

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 FA0283104 - PHO KING RESTAURANT		Site Address 385 KIELY BL 20A, SAN JOSE, CA 95129		Inspection Date 06/12/2024	
Program PR0424698 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name LINH TRAN		Inspection Time 13:00 - 14:00
Inspected By HINA WYNE	Inspection Type ROUTINE INSPECTION	Consent By LINH TRAN	FSC LINH TRAN 02/23/2028		

Placard Color & Score
GREEN
83

RISK FACTORS AND INTERVENTIONS	IN	OUT		COS/SA	N/O	N/A	PBI
		Major	Minor				
K01 Demonstration of knowledge; food safety certification	X						S
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				S
K07 Proper hot and cold holding temperatures			X				S
K08 Time as a public health control; procedures & records			X				S
K09 Proper cooling methods	X						S
K10 Proper cooking time & temperatures	X						S
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						S
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	X	
K35 Equipment, utensils: Approved, in good repair, adequate capacity		
K36 Equipment, utensils, linens: Proper storage and use	X	
K37 Vending machines		
K38 Adequate ventilation/lighting; designated areas, use	X	
K39 Thermometers provided, accurate	X	
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		
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

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

Inspector Observations: Hand washing station near the cook line has paper towel roll.
[CA] Provide single use paper towel dispenser for all the hand washing stations.

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

Inspector Observations: Bean sprouts left at room temperature were at 56F.
[CA] PHFs shall be held at 41°F or below or at 135°F or above.
[COS] Ice were added to soaked bean. Out at room temp for 2 hours.

Boba was at room temperature 65F.
[CA] PHFs shall be held at 41°F or below or at 135°F or above.
[SA] Out at room temp for two hours. TPHC form was filled out. Facility will be using timer.

K08 - 3 Points - Improperly using time as a public health control procedures & records; 114000

Inspector Observations: Boba was left at room temperature without time marking.
[CA] When time only, rather than time and temperature is used as a public health control, PHFs shall be time marked to indicate when item is removed from temperature control, discarded if not consumed or served within 4 hours, and written procedures shall be readily available for review.
[COS] TPHC form was filled out and procedure was followed.

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: High heat dishwasher has no testing tool.
[CA] Testing equipment and materials shall be provided to adequately measure the applicable sanitization method used during manual or mechanical warewashing. For high heat dishwasher Provide temperature disc or sticker to measure the temperature.

Chlorine sanitizer level at the 3-compartment sink was at 200ppm.
[CA] Manual sanitization shall be accomplished in the final sanitizing rinse by contacting a chlorine solution of 100 PPM concentration for at least 30 seconds or by contacting a quaternary ammonium solution of 200 PPM concentration for at least 60 seconds.

K36 - 2 Points - Equipment, utensils, linens: Improper storage and use; 114074, 114081, 114119, 114121, 114161, 114178, 114179, 114083, 114185, 114185.2, 114185.3, 114185.4, 114185.5

Inspector Observations: Facility line shelves with cardboard.
[CA] Discontinue the use of cardboard boxes to line shelves/flooring, use approved equipment made of materials that is easily cleanable, durable, smooth, and nonabsorbent.

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

Inspector Observations: Some equipments are not under 6 inch overhang of ventilation hood.
[CA] There shall be a minimum of 6 inches overhang of ventilation hood over cooking equipment.
[SA] Adjust the equipments to provide 6 inch clearance.

K39 - 2 Points - Thermometers missing or inaccurate; 114157, 114159

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Inspector Observations: Facility lack probe metal thermometer.

[CA] An accurate easily readable metal probe thermometer (accurate to +/- 2°F) that is designed to measure the temperature of thin masses shall be provided and readily available to accurately measure the temperatures of potentially hazardous foods.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
CHLORINE	3-COMP SINK	200.00 PPM	
HOT WATER	DISHWASHER	161.00 Fahrenheit	
SHRIMP	COLD HOLDING	40.00 Fahrenheit	
BEEF	COLD HOLDING	40.00 Fahrenheit	
VEGETABLES	REFRIGERATION	40.00 Fahrenheit	
HOT WATER	HANDWASHING	100.00 Fahrenheit	
HOT WATER	JANITORIAL SINK	120.00 Fahrenheit	
HOT WATER	HANDWASHING RESTROOM	100.00 Fahrenheit	
CHICKEN	COLD HOLDING	40.00 Fahrenheit	
BEEF	FREZEER	5.00 Fahrenheit	
BEAN SPROUT	ROOM TEMP	54.00 Fahrenheit	ICE WAS ADDED-OUT FOR TWO HOURS
BOBA	ROOM TEMP	65.00 Fahrenheit	SHIFTED TO COOLER-OUT FOR TWO HOURS
HOT WATER	FOOD PREP SINK	120.00 Fahrenheit	
HOT WATER	3-COMP SINK	120.00 Fahrenheit	
TOFU	COLD HOLDING	40.00 Fahrenheit	

Overall Comments:

OWNERSHIP CHANGE INFORMATION

NEW FACILITY NAME: PHO KING RESTAURANT

NEW OWNER: LINH TRAN

The applicant has completed the facility evaluation application process for an Environmental Health Permit.

The permit category for this facility is FP11. An invoice for the permit fee in the amount of \$1540.00 will be mailed to the billing address on the application. Payment must be submitted within 10 days of receipt of the invoice. The owner is responsible for contacting our department if an invoice is not received and remit payment within 30 days.

The Environmental Health Permit will be effective: 07/01/24 - 06/31/25 This report serves as a temporary permit. However, the permit will be deemed invalid if the permit fee is not paid in full within 30 days from the date of this report. Okay to Operate.

An official permit will be mailed to the address on file and shall be posted in public view upon receipt.

**Structural Review inspection conducted on 06/12/ 24*

Food employees must have valid food handler cards within 30 days from hire date.

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 **6/26/2024**. 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: LINH TRAN
OWNER

Signed On: June 12, 2024