

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 FA0303316 - PHO 408		Site Address 5540 WINFIELD BL 180, SAN JOSE, CA 95123		Inspection Date 05/19/2025		Placard Color & Score <div style="background-color: yellow; padding: 10px; text-align: center;"> YELLOW 56 </div>		
Program PR0445761 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name NGUYET NGUYEN		Inspection Time 12:40 - 14:15			
Inspected By JENNIFER RIOS		Inspection Type ROUTINE INSPECTION		Consent By THO				FSC Nguyet Nguyen 06/23/29

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						
K04	Proper eating, tasting, drinking, tobacco use			X				
K05	Hands clean, properly washed; gloves used properly			X				N
K06	Adequate handwash facilities supplied, accessible		X		X			N
K07	Proper hot and cold holding temperatures		X		X			N
K08	Time as a public health control; procedures & records						X	
K09	Proper cooling methods			X				N
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						S
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	X	
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	X	
K37	Vending machines		
K38	Adequate ventilation/lighting; designated areas, use		
K39	Thermometers provided, accurate	X	
K40	Wiping cloths: properly used, stored	X	
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		
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

K06 - 8 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

Inspector Observations: Both handwash sinks in the back preparation area were completely inaccessible (large red hose wrapped around faucet/sink in sink by three compartment sink. Food and food equipment in containers in handwash by preparation sink. Paper towels were not provided at handwash sink by three compartment sink and handwash sink in front preparation area. [CA] Single-use sanitary towels shall be provided in dispensers at all times during operation. Handwash sinks will be maintained accessible at all times. [COS] All items were removed from handwash sinks. Paper towels were provided at handwash sinks.

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

Inspector Observations: Noodles, raw shelled eggs and sausage were left out in the temperature danger zone (see measured observations). Per PIC, they are all brought out when facility opens (1 hour and 45 min prior to temperature measurement). Items are used during the lunch rush and then placed back into the walk in or other refrigeration after use. [CA] PHFs shall be held at 41°F or below or at 135°F or above.[COS] Items must be discarded at 3pm.

Bean sprouts in container of water measured 77F. Per PIC, they had been out since facility opened at 11am. [CA] PHFs shall be held at 41°F or below or at 135°F or above. [COS] Ice added to container.

Minor Violations

K04 - 3 Points - Improper eating, tasting, drinking or tobacco use in food preparation area; 113977

Inspector Observations: Observed two employees eating food while preparing cooked shrimp. [CA] No employee shall eat or drink in the food prep, food contact storage, or food storage areas, use designated area.

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 employee wash hands in preparation sink with water while still wearing gloves. Observed a second employee wash hands with only water. [CA] Ensure that gloves are removed and hands are washed with warm water and soap.

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

Inspector Observations: Beef measured 83F. Per PIC, it was cooked one hour prior to temperature measurement. Egg rolls in fryer basket measured 118F. [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
- 8) Accordance with a HACCP plan.

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.

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: Observed raw beef thawing in sanitizing compartment of three compartment sink. Observed employee preparing/cutting raw beef on the drain board of the mechanical warewash. [CA] Three compartment sink and mechanical warewash shall be used for warewashing and sanitizing only.

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

Inspector Observations: *Observed large cuts of raw beef in sanitizing compartment of three compartment sink thawing in standing water that measured 111F.*

[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 noodles and green vegetables stored under raw shelled eggs in walk in fridge.*

[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.*

K29 - 2 Points - Toxic substances improperly identified, stored, used; 114254, 114254.1, 114254.2

Inspector Observations: *Observed Raid inside facility meant for residential indoor use only. [CA] Only those insecticides, rodenticides, and other pesticides that are necessary and specifically approved for use in a food facility may be used. Remove Raid from facility.*

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: *Observed cups used as scoops in bulk food containers. [CA] Provide scoops with handles and store scoop handle in such a way that the handle does not come in direct contact with food to prevent contamination.*

Observed handle of ice scoop in contact with consumable ice. [CA] Handle to ice scoop shall be stored so that it is not in direct contact with ice.

K39 - 2 Points - Thermometers missing or inaccurate; 114157, 114159

Inspector Observations: *Probe thermometer was not available at time of inspection. [CA] An accurate easily readable metal probe thermometer (accurate to +/- 2°F) that is designed to measure the temperature of thin masses shall be provided and readily available to accurately measure the temperatures of potentially hazardous foods.*

K40 - 2 Points - Wiping cloths: improperly used and stored; 114135, 114185.1 114185.3(d,e)

Inspector Observations: *Observed many wiping cloths stored on preparation counters while not in use. [CA] Wiping towels shall be stored in sanitizing solution of an approved concentration when not in use (100 ppm - chlorine, 200 ppm - quaternary ammonium).*

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

Inspector Observations: *Observed leak in faucet at preparation sink. [CA] Repair plumbing fixture and maintain in clean and good repair.*

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: *Observed several bottles of employee medication stored on food preparation counter. [CA] Personal care items (medication/vitamins) shall bear a legible manufacturer's label and stored in a designated storage area for personal items.*

Observed employee phone stored on food preparation counter. [CA] No person shall store clothing or personal effects in any area used for the storage and preparation of food or food contact surfaces.

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Performance-Based Inspection Questions

Needs Improvement - Hands clean/properly washed/gloves used properly.
Needs Improvement - Proper cooling methods.
Needs Improvement - Proper hot and cold holding temperatures.
Needs Improvement - Adequate handwash facilities: supplied or accessible.

Measured Observations

Item	Location	Measurement	Comments
Beef	In container on counter	83.00 Fahrenheit	Placed into walk in fridge to cool.
Rice	Hot holding	183.00 Fahrenheit	
Bean sprouts	Container on shelf	77.00 Fahrenheit	Ice added.
Beef	Cold holding insert - front	40.00 Fahrenheit	
Hot water	Three compartment sink	120.00 Fahrenheit	
Ambient air	Walk in fridge	49.00 Fahrenheit	
Ambient air	Walk in fridge	41.00 Fahrenheit	Second measurement.
Egg roll	Fryer basket	118.00 Fahrenheit	Discard 3pm.
Water - thawing beef	Three compartment sink - sanitizing compartment	111.00 Fahrenheit	
Sausage	Container on counter	63.00 Fahrenheit	Discard 3pm.
Raw shelled eggs	Container on counter	74.00 Fahrenheit	Discard 3pm.
Beef	2 Dr reach in freezer	7.00 Fahrenheit	
Beef	Cold holding insert	40.00 Fahrenheit	
Warm water	Handwash	100.00 Fahrenheit	
Chlorine	Mechanical warewash	50.00 PPM	
Noodles	On counter	77.00 Fahrenheit	Discard 3pm.
Chicken	Cold holding insert	40.00 Fahrenheit	
Beef	Reach in freezer	4.00 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 **6/2/2025**. 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: Danny Nguyen
Owner

Signed On: May 19, 2025