

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 FA0207335 - DAC-PHUC RESTAURANT		Site Address 198 W SANTA CLARA ST, SAN JOSE, CA 95113		Inspection Date 02/26/2025	
Program PR0302056 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name NGUYEN, DON		Inspection Time 10:25 - 11:45
Inspected By ALEXANDER ALFARO	Inspection Type ROUTINE INSPECTION		Consent By DON NGYUEN	FSC Don Nguyen 09/28/2025	

Placard Color & Score
GREEN
86

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						S
K06 Adequate handwash facilities supplied, accessible	X						S
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						
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	X	
K34 Warewash facilities: installed/maintained; test strips		
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	X	
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	X	
K44 Premises clean, in good repair; Personal/chemical storage; Adequate vermin-proofing	X	
K45 Floor, walls, ceilings: built, maintained, clean		
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

No major violations were observed during this inspection.

Minor Violations

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:

REPEAT VIOLATION: In the kitchen area, at the upright cooler, raw beef was being held above ready to eat foods such as cut green onions.

[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:

REPEAT VIOLATION: In the dry storage room, on the shelves, several bulk items of foods (sugar, flours, etc) were observed to not be in containers with lids.

[CA] Store open bulk foods in approved NSF containers with tight fitting lids.

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

Inspector Observations:

The exterior of the toaster oven has an accumulation of grime.

[CA] Nonfood-contact surfaces of equipment shall be kept free of an accumulation of dust, dirt, food residue, and other debris.

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:

1. In the server area, there is a two door undercounter cooler that is in disrepair. There is also an ice machine in disrepair.

[CA] Ensure to maintain equipment clean and in good repair.

2. In the hallway near the kitchen, there is a non ANSI microwave and toaster oven.

[CA] New and/or replacement food equipment shall be certified or classified for sanitation by an American National Standards Institute (ANSI) accredited certification program (e.g. NSF, UL EPH, UL Sanitation, CSA Sanitation, or ETL Sanitation).

3. Facility is using cardboard to line the floor and shelves throughout the facility.

[CA] Discontinue the use of cardboard boxes to line shelves/flooring, use approved equipment made of materials that is easily cleanable, durable, smooth, and nonabsorbent.

K38 - 2 Points - Inadequate ventilation and lighting in designated area; 114149, 114149.1, 114149.2, 114149.3, 114252, 114252.1

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Inspector Observations:

Facility was cooking raw beef in the toaster oven outside of the kitchen area, not under an exhaust hood.

[CA] Provide approved exhaust hood ventilation over all cooking equipment as required to effectively remove cooking odors, smoke, steam, grease, heat, and vapors.

K43 - 2 Points - Toilet facilities: improperly constructed, supplied, cleaned; 114250, 114250.1, 114276

Inspector Observations:

Each of the restroom doors are not self closing. Observed a spring attached the door way of each door but it was not hooked onto the door.

[CA] Toilet rooms shall be separated by well-fitted, self-closing doors that prevent the passage of flies, dust, or odors.

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:

Facility has several pieces of equipment no longer required for the operation of the restaurant (several broken deli slicers).

[CA] The premises of a food facility shall be free of litter and items that are unnecessary to the operation or maintenance of the facility, such as equipment that is nonfunctional or no longer used.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
Water	Hand Sink	120.00 Fahrenheit	
Water	Three Compartment Sink	120.00 Fahrenheit	
Meat	Upright Freezer	10.00 Fahrenheit	
Raw Beef	Upright Cooler	60.00 Fahrenheit	Per kitchen staff, was cut ~30 minutes prior. Observed staff sanitizing the deli slicer when first entering the kitchen.
Raw Beef	Upright Cooler	39.00 Fahrenheit	
Cooked Beef	Stock Pot Range	160.00 Fahrenheit	Finished cooking ~15 minutes prior, was moved to bowl to cool.
Meat	Chest Freezer	-28.00 Fahrenheit	
Pho	Walk in Cooler	41.00 Fahrenheit	
Cooked Vegetables	Counter	108.00 Fahrenheit	Per Don, cooked ~30 minutes prior and was cooling

Overall Comments:

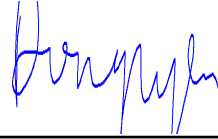
When required to determine compliance, a single reinspection will be conducted without additional charge. If subsequent reinspections are required, an hourly fee (minimum one hour) at the current rate approved by the Board of Supervisors will be assessed for each and every reinspection until the necessary changes or corrections are made. Unless otherwise noted by the inspector, all violations are to be corrected no later than **3/12/2025**. 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.

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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 Ngyuen
Owner

Signed On: February 26, 2025