

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 FA0206659 - PHO DAO		Site Address 1631 N CAPITOL AV, SAN JOSE, CA 95132		Inspection Date 11/13/2023	
Program PR0302454 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name TRAN, QUANG		Inspection Time 15:30 - 17:15
Inspected By RAYMOND CHUNG	Inspection Type ROUTINE INSPECTION	Consent By SANG TRAN (408) 669-9223	FSC Not Available		

Placard Color & Score
GREEN
78

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						
K06 Adequate handwash facilities supplied, accessible			X	X			S
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		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	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		
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		
K39 Thermometers provided, accurate		
K40 Wiping cloths: properly used, stored		X
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		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

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

Inspector Observations:

1. Observed several unused bags of fresh rice noodles placed at the bottom of the moveable cart in the kitchen at room temperature. [corrective action] Keep noodles cold at 41F or below. [corrective action] Per chef, bags were removed from cooler 1 hour ago. Bags were returned to the reach-in cooler. Small amount was left in kitchen for use during service.

2. Observed a pot of beef soup placed on the floor in front of stove. Soup measured at 130F. Per chef, pot of soup was removed from the stock pot burner to make room to cook a pot of beef tendons. [corrective action] Soup must be hot held at 135F or above or rapidly cooled down and cold held at 41F or below. [correction] Pot of soup was placed on top of the stove to reheat and hot hold.

Minor Violations

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

Inspector Observations:

Manager's Food Safety Certificate was not available. [corrective action] Provide a valid Food Safety Certificate. Maintain certificate at this facility.

K06 - 3 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

Inspector Observations:

Large baskets were placed on top of the back hand sink. [corrective action] Keep all hand sinks clear and accessible for hand washing. Do not store anything in or on top of any hand sinks. [corrective action] Baskets were removed.

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 containers of pho spices held in uncovered containers above the chest freezer. [corrective action] Provide lids for each container.

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:

Observed flattened cardboard used to line dry storage shelves and freezer shelves. [corrective action] Cardboard is not approved for use as a shelf liner. Remove the cardboard and provide a material that is smooth, easily cleanable, and non-absorbent.

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

Inspector Observations:

Observed multiple used wiping towels placed on top of work surfaces in the kitchen. [corrective action] Store towels in sanitizing solution when not in use.

Note: Bleach sanitizer preparation was reviewed with the owner. Test strips were available to check sanitizer concentration.

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

Inspector Observations:

Wall above the food preparation sink found with chip pain. [corrective action] Refinish the wall to prevent paint chips from falling into food preparation area.

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Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
beef brisket	prep unit (bun bo hue)	38.00 Fahrenheit	
beef brisket	prep unit	38.00 Fahrenheit	
bean sprout	2-door reach-in cooler	41.00 Fahrenheit	
beef soup	kitchen floor	130.00 Fahrenheit	
beef flank	prep unit	38.00 Fahrenheit	
pork blood	prep unit (bun bo hue)	33.00 Fahrenheit	
warm water	men's restroom	100.00 Fahrenheit	
beef soup (cooling)	walk-in freezer	90.00 Fahrenheit	Per chef, soup was placed in freezer at around 1 PM
marinated pork	reach-in cooler	40.00 Fahrenheit	
beef brisket	reach-in cooler	37.00 Fahrenheit	
hot water	3-compartment sink	143.00 Fahrenheit	
beef soup	walk-in freezer	11.00 Fahrenheit	
rice noodles	moveable cart in kitchen	65.00 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 **11/27/2023**. 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.

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: Sang Tran
Owner

Signed On: November 13, 2023