

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 08/23/2023	
Program PR0302970 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name LUONG, MY		Inspection Time 14:45 - 17:45
Inspected By ALELI CRUTCHFIELD	Inspection Type ROUTINE INSPECTION		Consent By PETER	FSC Not Available repackaged potentially hazardous food	

Placard Color & Score
RED
60

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						
K05 Hands clean, properly washed; gloves used properly	X						
K06 Adequate handwash facilities supplied, accessible		X		X			N
K07 Proper hot and cold holding temperatures		X		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		
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	X	
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		
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	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

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

Inspector Observations: Observed the only handsink in the back prep area is detached from the wall and inoperable. The soap dispenser found to be inoperable and no paper towels available. [CA] Repair hand sink with hot and cold running water with a minimum temperature of 100F. [SA] Operator designated the first compartment of the ware washing sink to wash hands. Soap and paper towels were provided.

Follow-up By
08/25/2023

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

Inspector Observations: Observed sliced cooked beef, sliced raw beef, shrimp at table top unit across from cookline measured between 50-55F. Food was placed in insert 2 hours ago. Tofu on the shelf measured at 92F was prepared one hour ago. Measured cooked sliced chicken at 90F inside an inoperable warmer unit. Maintain potentially hazardous food 41F and below. [COS] Food was placed in upright refrigerator to cool down to 41F. Sliced chicken was discarded in the trash.

Follow-up By
08/25/2023

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

Inspector Observations: Observed several rodent droppings in the following areas:
-on the floor in between the ice machine and the wall
-on the floor along the wall of hallway where the food prep sink is located
-in between the ware washing sink and the 2 door prep unit below the wire shelf
-near the cook line below the food prep sink

Follow-up By
08/25/2023

Observed several house flies and gnats in the back food prep area. Observed back door and front door left open.

[CA] The food facility shall cease operation of the food facility immediately. The food facility shall remain closed until: there is no longer evidence of a vermin infestation; all contaminated surfaces have been cleaned and sanitized; and contributing factors such as cleaning, repairs, and the elimination of harborages have been resolved.

Install the additional electric fly entrapment near the hallway away from food, food prep areas, food contact surfaces.

Remove all evidence of rodent droppings inside the facility. Clean and sanitize the floors thoroughly. Contact your pest control service for treatment. The premises of each food facility shall be kept free of vermin.

Minor Violations

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

Inspector Observations: Observed raw chicken pieces fully submerged in standing water, thawing inside the 3rd compartment of the ware washing sink. Water temp measured at 76F. [CA] Use the food prep sink near the cookline or near the ice machine to thaw food.

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] Chicken was removed from the sink and placed in a container in the 2 door upright unit.

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 employee rinsing shredded carrots and daikon at the ware washing sink. [CA] Use the food prep sink(s) for rinsing/washing produce.

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

Inspector Observations: *Observed build up of food debris on all refrigerator door handles and microwave and on lids (green covers) of dry ingredient containers [CA] Clean and sanitize these regularly.*

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: *Measured 0 ppm chlorine at the dishwasher and lack of test strips.. [CA] Repair unit to reach 50 ppm of chlorine and provide test strips.*

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: *Electric warmer that was used to hold sliced chicken is not operable. [CA] Repair or replace warmer.*

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: *Observed a clear plastic hose attached to the faucet of the food prep sink. [CA] Remove the unapproved hose.*

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 3 inch gap above the back screen doors, missing door knob. Observed a hole on the ceiling near the ice machine and the detached FRP wall at the mop sink. [CA] Seal all holes and openings to prevent entrance of rodents/flies/vermin.*

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

Inspector Observations: *Build up of food debris on floors, walls and behind equipment (shelves/refrigerators). [CA] Clean and sanitize these areas regularly.*

Performance-Based Inspection Questions

Needs Improvement - Demonstration of knowledge; food manager certification.

Needs Improvement - Adequate handwash facilities: supplied or accessible.

Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
noodles	2 door upright	35.00 Fahrenheit	
sliced chicken	table top prep unit	40.00 Fahrenheit	
raw beef large container	2 door upright	34.00 Fahrenheit	
chlorine	dishwasher	0.00 PPM	
water	3 comp sink	120.00 Fahrenheit	
ambient	2 door upright	37.00 Fahrenheit	
water	hand sink- restroom	105.00 Fahrenheit	

Overall Comments:

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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 **9/6/2023**. 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.

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:

Signed On: August 23, 2023