

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 FA0251452 - BANH MI HONG PHAT		Site Address 1928 ABORN RD, SAN JOSE, CA 95121		Inspection Date 10/20/2023	
Program PR0365403 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name BANH MI HONG PHAT LLC		Inspection Time 14:30 - 16:15
Inspected By MARCELA MASRI	Inspection Type ROUTINE INSPECTION	Consent By CALVIN PHAM	FSC JOHN PHAM 6-22-26		

Placard Color & Score
GREEN
71

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	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				S
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	X	
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	X	
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	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	X	
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

K07 - 8 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

Inspector Observations: FOUND THE HOT FOODS IN THE HOT HOLDING UNIT TO BE AT 109-133F. [CA] KEEP HOT POTENTIALLY HAZARDOUS FOOD AT 135F OR ABOVE. REHEAT TO 165F AND HOT HOLD FOR 135F MINIMUM. NOTE; THE FOOD HAS BEEN PLACED IN THE HOT HOLDING UNIT FOR LESS THAN 2 HRS, PER OPERATOR

Minor Violations

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

Inspector Observations: 3 TRAYS WITH FOOD WERE BEING COOLED COVERED WITH SERAN WRAP ON THE COUNTER. [CA] DO NOT COVER WHILE COOLING. COS

K14 - 3 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: FOUND AN EMPLOYEE CUTTING CARROTS IN A TRAY ON TOP OF THE 3 COMPARTMENT SINK. [CA] USE THE FOOD PREPARATION SINK TO PREPARE FOOD.

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

Inspector Observations: OBSERVED EVIDENCE OF FLY ACTIVITY. [CA] ELIMINATE ALL FLY PRESENCE.

K26 - 2 Points - Unapproved thawing methods used; frozen food; 114018, 114020, 114020.1

Inspector Observations: FOUND A PREPACKAGED PIECE OF RAW BEEF BEING THAWED IN THE 3 COMPARTMENT SINK. [CA] FROZEN POTENTIALLY HAZARDOUS FOOD SHALL ONLY BE THAWED IN ONE OF THE FOLLOWING WAYS: 1) UNDER REFRIGERATION THAT MAINTAINS THE FOOD TEMPERATURE AT 41°F OR BELOW, 2) COMPLETELY SUBMERGED UNDER POTABLE RUNNING WATER FOR A PERIOD NOT TO EXCEED TWO HOURS AT A WATER TEMPERATURE OF 70°F OR BELOW, AND WITH SUFFICIENT WATER VELOCITY TO AGITATE AND FLUSH OFF LOOSE PARTICLES INTO THE SINK DRAIN, 3) IN A MICROWAVE OVEN, IF IMMEDIATELY FOLLOWED BY IMMEDIATE PREPARATION, 4) AS A PART OF A COOKING PROCESS

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

Inspector Observations: FOUND A COUPLE OF BOXES WITH BANANAS STORED ON THE FLOOR IN THE DISPLAY AREA. [CA] STORE FOOD 6 INCHES ABOVE THE FLOOR.

K32 - 2 Points - Food improperly labeled & not honestly presented: 114087, 114089, 114089.1(a, b), 114090, 114093.1

Inspector Observations: FOUND SEVERAL DRY PREPACKAGED ITEMS WITH MISSING OR INCOMPLETE LABELS. ALSO FROZEN ITEMS WERE MISSING SOME OR ALL OF THE LABEL INFORMATION AT THE SELF SERVE REACH IN FREEZER IN THE FRONT. [CA] PROVIDE THE FOLLOWING ON THE LABEL.

1. NAME OF THE FOOD
2. CONTENTS OF THE FOOD (IE. OZ OR #)
3. INGREDIENTS
4. NAME AND ADDRESS OF THE MANUFACTURER

K38 - 2 Points - Inadequate ventilation and lighting in designated area; 114149, 114149.1, 114149.2, 114149.3, 114252, 114252.1

Inspector Observations: FOUND A LIGHT NOT WORKING UNDER THE HOOD. [CA] PROVIDE WORKING LIGHTS.

K43 - 2 Points - Toilet facilities: improperly constructed, supplied, cleaned; 114250, 114250.1, 114276

Inspector Observations: FOUND THE TOILET PAPER ROLL OUTSIDE THE WALL DISPENSER IN THE RESTROOM. [CA] ENSURE THE TOILET PAPER IS INSIDE THE WALL DISPENSER.

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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: FOUND A DERMOPLAST BOTTLE FOR BURNS STORED ON A SHELF NEXT TO FOOD RELATED ITEMS. [CA] STORE PERSONAL ITEMS SEPARATE AND AWAY FROM FOOD OR FOOD RELATED ITEMS.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
RICE	HOT HOLDING	145.00 Fahrenheit	
SAUSAGE	REACH IN REFRIGERATOR	41.00 Fahrenheit	
EGGS	REACH IN REFRIGERATOR	36.00 Fahrenheit	
CHICKEN SOUP	REACH IN REFRIGERATOR	36.00 Fahrenheit	
BEEF	REACH IN REFRIGERATOR	37.00 Fahrenheit	
HAM	SERVICE REFRIGERATOR	37.00 Fahrenheit	
HOT WATER	3 COMPARTMENT SINK	120.00 Fahrenheit	
FROZEN SNAILS	WALK IN FREEZER	24.00 Fahrenheit	
COOKED BITTER MELON	REACH IN REFRIGERATOR	38.00 Fahrenheit	
PORK SKEWER	REACH IN FREEZER	19.00 Fahrenheit	
FROZEN FISH ROLLS	REACH IN FREEZER	8.00 Fahrenheit	
HOT WATER	HAND WASH SINK	100.00 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 **11/3/2023**. 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: CALVIN PHAM
MANAGER

Signed On: October 20, 2023