

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 01/23/2025		Placard Color & Score GREEN 84			
Program PR0306738 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name PHO VIVO LLC		Inspection Time 11:30 - 13:20				
Inspected By MINDY NGUYEN		Inspection Type ROUTINE INSPECTION		Consent By MAI				FSC Vien Vo 04/16/2027	

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						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						S
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				
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		
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		
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	
K58	Placard properly displayed/posted	

Comments and Observations

Major Violations

No major violations were observed during this inspection.

Minor Violations

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

Inspector Observations: Some employees' food handler cards were expired.

[CA] Obtain valid food handler cards.

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

Inspector Observations: 1) Inside the walk-in refrigerator: measured internal temperature of various foods (beef, shrimp, tofu) to be 45 - 48F. Employees stated foods had been stored for less than 4 hours.

2) Inside the prep unit: measured temperature of beef, tripe, chicken, and uncooked eggrolls to be 45F. Employee stated foods had been held for 10 minutes.

[CA] Keep potentially hazardous foods at 41F and below or 135F and above. Adjust refrigerator temperature setting so that foods stay at 41F and below even during busy times.

***Note: ambient temperature of the refrigerator measured 41F after leaving a metal probe thermometer inside with the door closed for 25 minutes.**

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: Measured chlorine in dishwasher to be 0ppm. Machine was run 3 times. No active dishwashing was occurring.

[CA] Repair dishwasher so that it can sanitize dishes at 50ppm.

***Until the dishwasher is repaired, the dishwasher can be used to wash dishes, but dishes must be manually sanitized in the 3-compartment sink in 100ppm chlorine.**

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

Inspector Observations: Observed the menu offered rare sliced beef, but no consumer advisory was present.

[CA] When offering raw or undercooked animal products, a consumer advisory must be provided.

1) Clearly indicated 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."

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

Inspector Observations: Observed raw chicken thawing in the prep sink; the water was turned on but not at sufficient velocity.

[CA] Frozen potentially hazardous food shall be thawed using one of the following methods:

1) Under refrigeration

2) Completely submerged under cold running water of sufficient velocity to flush loose particles

3) In a microwave oven

4) During the cooking process

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

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Inspector Observations: *Observed several heavily damaged floor tiles in the kitchen.*

[CA] Repair/replace damaged floor tiles.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
SLICED BEEF, TOFU, SHRIMP	WALK-IN REFRIGERATOR	45.00 Fahrenheit	45-48F
WARM WATER	HANDWASH SINK	100.00 Fahrenheit	
UNCOOKED EGGROLLS	REACH-UNDER SECTION OF PREP UNIT	45.00 Fahrenheit	
SLICED BEEF, TRIPE	PREP INSERT	45.00 Fahrenheit	HELD FOR 10 MINUTES
BEEF STEW BROTH	WALK-IN REFRIGERATOR	35.00 Fahrenheit	
HOT WATER	3-COMPARTMENT SINK	120.00 Fahrenheit	
BEEF PHO BROTH	POT OVER BURNER	190.00 Fahrenheit	
CHLORINE	DISHWASHER	0.00 PPM	

Overall Comments:

Pho Viet Routine Inspection

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 **2/6/2025**. 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.

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: January 23, 2025