

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 FA0275469 - PHO THIS WAY		Site Address 979 STORY RD 7048, SAN JOSE, CA 95122		Inspection Date 12/23/2024		Placard Color & Score GREEN 90				
Program PR0416324 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 2 - FP13			Owner Name PHO THIS WAY INC		Inspection Time 13:15 - 14:15					
Inspected By HENRY LUU		Inspection Type ROUTINE INSPECTION		Consent By HUNG (VIA PHONE)				FSC Not Available		
RISK FACTORS AND INTERVENTIONS				IN	OUT		COS/SA	N/O	N/A	PBI
					Major	Minor				
K01	Demonstration of knowledge; food safety certification					X				S
K02	Communicable disease; reporting/restriction/exclusion	X								
K03	No discharge from eyes, nose, mouth	X								S
K04	Proper eating, tasting, drinking, tobacco use	X								S
K05	Hands clean, properly washed; gloves used properly	X								S
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								S
K09	Proper cooling methods	X								S
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									
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									

OFFICIAL INSPECTION REPORT

Facility FA0275469 - PHO THIS WAY		Site Address 979 STORY RD 7048, SAN JOSE, CA 95122	Inspection Date 12/23/2024
Program PR0416324 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 2 - FP13		Owner Name PHO THIS WAY INC	Inspection Time 13:15 - 14:15
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

K01 - 3 Points - Inadequate demonstration of knowledge; food manager certification

Inspector Observations: Five year Food Safety Certified (FSC) manager certificate is expired.

[CA] Food facilities that prepare, handle, or serve non-prepackaged potentially hazard foods shall have a valid Food Safety Certificate available for review at all times.

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

Inspector Observations: Paper towels maintained outside of dispenser inside the restrooms.

[CA] Paper towels shall be stored inside the dispenser to prevent potential contamination.

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

Inspector Observations: Observed squid thawing in standing water in the food preparation sink. Observed numerous prepackaged frozen meats thawing in ambient 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.

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 tub of frozen soup stored directly on-top of another tub of frozen. The bottom of the top container was in direct contact with the food item.

[CA] All food shall be separated and protected from cross-contamination. Utilize lids and/or protective film to protect food from contamination.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

OFFICIAL INSPECTION REPORT

Facility FA0275469 - PHO THIS WAY	Site Address 979 STORY RD 7048, SAN JOSE, CA 95122	Inspection Date 12/23/2024
Program PR0416324 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 2 - FP13	Owner Name PHO THIS WAY INC	Inspection Time 13:15 - 14:15

Measured Observations

Item	Location	Measurement	Comments
Cooked shrimp	Food preparation refrigerator	39.00 Fahrenheit	
Pho soup	Cook line	209.00 Fahrenheit	
Cooked macaroni noodles	Walk-in refrigerator	37.00 Fahrenheit	
Cooked beef brisket	Walk-in refrigerator	40.00 Fahrenheit	
Milk	Two-door reach-in refrigerator	38.00 Fahrenheit	
Hot water	Three-compartment sink - front service	122.00 Fahrenheit	
Beef rib bone	Walk-in refrigerator	37.00 Fahrenheit	
Raw beef	Food preparation refrigerator	37.00 Fahrenheit	
Hot water	Three-compartment sink	133.00 Fahrenheit	
Beef rib bone	Food preparation refrigerator	40.00 Fahrenheit	
Chlorine sanitizer	Undercounter dish machine	50.00 PPM	
Cooked rice	Walk-in refrigerator	40.00 Fahrenheit	
Soup	Walk-in freezer	10.00 Fahrenheit	
Cooked sliced brisket	Food preparation refrigerator	40.00 Fahrenheit	
Warm water	Hand wash sinks	101.00 Fahrenheit	
Cooked sliced flank meat	Food preparation refrigerator	39.00 Fahrenheit	
Cooked squid	Food preparation refrigerator	40.00 Fahrenheit	
Sliced tomatoes	Food preparation refrigerator	41.00 Fahrenheit	Top insert
Cooked spaghetti noodles	Walk-in refrigerator	38.00 Fahrenheit	
Cooked chicken halved chicken	Walk-in refrigerator	37.00 Fahrenheit	
Milk	Merchandiser refrigerator	41.00 Fahrenheit	
Pork hock	Walk-in refrigerator	38.00 Fahrenheit	
Cooked rice	Rice cooker	167.00 Fahrenheit	
Cooked pork hock	Food preparation refrigerator	39.00 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 **1/6/2025**. 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: Anh L.
Owner
Signed On: December 23, 2024