

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 FA0208170 - PHO VIET		Site Address 2557 N 1ST ST, SAN JOSE, CA 95131		Inspection Date 10/05/2026		Placard Color & Score YELLOW 75		
Program PR0306738 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name PHO VIVO LLC		Inspection Time 13:25 - 15:20			
Inspected By MARCELA MASRI		Inspection Type ROUTINE INSPECTION		Consent By VIEN VO				FSC VIEN VO 4-16-27

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		
K06	Adequate handwash facilities supplied, accessible	X						S
K07	Proper hot and cold holding temperatures		X		X			S
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		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	X	
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	X	X
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		
K46	No unapproved private home/living/sleeping quarters		
K47	Signs posted; last inspection report available	X	

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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: FOUND THE BEAN SPROUTS AT 57F ON THE FOOD PREPARATION COUNTER. [CA] KEEP COLD POTENTIALLY HAZARDOUS FOOD AT 41F OR BELOW. NOTE: THE OPERATOR STATES THAT THE FOOD HAS BEEN STORED IN THE CONTAINER FOR LESS THAN ONE HOUR.

Follow-up By
10/07/2026

FOUND THE VARIOUS FOOD IN THE WALK IN COOLER AT 45F. [CA] KEEP THE COLD POTENTIALLY HAZARDOUS FOOD AT 41F OR BELOW. NOTE: THE OPERATOR STATES THE FOOD HAS BEEN IN THE WALK IN COOLER FOR LESS THAN 4 HRS. REPAIR OR ADJUST THE TEMPERATURE TO BE BELOW 41F.

K15 - 8 Points - Food not obtained from approved source; 113980, 113982, 114021-114031, 114041

Inspector Observations: FOUND YOGURT BEING MADE IN THE FACILITY. [CA] DO NOT MAKE YOGURT AS YOU NEED A CDFA (CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE) LICENSE TO MAKE IT. SA: MAY TAKE IT HOME THIS TIME ONLY.

Minor Violations

K19 - 3 Points - Non-compliance with consumer advisory for raw or undercooked foods; 114012, 114093

Inspector Observations: REPEAT VIOLATION

THE MENU OFFERS RARE SLICED BEEF, BUT NO CONSUMER ADVISORY IS PRESENT. [CA] WHEN OFFERING RAW OR UNDERCOOKED ANIMAL PRODUCTS, A CONSUMER ADVISORY MUST BE PROVIDED.

- 1. CLEARLY INDICATE WHICH MENU ITEMS CONTAIN UNDERCOOKED ANIMAL PRODUCTS.**
- 2. HAVE THE FOLLOWING STATEMENT: "CONSUMING RAW OR UNDERCOOKED MEATS, POULTRY, SEAFOOD, SHELLFISH, OR EGGS MAY INCREASE YOUR RISK OF FOODBORNE ILLNESS, ESPECIALLY IF YOU HAVE CERTAIN MEDICAL CONDITIONS."**

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: THE WALK IN COOLER IS UNABLE TO KEEP THE POTENTIALLY HAZARDOUS FOOD AT 41F OR BELOW. [CA] REPAIR THE WALK IN COOLER.

Follow-up By
10/07/2026

K40 - 2 Points - Wiping cloths: improperly used and stored; 114135, 114185.1 114185.3(d,e)

Inspector Observations: FOUND A WIPING CLOTH STORED ON THE FOOD PREPARATION COUNTER. [CA] STORE WIPING CLOTHS IN A SANITIZER SOLUTION WHILE NOT IN USE. COS

K47 - 2 Points - Signs not posted; last inspection report not available; 113725.1, 113953.5, 113978, 114381(e)

Inspector Observations: MISSING THE HAND WASH SIGN IN THE RESTROOMS. [CA] PROVIDE THE HAND WASH SIGN.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

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Measured Observations

Item	Location	Measurement	Comments
NOODLES	WALK IN COOLER	45.00 Fahrenheit	
BEEF	COOKING TEMP	165.00 Fahrenheit	
BEEF	SERVICE REFRIGERATOR	40.00 Fahrenheit	
HOT WATER	HAND WASH SINK	100.00 Fahrenheit	
CHICKEN	SERVICE REFRIGERATOR	40.00 Fahrenheit	
BEEF	WALK IN COOLER	45.00 Fahrenheit	
HALF AND HALF	REACH IN REFRIGERATOR	40.00 Fahrenheit	
EGGS	WALK IN COOLER	45.00 Fahrenheit	
EGGROLL	WALK IN FREEZER	28.00 Fahrenheit	
BEEF	WALK IN FREEZER	20.00 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 **10/19/2026**. 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: VIEN VO
MANAGER
Signed On: October 05, 2026