

# 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 FA0206950 - PHO WAGON		Site Address 1712 MERIDIAN AV I, SAN JOSE, CA 95124		Inspection Date 09/18/2019	
Program PR0305485 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name PHO WAGON LLC		Inspection Time 12:25 - 14:45
Inspected By THAO HA	Inspection Type ROUTINE INSPECTION	Consent By MARY NGUYEN	FSC Julie Ghajar 5/04/2024		

Placard Color & Score
<b>YELLOW</b>
<b>66</b>

RISK FACTORS AND INTERVENTIO	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						
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		X			
K06 Adequate handwash facilities supplied, accessible	X						
K07 Proper hot and cold holding temperatures		X		X			
K08 Time as a public health control; procedures & records		X		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 PRACTICE	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		
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		
K45 Floor, walls, ceilings: built,maintained, clean		
K46 No unapproved private home/living/sleeping quarters		
K47 Signs posted; last inspection report available		
K48 Plan review		
K49 Permits available		
K58 Placard properly displayed/posted		

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## 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 sampling with gloved hands and proceeded to cook without washing his hands with soap and water and changing gloves. When asked to wash his hands, he rinsed the gloves off in food prep sink.*

**[CA]** *Properly wash hands with soap, warm water and dry using single use paper towels as required. Gloves shall be properly used and changed when required (e.g. after eating, after touching raw meats and then touching ready to eat foods, etc.)*

**Wash hands in handwash sink. Prep sink shall be used only for foods. Prep sink shall be washed and sanitized prior to use for foods.**

**[COS]** *Employee ungloved and washed hands with soap and warm water in handwash sink.*

Follow-up By  
09/23/2019

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

**Inspector Observations:** *Bag of tendon meat was stored on top of prep unit inserts by pho station and measured to be 54F. [CA] Keep PHF at 41F and below for cold holding. Store tendon inside prep unit insert and do not overfill inserts to maintain efficient air circulation. [COS] Per employee tendon was just refilled and placed in prep unit insert about 1 hour prior. Employee placed extra meat back into reach in portion of prep unit.*

Follow-up By  
09/23/2019

K08 - 8 Points - Improperly using time as a public health control procedures & records; 114000

**Inspector Observations:** *Boba observed to be unmarked with time. Per operator and TPHC SOPs, items to be discarded at the end of 4 hours shall be marked with time. Per employee boba was made about 2 hours priors at 11:00AM for lunch service from 11:30AM-2:30PM. Other items, such as spring rolls, eggrolls, and rice noodles were observed to be labeled.*

**[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.*

Follow-up By  
09/23/2019

### Minor Violations

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

**Inspector Observations:** *Tofu in large container on counter top measured to be 129F. Per operator tofu was fried about 45 minutes prior and were going to be set aside for cooling. Once cooled after 2-3 horus, tofu would be placed in upright cooler. [CA]*

**PHF shall be actively rapidly cooling. Tofu blocks shall be spread out on sheet tray and placed inside walk in to increase air circulation and cooling. [COS]** *Employee spread tofu out on sheet tray and placed in reach in cooler.*

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

**Inspector Observations:** *3 dead cockroaches observed:*

**-1 juvenile on thermostat**

**-On the floor under small table in small back room**

**-On floor by water heater.**

**[CA]** *Clean and sanitize area of dead cockroaches or old droppings.*

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 chicken stored above noodles and produce in 2 door upright cooler. Raw chicken observed to be stored above cooked broth in walk in freezer. Raw eggs observed to be stored above cooked cooked foods 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.*

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

**Inspector Observations:** *Shelves and racks observed to be dusty and have accumulated debris. [CA] Clean non food contact surfaces.*

### Performance-Based Inspection Questions

N/A

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## Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
Tofu	counter top	129.00 Fahrenheit	
Warm water	handwash sink	100.00 Fahrenheit	
Chlorine	dishwasher	100.00 Fahrenheit	
Grilled meat	Prep unit by grill station	85.00 Fahrenheit	Per employee cooked 45 minutes prior.
Sliced beef	Prep unit by pho station	41.00 Fahrenheit	
Shrimp	walk in cooler	40.00 Fahrenheit	
Rice noodles	3 door upright cooler	39.00 Fahrenheit	
Hot water	3-comp sink	120.00 Fahrenheit	
Pho broth	walk in freezer	51.00 Fahrenheit	Per employee cooked about 3 hours prior.
Cooked chicken	2 door upright cooler	40.00 Fahrenheit	
Grilled skewers	Prep unit by grill station	41.00 Fahrenheit	
Tendon meat	prep unit by pho station	55.00 Fahrenheit	
Pho broth	walk in cooler	41.00 Fahrenheit	
Cooked beef	Walk in cooler	40.00 Fahrenheit	
Bean sprouts	Prep unit by spring roll station	41.00 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 **10/2/2019**. 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:

<b>[CA]</b>	Corrective Action
<b>[COS]</b>	Corrected on Site
<b>[N]</b>	Needs Improvement
<b>[NA]</b>	Not Applicable
<b>[NO]</b>	Not Observed
<b>[PBI]</b>	Performance-based Inspection
<b>[PHF]</b>	Potentially Hazardous Food
<b>[PIC]</b>	Person in Charge
<b>[PPM]</b>	Part per Million
<b>[S]</b>	Satisfactory
<b>[SA]</b>	Suitable Alternative
<b>[TPHC]</b>	Time as a Public Health Control

**Received By:** Mary Nguyen  
Manager

**Signed On:** September 18, 2019