

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 FA0240199 - PHO KHANG		Site Address 2207 TASMAN DR, SANTA CLARA, CA 95054		Inspection Date 07/23/2024	
Program PR0340232 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name PHO KHANG CORPORATION		Inspection Time 13:45 - 16:00
Inspected By GLENCIJOY DAVID	Inspection Type ROUTINE INSPECTION	Consent By BEA	FSC Linh Thuy Vu 08/11/2028		

Placard Color & Score
YELLOW
67

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		X			N
K06 Adequate handwash facilities supplied, accessible			X				
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		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		
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	X	
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		
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	X
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: Employee was wearing gloves and picked up a piece of meat off the ground. Employee discarded the meat but did not change gloves or wash hands and proceeded to touch the outside of containers.

Employees are washing hands with gloves.

[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.

[COS] Employees were directed to wash their hands and change their gloves.

Follow-up By
07/29/2024

K14 - 8 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: Measured chlorine at 0 ppm in warewash machine during active warewashing. [CA] Maintain chlorine in mechanical warewash machine at 50 PPM. [SA] Three compartment sink will be used for wash, rinse, and sanitizing until warewash machine is repaired. All equipment that was in dishwasher shall be sanitized manually.

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

Follow-up By
07/29/2024

Minor Violations

K06 - 3 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

Inspector Observations: No paper towels at handwash sink next to prep sink. [CA] Single-use sanitary towels shall be provided in dispensers at all times.

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

Inspector Observations: Large stock pot of broth and smaller pot of broth are cooling in walk in cooler.

[CA] After heating or hot holding, Potentially Hazardous Foods (PHFs) shall be cooled rapidly from 135°F to 70°F within 2 hours and from 70°F to 41°F within 4 hours.

Approved cooling methods include:

- 1) Placing the food in shallow pans
- 2) Separating the food into thinner or smaller portions.
- 3) Using rapid cooling equipment (Ex. blast chiller)
- 4) Using containers that facilitate heat transfer (ex. stainless steel)
- 5) Adding ice as an ingredient.
- 6) Using ice paddles
- 7) Using an ice bath and stirring frequently

Cooling foods shall have enough space around the containers for cold air to circulate, be loosely covered, or uncovered and stirred as frequently needed to evenly cool.

Properly cool PHF's using shallow containers, using no more than 2 inches for solid foods and no more than 4 inches for liquids.

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

Inspector Observations: One dead cockroach in FRP next to mop sink. [CA] Clean and sanitize area of dead cockroaches.

Several flies in front service area. [CA] Food facility shall be kept free of insects, flies, weevils, ants, gnats, and fruit flies.

K33 - 2 Points - Nonfood contact surfaces not clean; 114115(c)

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

Accumulation of debris on shelving and exterior of equipment. [CA] Nonfood-contact surfaces of equipment shall be kept free of an accumulation of dust, dirt, food residue, and other debris.

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: Measured ambient air at 47F in drink prep cooler. [CA] Refrigeration must be capable of maintaining PHFs at 41°F or below.

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

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

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

Floors appears to have gaps and dents throughout prep area. [CA] Repair flooring to be of smooth and of durable construction and nonabsorbent material that is easily cleanable.

K49 - 2 Points - Permits not available; 114067(b,c), 114381(a), 114387

Inspector Observations: --48 HOUR NOTICE--

Our records indicate this facility is operating without a valid permit since 04/30/2024 and has a delinquent account. Your balance due is \$1925.00.

Account number: AR1280939.

Payment must be made immediately to DEH at the address at the top of this report or via our website at www.EHinfo.org.

Proof of payment must be e-mailed to glencijoy.david@deh.sccgov.org.

Follow-up By 07/25/2024

A facility that submits payment of the outstanding balance within 48 hours (2 business days) of this notice will be issued and mailed an operating permit by this department. Failure to comply within 48 hours will result in facility closure and additional enforcement, including but not limited to reinspection(s) and additional cost recovery fees.

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.

Performance-Based Inspection Questions

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

Needs Improvement - Food contact surfaces clean, sanitized.

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Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
tofu	walk in cooler	41.00 Fahrenheit	
bean sprouts	one door prep cooler	45.00 Fahrenheit	prep
hot water	prep sink	120.00 Fahrenheit	
noodles	walk in cooler	47.00 Fahrenheit	received today
creamer mix	prep cooler - drink	49.00 Fahrenheit	non-dairy
chlorine	warewash sink	0.00 PPM	
noodles	walk in cooler	45.00 Fahrenheit	received today
tendon	two door prep cooler	39.00 Fahrenheit	
steak	walk in cooler	40.00 Fahrenheit	
broth	walk in cooler	41.00 Fahrenheit	
coffee creamer	prep cooler - drink	51.00 Fahrenheit	personal food
beef	stove	180.00 Fahrenheit	
broth	walk in cooler	138.00 Fahrenheit	cooling
egg	walk in cooler	41.00 Fahrenheit	
bean sprouts	one door prep cooler	46.00 Fahrenheit	prep
hot water	three compartment sink	120.00 Fahrenheit	
shrimp	walk in cooler	35.00 Fahrenheit	
egg rolls	three door freezer	27.00 Fahrenheit	IR
beef	three door freezer	13.00 Fahrenheit	IR
hot water	handwash sink	100.00 Fahrenheit	
broth	stove	178.00 Fahrenheit	
chicken	two door prep cooler	53.00 Fahrenheit	
fried tofu	two door prep cooler	41.00 Fahrenheit	
broth	walk in cooler	123.00 Fahrenheit	cooling
fish cake	two door prep cooler	38.00 Fahrenheit	
noodles	two door prep cooler	90.00 Fahrenheit	cooling
milk	prep cooler - drink	52.00 Fahrenheit	personal food
pork	two door prep cooler	46.00 Fahrenheit	prep
ambient air	prep cooler - drink	47.00 Fahrenheit	
tripe	two door prep cooler	41.00 Fahrenheit	
bean sprouts	walk in cooler	41.00 Fahrenheit	

Overall Comments:

Follow-up inspection will be conducted for major violations. Subsequent follow-ups will be charged at \$298/hr.

Spoke w/ owner (Linh Vu) via phone regarding major violations and proper cooling methods (smaller containers or ice paddle).

Employees state that coffee creamer and milk are for personal food. Recommended that food may need to be discarded for being out of temperature. Milk and coffee creamer were voluntarily discarded.

Spoke w/ owner again on phone regarding delinquency waiver.

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 **8/6/2024**. 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.

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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: Bea
Employee

Signed On: July 23, 2024