

# 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 FA0204790 - PHO BANH MI		Site Address 405 UNIVERSITY AV, PALO ALTO, CA 94301		Inspection Date 02/05/2025	
Program PR0302970 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name LUONG, MY		Inspection Time 10:30 - 13:30
Inspected By ALELI CRUTCHFIELD	Inspection Type ROUTINE INSPECTION	Consent By JADE	FSC Linh Tran 3/7/2027		

Placard Color & Score
<b>RED</b>
<b>45</b>

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						
K04 Proper eating, tasting, drinking, tobacco use	X						
K05 Hands clean, properly washed; gloves used properly	X						
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						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		
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	X	
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	X	
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	X	
K45 Floor, walls, ceilings: built, maintained, clean		
K46 No unapproved private home/living/sleeping quarters		
K47 Signs posted; last inspection report available		

# OFFICIAL INSPECTION REPORT

Facility FA0204790 - PHO BANH MI	Site Address 405 UNIVERSITY AV, PALO ALTO, CA 94301	Inspection Date 02/05/2025
Program PR0302970 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14	Owner Name LUONG, MY	Inspection Time 10:30 - 13:30
K48	Plan review	
K49	Permits available	X
K58	Placard properly displayed/posted	

## Comments and Observations

### Major Violations

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

**Inspector Observations:** *Hand sink in the back prep area was found to have hot/cold water turned off, with no soap or paper towels. No paper towel dispenser noted. Hand sink is hanging off of the wall and is not flushed to the wall. Hand sink across from the cash register has a leak and water is spraying out of the faucet when turned on. Hand sink in the front area across from the blender station has a leak and the wooden cabinet that is part of the sink is rotting and in disrepair.*

Follow-up By  
02/10/2025

**[CA]** *Replace the hand sink in the back prep area with a new one and ensure it is flush with the wall. Replace the hand sink faucet across from the register. Replace the hand sink with a new one and the entire cabinet/wooden frame.*

*Submit the manufacturer specification sheet to [aleli.crutchfield@deh.sccgov.org](mailto:aleli.crutchfield@deh.sccgov.org) for review.*

K13 - 8 Points - Food not in good condition/unsafe/adulterated; 113967, 113976, 113980, 113988, 113990, 114035, 114041, 114254(c), 114254.3

**Inspector Observations:** *Observed the following adulterated/contaminated food:*  
 - *blood on packages of cooked noodles inside the 2 door upright unit*  
 - *a package of dry rice vermicelli with naw marks from a rodent*  
 - *dirt and debris in interior panel of ice machine (no cover on ice machine) where the dirt was contacting the ice used for beverages*  
 - *fruit flies on raw ginger and onions in an open container on the shelf*

Follow-up By  
02/10/2025

**[CA]** *All food shall be pure and free from adulteration and spoilage, protected from dirt, vermin, unnecessary handling, droplet contamination, overhead leakage, or other environmental sources of contamination; shall otherwise be fully fit for human consumption.*

K21 - 8 Points - Hot and cold water not available; 113953(c), 114099.2(b), 114163(a), 114189, 114192, 114192.1, 11419

**Inspector Observations:** *Hot water at 3 compartment sink measured at 88F. Hot/cold water was turned off at the food prep sink next to stove because the both hot/cold faucet could not turn off the water. Warm water at hand sinks ( including restroom) measured at 84F-88F.*

Follow-up By  
02/10/2025

**[CA]** *Maintain a minimum of 120F at the 3 compartment sink and food prep sink. Maintain a minimum of 100F water temperature at the hand sinks*

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

**Inspector Observations:** *Observed several rodent droppings throughout the facility:*  
 - *inside green cabinets (front of house)*  
 - *in hallway under sinks and between equipment from ice machine leading to the back kitchen*  
 - *in kitchen near the cook line, 3 comp sink, across from mop sink, below the 2 door freezer next to mop sink*  
*Observed rodent rub marks along the electrical lines along the walls toward the ceiling.*

Follow-up By  
02/10/2025

**[CA]** *Clean and sanitize the entire front area and back kitchen. Move all equipment, including refrigeration units, tables so that you can clean underneath equipment. Clean and sanitize with bleach solution all of the shelving, tables, bottom of tables, food containers. Contact a pest control service to provide frequent service to eliminate rodent infestation and provide service reports for review. Set traps in in front areas (cabinets etc) and under 3 comp sink, cookline, in all corners, near back door and outside the front and back of the facility.*

