

# 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 FA0208182 - PHO 21		Site Address 2569 S KING RD C9, SAN JOSE, CA 95122		Inspection Date 05/14/2024	
Program PR0307423 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name PHO LIME LLC		Inspection Time 14:30 - 16:25
Inspected By HENRY LUU	Inspection Type ROUTINE INSPECTION		Consent By THAO	FSC Not Available	

Placard Color & Score
<b>GREEN</b>
<b>75</b>

RISK FACTORS AND INTERVENTIONS	IN	OUT		COS/SA	N/O	N/A	PBI
		Major	Minor				
K01 Demonstration of knowledge; food safety certification			X				N
K02 Communicable disease; reporting/restriction/exclusion	X						
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						S
K06 Adequate handwash facilities supplied, accessible	X						
K07 Proper hot and cold holding temperatures		X		X			N
K08 Time as a public health control; procedures & records	X						S
K09 Proper cooling methods			X				N
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	X	
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		
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: Various PHF meats at the food preparation refrigerator by the cook measured as follows:**

- Sliced beef brisket - 44F at the bottom to 58F at the top.
- Sliced beef flank meat - 45F at the bottom to 58F at the top.

Items were stored about 2-3 inches above the top of the top inserts. Employee stated that items were sliced and prepared today.

Portioned bowls of cooked red rice and container of bean sprouts maintained at the food preparation table across from the wok burner measured at 75F and 68F respectively. Employee stated that items were usually kept out during the lunch rush and that bean sprouts are usually used within 15 to 30 minutes and is refilled from the front of the cook line.

Container of cooked bean sprouts maintained out in ambient temperature measured at 75F at the front of the cook line. Label above the bean sprouts stated that new bean sprouts are replaced every hour, however, employee was unsure about the label. He stated that the bean sprouts are usually used up within 15 minutes.

Numerous cases of raw beef, raw pork, and bean sprouts maintained out in ambient temperature measured between 55F to 60F. Employee stated that all items were delivered in the morning at approximately 10:00 AM and that all the proteins will be relocated into the walk-in refrigerator by night time.

Two five gallon buckets of chicken broth maintained out in ambient temperature measured at 60F. Employee stated that buckets were taken out from the walk-in freezer and will be reheated now.

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

- Discontinue storing PHF items above food preparation refrigerator's load limit. Maintain small amounts of PHF inside refrigerator in order to maintain cold holding temperatures.
- Discontinue cooling PHF items using the food preparation refrigerator.
- Use only small portions of food during preparation so that it does not exceed the maximum amount of time allowed for diligent prep.

[COS] PHF items stored above the load limit of the food preparation refrigerator were separated in half and relocated inside to immediately cool. Bowls of cooked rice and bean sprouts at the wokline were relocated into food preparation refrigerator to immediately cool. Cooked bean sprouts at the front of the line were VC&D. All PHF items that were delivered in the morning were relocated into the walk-in refrigerator to immediately cool. Chicken broth was immediately reheated to be hot held for service.

### Minor Violations

K01 - 3 Points - Inadequate demonstration of knowledge; food manager certification

**Inspector Observations: Five-year Food Safety Certified (FSC) manager certificate unavailable for review. [CA] Food facilities that prepare, handle, or serve non-prepackaged potentially hazard foods shall have a valid Food Safety Certificate available for review at all times.**

Employees' three-year food handler cards unavailable for review.

[CA] Each food handler shall maintain a valid food handler card for the duration of his or her employment as food handler. A valid food handler card shall be provided within 30 days of after the date of hire.

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

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**Inspector Observations: 10+ plastic buckets of soup broth cooling about in ambient temperature on the metal storage rack. Each bucket was stored next to each other with each row of four buckets with limited space above to allow for proper cooling.**

**Soup measured at between 133F to 137F. Employee stated that once items are cooled, items will be relocated into the walk-in freezer to continue the cooling process.**

**Observed numerous cooked PHF items cooling at the top insert of the food preparation refrigerator across from the cook line. Items measured between 90F to 105F. Employee stated that items were blanched less than one hour prior.**

**[CA] Potentially Hazardous Foods (PHFs) shall be cooled rapidly from 135°F to 70°F or below within 2 hours and from 70°F to 41°F or below within an additional 4 hours.**

- 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, stir frequently to facilitate rapid cooling.
- Properly store cooling foods in such a way to allow proper air flow.
- Use ice paddles and/or ice bath and stir frequently.
- Discontinue using food preparation refrigerator to cool PHF items to prevent raising ambient temperature of refrigerator.

