corrective Action] Remove unused equipments from the premise.

2. **Unused equipments such as espresso machine, hot water dispenser and various items in the service area.**
[Corrective Action] Remove unused equipments from the premise.

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

Inspector Observations:

*Old food debris and grime build up on the floors under the wire racks at the dry storage room.
[Corrective Action] Thoroughly clean and maintain clean.*

Performance-Based Inspection Questions

Needs Improvement - Proper eating, tasting, drinking, tobacco use.
Needs Improvement - Adequate handwash facilities: supplied or accessible.

Measured Observations

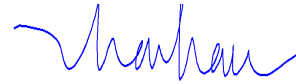
Item	Location	Measurement	Comments
half & half	2 sliding door upright cooler	43.00 Fahrenheit	
hot water	handwash sink	100.00 Fahrenheit	
chlorine sanitizer	dishwasher	50.00 PPM	
hot water	3 compartment sink	145.00 Fahrenheit	
shrimp, beef	2 door prep cooler (right)	40.00 Fahrenheit	
pork, beef	2 door prep cooler (left)	38.00 Fahrenheit	
broth, beef, raw shell eggs	walk-in cooler	39.00 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 **3/22/2024**. 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.

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: Nha Bui
Employee

Signed On: March 08, 2024