

# 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<br>FA0268457 - PHO 24 VIETNAMESE CUISINE & SWEET TEA            |                                       | Site Address<br>5592 SANTA TERESA BL B, SAN JOSE, CA 95123 |                                       | Inspection Date<br>05/26/2023 |                                  |
| Program<br>PR0398089 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11 |                                       |  | Owner Name<br>PHO 24 BAC CALI CORPORA |                               | Inspection Time<br>11:45 - 13:30 |
| Inspected By<br>MARCELA MASRI  | Inspection Type<br>ROUTINE INSPECTION |  | Consent By<br>MINH NGUYEN             | FSC MINH NGUYEN<br>2-15-24    |                                  |

|                       |
|-----------------------|
| Placard Color & Score |
| <b>GREEN</b>          |
| <b>89</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  |       |       |        |     |     | 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  |       |       |        |     |     | S   |
| 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  |       |       |        |     |     | 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                                      |    |       |       |        |     |     |     |

| 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   | 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  |     |     |
| K33 Nonfood contact surfaces clean  | X   |     |
| 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 | 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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| Program<br>PR0398089 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11 | Owner Name<br>PHO 24 BAC CALI CORPORATION                  | Inspection Time<br>11:45 - 13:30 |
| 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

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

**Inspector Observations: FOUND WASTE WATER IN THE MOP BUCKET. [CA] DISCARD THE WASTE WATER IN THE SANITARY SEWER.**

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

**Inspector Observations: Found shrimp and beef being thawed in a tray at room temperature. [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 part of a cooking process. cos**

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

**Inspector Observations: FOUND SEVERAL PHO IN CONTAINERS STORED ON THE FLOOR IN THE WALK IN COOLER. [CA] STORE FOOD 6 INCHES ABOVE THE FLOOR.**

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

**Inspector Observations: FOUND THE BOTTOM OF THE REACH IN FREEZER WITH FOOD DEBRIS. [CA] CLEAN THIS AREA MORE OFTEN.**

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 THE MOP INSIDE THE MOP BUCKET. [CA] HANG THE MOP TO AIR DRY.**

**FOUND A CELL PHONE ON THE FOOD PREPARATION TABLE IN THE BACK. [CA] KEEP PERSONAL ITEMS SEPARATE AND AWAY FROM FOOD OR FOOD RELATED ITEMS. COS**

### Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

### Measured Observations

| Item               | Location              | Measurement       | Comments |
|--------------------|-----------------------|-------------------|----------|
| NOODLE             | SERVICE REFRIGERATOR  | 36.00 Fahrenheit  |          |
| HOT WATER          | 3 COMPARTMENT SINK    | 130.00 Fahrenheit |          |
| CHICKEN            | WALK IN COOLER        | 39.00 Fahrenheit  |          |
| BEEF               | WALK IN COOLER        | 36.00 Fahrenheit  |          |
| HOT WATER          | HAND WASH SINK        | 100.00 Fahrenheit |          |
| CHLORINE SANITIZER | WARE WASHER           | 50.00 PPM         |          |
| CHICKEN            | COOKING TEMP          | 175.00 Fahrenheit |          |
| SHRIMP             | SANDWICH REFRIGERATOR | 37.00 Fahrenheit  |          |
| PHO                | COOKING TEMP          | 194.00 Fahrenheit |          |
| SLICED TOMATO      | SANDWICH REFRIGERATOR | 34.00 Fahrenheit  |          |
| CHICKEN            | REACH IN FREEZER      | 7.00 Fahrenheit   |          |
| BEAN SPROUTS       | WALK IN COOLER        | 39.00 Fahrenheit  |          |
| COOKED CHICKEN     | COLD HOLDING          | 34.00 Fahrenheit  |          |
| HALF AND HALF      | DESSERT REFRIGERATOR  | 35.00 Fahrenheit  |          |

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## 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 **6/9/2023**. 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 |



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**Received By:** MINH NGUYEN  
MANAGER  
**Signed On:** May 26, 2023