K22 - 3 Points - Sewage and wastewater improperly disposed; 114197

**Inspector Observations: Janitorial sink observed clogged and unable to drain. No back up of sewage or waste water observed on all floor sinks.**

**Employee stated that at the end of the night, all mop water is disposed on down the floor drain located below the cook line.**

**[CA] Liquid waste shall be disposed of through the approved plumbing system and shall discharge into the public sewerage or into an approved private sewage disposal system. Investigate cause for backup and repair in an approved manner.**

**Food facility shall not operate if there is sewage overflowing or backing up in the food facility. The food facility, or impacted areas, shall remain closed until all plumbing problems have been corrected and all contaminated surfaces have been cleaned and sanitized.**

K24 - 2 Points - Person in charge not present and not performing duties; 113945-113945.1, 113984.1, 114075

**Inspector Observations: Manager and/or "person in charge" not present at time of inspection.**

**[CA] A "person in charge" who is responsible for operation of facility shall be present at the food facility during all hours of operation.**

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: Observed containers and buckets of food stored directly on the floor:**

- Underneath the center food preparation area.
- Inside walk-in refrigerator and walk-in freezer.

**[CA] Food shall be stored at least 6 inches above the floor to prevent contamination.**

**Observed metal container of ingredients stored directly on top of basket of fried chicken with the bottom of the metal container in direct contact with food.**

**[CA] All food shall be separated and protected from possible contamination. Discontinue practice. Utilize lids and/or food grade wraps to protect food from contamination.**

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:** *Observed ice scoops stored with handles in direct contact with ice.*

**[CA] Store scoop handle in such a way that the handle does not come in direct contact with food to prevent contamination.**

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

**Inspector Observations:** *Heavy accumulation of food debris observed on floors throughout the kitchen, especially underneath the food preparation sink and cook line.*

**[CA] Walls and/or floors in food preparation area shall be kept clean. Regularly clean under equipment to prevent accumulation of debris.**

## Performance-Based Inspection Questions

- Needs Improvement - Proper eating, tasting, drinking, tobacco use.
- Needs Improvement - Demonstration of knowledge; food manager certification.
- Needs Improvement - Proper cooling methods.
- Needs Improvement - Proper hot and cold holding temperatures.

## Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
Chlorine sanitizer	Mechanical dish machine	50.00 PPM	
Cooked shredded chicken	Walk-in refrigerator	39.00 Fahrenheit	
Cooked shrimp	Walk-in refrigerator	35.00 Fahrenheit	
Beef soup	Cook line	179.00 Fahrenheit	
Portioned shrimp and calamari	Walk-in refrigerator	41.00 Fahrenheit	
Cooked beef meatballs	Walk-in refrigerator	40.00 Fahrenheit	
Raw beef	Food preparation refrigerator	41.00 Fahrenheit	Top insert
Cooked beef	Food preparation refrigerator	41.00 Fahrenheit	
Cooked beef tripe	Walk-in refrigerator	34.00 Fahrenheit	
Cooked ground pork	Crockpot	155.00 Fahrenheit	
Cooked beef heart	Food preparation refrigerator	41.00 Fahrenheit	Top insert
Soup	Walk-in freezer	31.00 Fahrenheit	
Cooked rice	Rice cooker	181.00 Fahrenheit	
Cooked beef tendon	Walk-in refrigerator	38.00 Fahrenheit	
Hot water	Three-compartment sink	132.00 Fahrenheit	

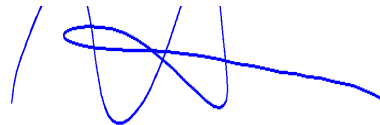
## Overall Comments:

- **At time of inspection, observed facility with more than 5 employees working at one time.**
- **Facility's program element will be re-evaluated and may be re-categorized to FP14 - Food preparation/food service operation 6-25 employees, RC3.**

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 **5/28/2024**. 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:** Tam D.  
Employee

**Signed On:** May 14, 2024