

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 11/29/2023	
Program PR0305485 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name PHO WAGON LLC		Inspection Time 12:20 - 14:15
Inspected By HELEN DINH	Inspection Type ROUTINE INSPECTION	Consent By XUAN (PIC) & MARY (O)	FSC Julie Ghajar 5/4/24		

Placard Color & Score
GREEN
72

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	X			N
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						S
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	X	
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	X	
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	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

No major violations were observed during this inspection.

Minor Violations

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

Inspector Observations: Lacking several employees food handlers card on site. [CA] Each food handler shall maintain a valid food handler card for the duration of his or her employment as food handler. A valid food handler card shall be provided within 30 days of after the date of hire.

K05 - 3 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

Inspector Observations: Observed an employee donning gloves and scratching their face. Same employee was about to prep food. [CA] Properly wash hands with soap, warm water and dry using single use paper towels as required prior to putting on gloves. [COS] Employee was told to stop what they were doing, remove their gloves and wash their hands prior to donning glove to finishing task.

K07 - 3 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

Inspector Observations: Measured a plate of boiled pork/shrimp holding at 46F in 1 door reach in for less than 4 hours. [CA] Maintain all PHFs cold held at or below 41F.

K08 - 3 Points - Improperly using time as a public health control procedures & records; 114000

Inspector Observations: Per operator, the following food items are under time as a public health control: bean sprouts, spring rolls, egg rolls, noodles and cooked pork. Observed no signs of time mark, only verbal statements. Note: Lunch service is from 11:30am - 2:00pm then facility is closed and later reopened for dinner service. [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. Even if facility closed less than 4 hours, time mark is required.

Follow-up By
12/07/2023

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

Inspector Observations: Lacking consumer advisory for raw food consumed on site. Facility serves raw beef with pho broth. [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: Found a few flies in kitchen area. [CA] Each food facility shall be free of pest such as flies. Provide approved pest control services.

K30 - 2 Points - Food storage containers are not identified; 114047, 114049, 114051, 114053, 114055, 114067(h), 114069 (b)

Inspector Observations: Found several containers of food stored on floor in walk-in-cooler/freezer. [CA] Food shall be stored a minimum of 6 inches off floor.

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: Found water knob at warewash sink broken. Water is ONLY functional with spray nozzle. [CA] Facility shall install in another water knob. Water knob shall be able to turn on/off water.

Follow-up By
12/07/2023

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

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Inspector Observations: 1. Found mop sink cold water knob stuck. [CA] Ensure cold water knob is easily turned on/off.

2. Found mop sink hot water knob unable to shut off properly. Water knob keeps on turning. [CA] Repair hot water knob to be in good repair.

3. Found leaking drain line under 3 compartment sink (left) side.

4. Found leaking faucet at 1 compartment sink (middle) at front cooks line and 1-compartment sink (back) near warewash sink when water is on.
[CA] Repair leak.

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: Found accumulated food debris and spills under cooking equipment and shelving in small storage room in back area. [CA] Routinely clean.

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

Inspector Observations: Found browning discoloration on ceiling panel at cooks line. [CA] Routinely clean and/or replace ceiling panel.

Performance-Based Inspection Questions

Needs Improvement - Hands clean/properly washed/gloves used properly.

Measured Observations

Item	Location	Measurement	Comments
warm water	handsink (service area, cookline - household & 2RR)	100.00 Fahrenheit	
tripes	2 door cold top	52.00 Fahrenheit	diligent prep
beverage	1 door upright	40.00 Fahrenheit	
pork	counter	80.00 Fahrenheit	under TPHC
bean sprouts	2 door cold top	58.00 Fahrenheit	under TPHC
raw beef	2 door reach in	40.00 Fahrenheit	
meat	2 door reach in	36.00 Fahrenheit	
noodle	counter	63.00 Fahrenheit	under time as a public health control (TPHC)
meats	walk-in-freezer	4.90 Fahrenheit	
boiled chicken	2 door cold top	41.00 Fahrenheit	
meat broth	stove top	197.00 Fahrenheit	
broth	stove top	193.00 Fahrenheit	
tofu	walk-in	39.00 Fahrenheit	
chlorine	dish machine	50.00 PPM	
boiled pork	1 door reach in	46.00 Fahrenheit	
rice	rice cooker	187.00 Fahrenheit	
egg roll	counter	138.00 Fahrenheit	under TPHC
broth	walk-in	40.00 Fahrenheit	
rice	rice cooker	136.00 Fahrenheit	
boiled shrimp	1 door reach in	46.00 Fahrenheit	
cooked pork	2 door cold top	40.00 Fahrenheit	
hot water	warewash/(2x) 1-comp/mop sink	120.00 Fahrenheit	

Overall Comments:

A follow up inspection shall be conducted.

*****Subsequent follow up inspection after first follow up shall be billed \$290/hr during business hours and \$629/hrs (minimum of 2 hours) during nonbusiness hours upon availability.*****

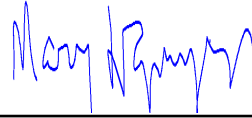
When required to determine compliance, a single reinspection will be conducted without additional charge. If subsequent reinspections are required, an hourly fee (minimum one hour) at the current rate approved by the Board of Supervisors will be assessed for each and every reinspection until the necessary changes or corrections are made. Unless otherwise noted by the inspector, all violations are to be corrected no later than **12/13/2023**. 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.

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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: Mary Nguyen
Owner

Signed On: November 29, 2023