

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 FA0251231 - PHO HA		Site Address 951 MCLAUGHLIN AV, SAN JOSE, CA 95122		Inspection Date 12/17/2024		Placard Color & Score RED 69		
Program PR0364601 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name BUI, HOANG		Inspection Time 13:45 - 16:05			
Inspected By HENRY LUU		Inspection Type ROUTINE INSPECTION		Consent By HOANG				FSC Christopher Bui 02/01/2027

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						
K03	No discharge from eyes, nose, mouth	X						S
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					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				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		
K28	Fruits and vegetables washed		
K29	Toxic substances properly identified, stored, used		
K30	Food storage: food storage containers identified	X	
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		
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		
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

K05 - 8 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

Inspector Observations: *Observed employee using cash register and handling ready-to-eat beansprouts with bare hands without washing hands. [CA] Employees are required to wash hands any time contamination may occur. Minimize bare hand contact by using utensils such as scoops, tongs, or gloves to transfer beansprouts.*

Follow-up By
12/19/2024

K06 - 8 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

Inspector Observations: *Only handwash sink in the facility was obstructed by bowls and a chair. [CA] Handwash sink shall be unobstructed and accessible at all times. [COS] Employee moved bowls and chair away from handwash sink.*

Follow-up By
12/19/2024

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

Inspector Observations: *Observed numerous live and dead cockroaches in the following areas:*

- 15+ crawling around the water heater
- 5+ crawling in between the condensers of the prep line cooler
- 2+ live inside the wall mount for the shelves at the front of the kitchen
- 10+ dead underneath counter next to water heater
- 2 dead in the soap dispenser at handwash sink

Per PIC, facility has monthly pest control services. Pest control service reports were unavailable upon request.

Follow-up By
12/19/2024

[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

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

Inspector Observations: *In the walk-in cooler, measured various PHFs from 45-49F. The ambient temperature of the walk-in cooler measured at 47F. In the 2-door reach-in prep cooler adjacent to the cook line, measured various PHFs at 46F. Per PIC, foods were transferred from the freezer to the walk-in cooler and prep cooler less than 4 hours ago. [CA] Repair refrigeration unit. Potentially hazardous foods shall be kept at 41F or below.*

K30 - 2 Points - Food storage containers are not identified; 114047, 114049, 114051, 114053, 114055, 114067(h), 114069 (b)

Inspector Observations: *Observed food stored on the floor throughout the kitchen and in the freezer. [CA] Food shall be stored six inches above the floor to prevent contamination.*

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: *Observed back door that opens to outside was kept propped open. [CA] Keep back door closed at all times to prevent the entrance and harborage of vermin*

Observed employee's personal belongings (cell phone) stored in bowls in the kitchen. [CA] Personal items shall not be stored in food preparation areas.

Performance-Based Inspection Questions

Needs Improvement - Adequate handwash facilities: supplied or accessible.

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

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Measured Observations

Item	Location	Measurement	Comments
raw shrimp	3-door reach-in	38.00 Fahrenheit	
water	3-compartment sink	120.00 Fahrenheit	
beef stew	walk-in cooler	47.00 Fahrenheit	
water	preparation sink	120.00 Fahrenheit	
chlorine sanitizer	warewashing machine	100.00 PPM	
raw chicken	insert cooler (3-door reach-in)	45.00 Fahrenheit	
cooked beef	walk-in cooler	47.00 Fahrenheit	
water	handwash sink	100.00 Fahrenheit	
raw chicken	3-door reach-in	38.00 Fahrenheit	
chicken soup	walk-in cooler	45.00 Fahrenheit	
beef	cook line	180.00 Fahrenheit	final cooking temp
raw beef	insert cooler (2-door reach-in)	45.00 Fahrenheit	
raw beef	2-door reach-in	45.00 Fahrenheit	

Overall Comments:

Facility is hereby closed due to evidence of a vermin infestation. Facility is to immediately cease and desist all operations.

Facility shall remain closed until vermin infestation is completely abated and authorization is provided by this Division.

Subsequent follow-up inspections after the first follow-up shall be billed at \$298/hour, minimum one hour, during normal business hours (Monday - Friday, 7:30 AM to 4:30 PM), and \$645/hour, minimum two hours, during non-business hours, and upon inspector availability.

The posted placard is property of the Santa Clara County Department of Environmental Health and shall not be removed, covered-up, relocated, tampered, or copied. Failure to comply may result in enforcement action per County Ordinance Code Section B11-55.

A facility found to be in continued operation without a permit may incur a penalty of three (3) times the operating permit fee, and fee(s) for re-inspection(s) charged at the current hourly rate approved by the Santa Clara County Board of Supervisors. Penalties and fees incurred due to enforcement activities must be paid in full prior to the issuance of an operating permit.

Per PIC, facility will undergo change of ownership on January 1, 2025. Submit application for change of ownership within 10 business days of starting operations.

Joint inspection with Kathy Vo. Report written by Kathy Vo.

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 **12/31/2024**. 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.

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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: Hoang Bui
Owner
Signed On: December 17, 2024