

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 05/16/2024	
Program PR0302970 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name LUONG, MY		Inspection Time 10:15 - 12:40
Inspected By ALELI CRUTCHFIELD	Inspection Type ROUTINE INSPECTION		Consent By TONY	FSC Linh Tran 3/7/2027	

Placard Color & Score
RED
48

RISK FACTORS AND INTERVENTIONS	IN	OUT		COS/SA	N/O	N/A	PBI
		Major	Minor				
K01 Demonstration of knowledge; food safety certification	X						N
K02 Communicable disease; reporting/restriction/exclusion	X						
K03 No discharge from eyes, nose, mouth	X						
K04 Proper eating, tasting, drinking, tobacco use	X						N
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		
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	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		
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	X	
K41 Plumbing approved, installed, in good repair; proper backflow devices	X	
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		

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K48	Plan review	
K49	Permits available	
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: Observed employee handle raw seafood then proceeded to do other tasks without washing their hands.

[CA] Employee must wash hands after they have been contaminated.

[COS] Employee was instructed to wash their hands.

Follow-up By
05/17/2024

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

Inspector Observations: Hand sink pipe is disconnected and the water leaks when the faucet is turned on. Back of hand sink is not secure to the wall. This is the only hand sink in the back kitchen.[CA] Repair the hand sink and secure the hand sink to the wall so there are no gaps.

Lack of paper towel dispenser/paper towels at handsink by the mirror. [CA] Provide a stocked papertowel dispenser.

Follow-up By
05/17/2024

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

Inspector Observations: Measured a large container of raw bean sprouts in water at 64F, bags of bean sprouts with herbs at 62F, cooked chicken (cooked 30 min ago) in electric warmer at 90F. [CA] Maintain potentially hazardous food 41F and below or 135F and above.

[COS] Chicken was reheated on stove to 165F and remaining hot food kept on stove. Bean sprouts discarded in trash

Follow-up By
05/17/2024

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

Inspector Observations: Observed fresh rodent droppings in the following areas:

FRONT SERVICE COUNTER/BAR:

- inside all of the green cabinets and white shelving below bar counter
- in between all of the refrigerators, ice machines and walls

HALLWAY LEADING TO BACK KITCHEN:

- on the floors along the walls and below low wire racks and single compartment sink

BACK KITCHEN:

- below the 3 compartment ware washing sink
- below the dishwasher
- below wire racks next to food warmer and prep unit station
- near cook line and food prep sink

[CA] Remove all rodent droppings and clean and sanitize these areas with soapy wash water and sanitizer bleach solution thoroughly.

Empty out all items from cabinet and discard items no longer in use.

Follow-up By
05/17/2024

Minor Violations

K10 - 3 Points - Improper cooking time & temperatures; 114004, 114008, 114010

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: Interior of ice machine noted with mold like debris. [CA] Clean and sanitize the unit.

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

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Inspector Observations: *Observed seafood thawing at room temperature at 53F in a container, raw chicken in a container at 29F on rack. Observed employee thawing chicken at 3 compartment sink.*

[CA] *Do not thaw food inside the ware washing sink. Use the food prep sink instead.*

Thaw food by 1) in refrigerator overnight 2) completely submerged under potable running water in food prep sink for a period not to exceed two hours at a water temperature of 70°F or below) in a microwave oven if immediately followed by immediate preparation, 4) as part of a cooking process.

[COS] *Food was relocated to refrigerator to thaw.*

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 meat above container of broth in upright reach in. Raw meat on top of sliced cheese in small prep unit.*

[CA] *Organize refrigerator and locate all raw meat/seafood on one side of unit. Store broth on the other side of unit. Store ready to eat food above raw meat.*

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

Inspector Observations: *Dry food storage containers noted with heavy debris. [CA] Clean or replace these containers with new ones.*

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: *Observed wire strainer in disrepair. [CA] Keep equipment in good repair. [COS] Strainer was discarded in trash.*

The current food warmer is not designed to store multiple food containers. At hottest setting, water bath measured at 137F. Repeat violation. [CA] Replace this unit with a free standing hot holding electric steam table instead. Water bath measured at 137F.

K40 - 2 Points - Wiping cloths: improperly used and stored; 114135, 114185.1 114185.3(d,e)

Inspector Observations: *Observed several soiled wiping cloths on prep tables. [CA] Store wiping cloths in red sanitizer bucket in 100 ppm chlorine solution (1 tbsp to 1 gallon of water). Provide 3-4 additional red sanitizer buckets for this facility.*

K41 - 2 Points - Plumbing unapproved, not installed, not in good repair; improper backflow devices; 114171, 114189.1, 114190, 114192, 114193, 114193.1, 114199, 114201, 114269

Inspector Observations: *The gooseneck faucet at hand sink behind the mirror is spraying water when turned on. Leaking bottom pipe at hand sink across from blender/ice machine.*

[CA] *Repair all plumbing*

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 the following areas with openings/holes/gaps*
-bottom of hand sink cabinet at front counter in disrepair, rubber coving is coming off
-green cabinets with an large opening a 1 ft x 1ft and holes on wall
-opening at back door, wire mesh screen
-hole on wall near food warmer

[CA] *Seal all openings to prevent harborage and entrance of vermin.*

Performance-Based Inspection Questions

Needs Improvement - Proper eating, tasting, drinking, tobacco use.

Needs Improvement - Demonstration of knowledge; food manager certification.

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Measured Observations

Item	Location	Measurement	Comments
ambient	2 door prep unit	39.00 Fahrenheit	
cooked beef	prep unit across cookline	40.00 Fahrenheit	
water	hand sinks	100.00 Fahrenheit	
water	3 comp sink	120.00 Fahrenheit	
ambient	2 door upright unit	41.00 Fahrenheit	
chlorine	dishwasher	100.00 PPM	

Overall Comments:

FACILITY IS CLOSED DUE TO MULTIPLE RODENT DROPPINGS FOUND THROUGHOUT FACILITY.

The RED CLOSURE shall not be defaced, married, camouflaged, hidden, or obstructed in any way. Placard removal, marring, or relocating by the operator may result in compliance conference.

CONTACT 408-918-3400 to re-open facility.

Additional re-inspection fees will be charged if facility found not to be in compliance.

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 **5/30/2024**. 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.

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: Son Vo
Company Admin Assistance \$ Support

Signed On: May 16, 2024