

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 FA0202618 - NEW PHO SAIGON 2 NOODLE & GRILL RESTAU		Site Address 242 SERRA WY, MILPITAS, CA 95035		Inspection Date 06/29/2022	
Program PR0305674 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name NEW PHO SAIGAN CORPOR		Inspection Time 12:00 - 14:00
Inspected By GLENCIJOY DAVID		Inspection Type ROUTINE INSPECTION		Consent By NHAN	
				FSC Don Chan 05/11/2024	

Placard Color & Score
GREEN
69

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				N
K06 Adequate handwash facilities supplied, accessible			X	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		X			N
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		
K34 Warewash facilities: installed/maintained; test strips		
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		
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

K14 - 8 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: Employee skipped sanitizing when washing a large pot: employee washed a large pot with soap and water and put the pot away into storage. [CA] Manual warewashing shall be accomplished by using a three-compartment sink where the utensils are first precleaned, washed with hot soapy water, rinsed with hot water, sanitized with an approved method, and air dried. Use 1 TBS of bleach (5.25%) per 1 gal. of water for chlorine solution (100 PPM). Use 1 tbs of quaternary ammonium (10%) per 2 gal. of water for quaternary ammonium (200 PPM). [COS] Employee was directed to sanitized the pot.

Minor: Clean, wet utensils and containers are stacked directly on top of one another and stored in a way that does not facilitate air drying. [CA] Equipment and utensils must be air dried or properly stored to facilitate drying after sanitizing.

Minor Violations

K05 - 3 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

Inspector Observations: Employee washed their hands with soap and water at the three compartment sink and dried their hands on a cloth. [CA] Properly wash hands with soap, warm water and dry using single use paper towels as required.

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

Inspector Observations: Handwash sink in back area was blocked by containers of broth. [CA] Handwashing facility shall be clean, unobstructed, and accessible at all times. [COS] Broth was moved to the side of the handwash sink.

K09 - 3 Points - Improper cooling methods; 114002, 114002.1

Inspector Observations: Broth cooling in deep, plastic containers. [CA] Properly cool PHF's using shallow containers, using no more than 2 inches for solid foods and no more than 4 inches for liquids. Cool foods using approved containers which facilitate heat transfer, such as metal.

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

Inspector Observations: Facility serves raw beef in pho and does not have a consumer advisory. [CA] Provide consumer warning for the sale of raw or undercooked animal-derived foods.

K23 - 3 Points - Observed rodents, insects, birds, or animals; 114259.1, 114259.4, 114259.5

Inspector Observations: Several dead cockroaches present in facility: 1) two underneath front handwash sink, 2) two on floor near mop sink, 3) two in box in storage area. [CA] Clean and sanitize area of dead cockroaches.

Flies present in prep area. [CA] Food facility shall be kept free of insects, weevils, ants, gnats, and fruit flies.

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: Raw eggs stored above vegetables and noodles in walk in cooler. [CA] All food shall be separated and protected from cross-contamination. Store all raw meat or other raw products of animal origin below ready-to-eat food items.

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

Inspector Observations: Bulk foods are stored in open containers. [CA] Store open bulk foods in approved NSF containers with tight fitting lids.

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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: Plastic "to-go" bags are used to store meats and vegetables. [CA] Equipment and utensils shall be designed and constructed to be durable and retain characteristic qualities under normal use conditions.

Scoop handle stored in direct contact with bulk foods. Cups and bowls with no handles used as scoops for bulk foods. [CA] Provide scoop with handle and store scoop handle in such a way that the handle does not come in direct contact with food to prevent contamination.

Several single-use food containers are reused to store food. [CA] Single use food container (e.g. soy sauce container, milk carton, apple juice container, can food, wine bottle) shall not be reused to store food.

Linen cloths used in direct contact with food to cover containers. [CA] Linen shall not be used in contact with food.

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

Inspector Observations: Accumulation of debris on floor underneath storage shelves. [CA] Floors in food preparation area shall be kept clean.

Wall panel at end of cook line is detached from wall. [CA] Repair the wall with a durable, smooth, nonabsorbent, and easily cleanable surface.

Several floor tiles are broken and not properly spaced. [CA] Replace broken floor tiles with a smooth and of durable construction and nonabsorbent material that is easily cleanable.

Cove basing is broken near two compartment sink, chest freezer, and entrance to prep area. [CA] Replace broken tiling with a smooth and of durable construction and nonabsorbent material that is easily cleanable.

Performance-Based Inspection Questions

Needs Improvement - Food contact surfaces clean, sanitized.

Needs Improvement - Hands clean/properly washed/gloves used properly.

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Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
hot water	handwash sink	100.00 Fahrenheit	
pork blood	walk in cooler	41.00 Fahrenheit	
tomatoes	prep cooler - left	49.00 Fahrenheit	prep
egg roll	prep cooler - left	41.00 Fahrenheit	
imitation crab	chest freezer	3.50 Fahrenheit	IR
shrimp	walk in freezer	35.00 Fahrenheit	
coffee	clear door cooler	41.00 Fahrenheit	
chicken	prep cooler - right	41.00 Fahrenheit	
bean sprouts	walk in cooler	41.00 Fahrenheit	
pork	prep cooler - left	41.00 Fahrenheit	
pork	walk in cooler	41.00 Fahrenheit	
tofu	walk in cooler	73.00 Fahrenheit	cooling
broth	stove	168.00 Fahrenheit	
broth	walk in cooler	41.00 Fahrenheit	
spicy broth	walk in cooler	41.00 Fahrenheit	
pork filling	walk in freezer	25.00 Fahrenheit	
bean sprouts	counter	59.00 Fahrenheit	prep
half and half	clear door cooler	39.00 Fahrenheit	
beans sprouts	prep cooler	41.00 Fahrenheit	
egg	prep cooler - left	40.00 Fahrenheit	
shrimp	prep cooler - right	41.00 Fahrenheit	
chlorine	warewash machine	50.00 PPM	
tendon	prep cooler - right	40.00 Fahrenheit	
broth	walk in freezer	150.00 Fahrenheit	
pork	stove	165.00 Fahrenheit	
rare steak	prep cooler - right	40.00 Fahrenheit	
hot water	three compartment sink	120.00 Fahrenheit	

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 7/13/2022. 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: Don
Owner

Signed On: June 29, 2022