

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 FA0250669 - PHO 90 DEGREE		Site Address 222 GREAT MALL DR, MILPITAS, CA 95035		Inspection Date 10/14/2020	
Program PR0361013 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name GM PHO 90 DEGREE CORP		Inspection Time 12:20 - 13:30
Inspected By GLENCIJOY DAVID		Inspection Type RISK FACTOR INSPECTION		Consent By NGOC BUI	
				FSC Dao Ngo 07/11/2023	

Placard Color & Score
GREEN
N/A

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						
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							
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		
K27 Food separated and protected		
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 FA0250669 - PHO 90 DEGREE	Site Address 222 GREAT MALL DR, MILPITAS, CA 95035	Inspection Date 10/14/2020
Program PR0361013 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14	Owner Name GM PHO 90 DEGREE CORP	Inspection Time 12:20 - 13:30
K48	Plan review	
K49	Permits available	
K58	Placard properly displayed/posted	

Comments and Observations

Social Distancing Protocol

01 - Signage Violation

Inspector Observations: Updated "COVID-19 Prepared" and "Visitor Information" signs not posted at entrance of facility. [CA] Submit social distance protocol at www.covid19prepared.org within 24 hours. Print the "COVID-19 Prepared" and "Visitor Information" pages and post at the entrance of the facility.

02 - Face Covering Violation

Compliance of this category has been verified.

03 - Social Distance Violation

Compliance of this category has been verified.

04 - Clean and Sanitize Violation

Items in this category were not observed at the time of inspection.

05 - General Violation

Compliance of this category has been verified.

Major Violations

06 - -

Inspector Observations: Customers not signing in upon entering or in advance with establishment. [CA] - Indoor dining establishments must require at least one customer from each party seated together at a table to sign in upon entering the establishment (or in advance via remote sign-in), providing the following information: i. Their full name, phone number, and email address; ii. The date and time of their entry into the establishment (or of their reservation, if signing in in advance); and iii. Confirmation that all individuals seated together at the table reside in the same household. Businesses must maintain these records for at least 21 days.

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

Inspector Observations: Measured boba at 122F on counter. Per PIC, boba was cooked one hour prior. Measured tomatoes at 58F on counter. Per PIC, tomatoes have been out for 30 minutes. Measured shrimp at 51F in prep cooler near prep entrance. Per PIC, cooler has been left open for less than 1 hour. [CA] PHFs shall be held at 41°F or below or at 135°F or above. [COS] Boba will be time marked and will be served or discarded at 3PM. Tomatoes were placed into an ice bath at the inserts. Ice bag was placed on shrimp in prep cooler.

Minor Violations

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

Inspector Observations: Tofu was cooling in a plastic container in inserts. [CA] Cool foods using approved containers which facilitate heat transfer, such as metal.

K14 - 3 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: Accumulation of pink and black mold-like substance on inner panel of ice machine. [CA] Clean and sanitize interior of ice machine regularly.

Accumulation of debris on equipment in storage. [CA] The food-contact surfaces of cooking equipment and pans shall be kept free of encrusted grease deposits and other soil accumulations.

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

OFFICIAL INSPECTION REPORT

Facility FA0250669 - PHO 90 DEGREE	Site Address 222 GREAT MALL DR, MILPITAS, CA 95035	Inspection Date 10/14/2020
Program PR0361013 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14	Owner Name GM PHO 90 DEGREE CORP	Inspection Time 12:20 - 13:30

Inspector Observations: Facility's temporary menu does not have a consumer warning. [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: Fruit flies present in prep area. [CA] Food facility shall be kept free of insects, weevils, ants, gnats, and fruit flies.

Performance-Based Inspection Questions

N/A

Measured Observations

Item	Location	Measurement	Comments
beef ball	prep cooler - left	34.00 Fahrenheit	
rice	rice cooker	170.00 Fahrenheit	
chicken wing	prep cooler - right	46.00 Fahrenheit	
pork	reach in cooler	39.00 Fahrenheit	
chicken	prep cooler - right	46.00 Fahrenheit	
tomatoes	counter	58.00 Fahrenheit	
tofu	walk in cooler	35.00 Fahrenheit	
bean sprouts	shelf	40.00 Fahrenheit	
pork	walk in freezer	24.00 Fahrenheit	IR
hot water	handwash sink	100.00 Fahrenheit	
tripe	prep cooler - left	32.00 Fahrenheit	
broth	stove	208.00 Fahrenheit	
tofu	inserts	85.00 Fahrenheit	cooling
egg roll	two door freezer	2.00 Fahrenheit	IR
boba	counter - drink area	122.00 Fahrenheit	
sliced chicken	prep cooler - right	42.00 Fahrenheit	prep
squid	inserts	40.00 Fahrenheit	
hot water	three compartment sink/two compartment sinks	120.00 Fahrenheit	
beef sauce	hot hold unit	174.00 Fahrenheit	
bean sprouts	prep cooler - near prep entrance	40.00 Fahrenheit	
cream	prep cooler - drink area	41.00 Fahrenheit	
noodles	prep cooler - right	41.00 Fahrenheit	
rice	three door cooler	61.00 Fahrenheit	prep
rice	three door cooler	54.00 Fahrenheit	prep
chicken	prep cooler - near prep entrance	48.00 Fahrenheit	
beef	prep cooler - left	41.00 Fahrenheit	
galbi	grill	172.00 Fahrenheit	
steak	prep cooler - left	30.00 Fahrenheit	
galbi	reach in cooler	41.00 Fahrenheit	
chlorine	warewash machine	50.00 PPM	
tofu	reach in cooler	48.00 Fahrenheit	prep
egg roll	three door cooler	67.00 Fahrenheit	prep
fish	prep cooler - right	44.00 Fahrenheit	prep
red bean dessert	drink cooler	41.00 Fahrenheit	
papaya	prep cooler - drink area	41.00 Fahrenheit	
beef bone broth	Crockpot	136.00 Fahrenheit	
beef	walk in freezer	14.00 Fahrenheit	IR
shrimp	prep cooler - near prep entrance	51.00 Fahrenheit	
beef	prep cooler - left	32.00 Fahrenheit	
broth	walk in cooler	38.00 Fahrenheit	
ground beef	walk in cooler	36.00 Fahrenheit	

Overall Comments:

Facility shall complete updated Social Distancing Protocol as of October 14, 2020. Facility shall post required signs and shall obtain customer information for indoor dining as stated in Social Distancing Protocol.

Report e-mailed to facility.

OFFICIAL INSPECTION REPORT

Facility FA0250669 - PHO 90 DEGREE	Site Address 222 GREAT MALL DR, MILPITAS, CA 95035	Inspection Date 10/14/2020
Program PR0361013 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14	Owner Name GM PHO 90 DEGREE CORP	Inspection Time 12:20 - 13:30

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 **10/28/2020**. 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: Ngoc Bui
Owner

Signed On: October 22, 2020

Comment: Report e-mailed to facility.