

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 FA0278351 - PHO SAN JOSE		Site Address 1174 N CAPITOL AV, SAN JOSE, CA 95132		Inspection Date 10/08/2024		Placard Color & Score GREEN 78		
Program PR0420510 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name THUYEN NGUYEN		Inspection Time 13:40 - 16:30			
Inspected By ANABELLE GARCIA		Inspection Type ROUTINE INSPECTION		Consent By KEVIN				FSC Thu Nhan Nguyen 12/09/2024

RISK FACTORS AND INTERVENTIONS		IN	OUT		COS/SA	N/O	N/A	PBI
			Major	Minor				
K01	Demonstration of knowledge; food safety certification	X						N
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						
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		
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	X	
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	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

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

Inspector Observations: *In the preparation refrigerator inserts, multiple PHF's measure between 47-52F including: cooked chicken, beef bone, and brisket. Container were observed overfilled. Per operator, prep fridge lid had been left open for less than 2 hours.*

[CA] *Potentially hazardous foods shall be held cold at 41°F or below.*

[SA] *Operator was instructed to remove a portion of the food stored in the inserts and relocate them to walk in for rapid cool down.*

Minor Violations

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

Inspector Observations: *Cooked quail observed cooling in deep metal container.*

[CA] *After heating or hot holding, Potentially Hazardous Foods (PHFs) shall be cooled rapidly from 135°F to 70°F within 2 hours and from 70°F to 41°F within 4 hours.*

Approved cooling methods include:

- 1) *Placing the food in shallow pans*
- 2) *Separating the food into thinner or smaller portions.*
- 3) *Using rapid cooling equipment (Ex. blast chiller)*
- 4) *Using containers that facilitate heat transfer (ex. stainless steel)*
- 5) *Adding ice as an ingredient.*
- 6) *Using ice paddles*
- 7) *Using an ice bath and stirring frequently*

Cooling foods shall have enough space around the containers for cold air to circulate, be loosely covered, or uncovered and stirred as frequently needed to evenly cool.

[COS] *Cooked quail was relocated to the walk in cooler and placed on shallow pan.*

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: *Chlorine sanitizer measured at 0ppm in the dishwasher. Not in active use.*

[CA] *Maintain chlorine in mechanical warewash machine at 50 PPM.*

[COS] *Operator replaced sanitizer bucket, retested at 50ppm.*

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: *Multiple uncovered containers of raw and cooked meats were observed in walk in cooler, preparation refrigerator, and under counter refrigerator.*

[CA] *Ensure food is separated and protected contamination. Cover food containers properly.*

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: *Facility is lacking chlorine sanitizer test strips.*

[CA] *Testing equipment and materials shall be provided to adequately measure the applicable sanitization method used during manual or mechanical warewashing.*

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K36 - 2 Points - Equipment, utensils, linens: Improper storage and use; 114074, 114081, 114119, 114121, 114161, 114178, 114179, 114083, 114185, 114185.2, 114185.3, 114185.4, 114185.5

Inspector Observations: Utensils found stored in preparation refrigerator crevices.

[Ca] Ensure utensils are properly stored to prevent contamination.

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: Back door of facility was observed open. Mesh strip door is installed in doorway, creating large gaps.

[CA] Keep back door closed at all times to prevent the entrance and harborage of vermin.

Performance-Based Inspection Questions

Needs Improvement - Demonstration of knowledge; food manager certification.

Measured Observations

Item	Location	Measurement	Comments
beef broth	stove	208.00 Fahrenheit	
brisket	prep fridge insert	50.00 Fahrenheit	
cooked chicken	prep fridge insert	52.00 Fahrenheit	
raw steak	prep fridge insert	40.00 Fahrenheit	
meatball	prep fridge insert	40.00 Fahrenheit	
water	handwash sinks	100.00 Fahrenheit	
chlorine	dishwasher	0.00 PPM	retested at 50ppm
beef tendon	walk in cooler	67.00 Fahrenheit	cooling
cooked quail	prep fridge	68.00 Fahrenheit	improper cooling, in deep container
beef broth	stove (large holding pot)	176.00 Fahrenheit	
water	3 comp sink	120.00 Fahrenheit	
beef bone	prep fridge insert	47.00 Fahrenheit	
bean sprouts	ice bath	37.00 Fahrenheit	
water	2 comp sink	120.00 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 **10/22/2024**. 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: Thuyen Nguyen
owner
Signed On: October 08, 2024