### Minor Violations

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

# OFFICIAL INSPECTION REPORT

Facility FA0204790 - PHO BANH MI	Site Address 405 UNIVERSITY AV, PALO ALTO, CA 94301	Inspection Date 02/05/2025
Program PR0302970 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14	Owner Name LUONG, MY	Inspection Time 10:30 - 13:30

**Inspector Observations: Unable to locate food handler cards.**

**[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.**

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: Observed meat slicer with food debris. [CA] Clean and sanitize the meat slicer.**

Follow-up By 02/10/2025
----------------------------

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

**Inspector Observations: The mop sink is clogged and unable to drain. [CA] Repair the mop sink to ensure wastewater is properly disposed of.**

**Note- all other floor sinks are operable and draining.**

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 raw beef/raw chicken above containers of broth in upright unit. [CA] Store raw meat below ready to eat food (broth containers, vegetables). Label each shelf with a name tag for raw chicken/beef and ready to eat food/produce. Refer to sticker on refrigerator door.**

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

**Inspector Observations: Observed open packages of dry goods. Lack of commercial food containers to store dry ingredients. [CA] Provide commercial dry ingredient bulk bins to store noodles, spices. Label bins with ingredient name.**

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

**Inspector Observations: Observed heavy mold like black debris inside the mopsink. [CA] Clean the mopsink.**

K34 - 2 Points - Warewashing facilities: not installed or maintained; no test strips; 114067(f,g), 114099, 114099.3, 114099.5, 114101(a), 114101.1, 114101.2, 114103, 114107, 114125

**Inspector Observations: Lack of chlorine test strips. [CA] Provide chlorine test strips.**

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: Broken door handle on 2 door upright unit, door gaskets are loose and in disrepair in refrigerators. The electric warmer across from the microwave had a water bath that measured 127F on the high setting.**

**REPEAT VIOLATION.**

**[CA] Remove the unit from this facility and replace with a new one. Submit manufacturer specification sheet to [aleli.crutchfield@deh.sccgov.org](mailto:aleli.crutchfield@deh.sccgov.org) for prior approval.**

**Inoperable food prep sink, the hot/cold faucet does not work so employees shut off the water supply to this sink. [CA] Replace the entire sink/faucet and provide a food prep sink with an attached single drainboard with a faucet. Submit manufacturer specification sheet to [aleli.crutchfield@deh.sccgov.org](mailto:aleli.crutchfield@deh.sccgov.org) for prior approval.**

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 large windows, front door and back door wide open. Observed wire mesh above back door with rodent hair. The rodents are entering through the top gap at the door.**

**[CA] Permanently lock the windows. Replace entire screen door and wooden/metal door to eliminate gaps.**

**There are several unused equipment at back of facility (table, shelving, employee lockers, bowls etc).**

**[CA] Remove ALL equipment from the back area to prevent harborage/attraction of rodents.**

# OFFICIAL INSPECTION REPORT

Facility FA0204790 - PHO BANH MI	Site Address 405 UNIVERSITY AV, PALO ALTO, CA 94301	Inspection Date 02/05/2025
Program PR0302970 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14	Owner Name LUONG, MY	Inspection Time 10:30 - 13:30

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

**Inspector Observations:** *There is an outstanding balance and facility is operating without a valid permit. [CA] A current health permit is required to operate. [COS] Owner paid for the permit on site online during inspection.*

## Performance-Based Inspection Questions

Needs Improvement - Proper cooling methods.

## Measured Observations

Item	Location	Measurement	Comments
tofu	prep unit across from back hand sink	40.00 Fahrenheit	
ambient	front bar unit	39.00 Fahrenheit	
water	3 comp sink	87.00 Fahrenheit	
water	hand sink	88.00 Fahrenheit	
pork	prep unit	39.00 Fahrenheit	
shrimp	prep unit	41.00 Fahrenheit	

## Overall Comments:

**An office hearing will be scheduled prior to re-opening the facility due to several repeat violations/non compliance.**

**Additional re-inspection fees will be charged if facility is found to not be in compliance (\$629.00/hr)**

*jade.nluong@yahoo.com*

## **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 **2/19/2025**. 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.

### 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: my luong  
Owner  
Signed On: February 05, 2025