

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 FA0253984 - PHO DUOI BO		Site Address 2465 ALVIN AV, SAN JOSE, CA 95121		Inspection Date 07/16/2025		Placard Color & Score YELLOW 62		
Program PR0370081 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name OXTAIL PHO CORP		Inspection Time 10:30 - 12:10			
Inspected By HENRY LUU		Inspection Type ROUTINE INSPECTION		Consent By DON				FSC Bich Nguyen 05/28/2030

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						S
K04	Proper eating, tasting, drinking, tobacco use			X				
K05	Hands clean, properly washed; gloves used properly	X						
K06	Adequate handwash facilities supplied, accessible			X				
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		X			N
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	X	
K27	Food separated and protected		
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		X
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: *Bean sprouts maintained in water in ambient temperature measured at 58F.*

Employee added ice into the container. Bean sprouts later measured at 51F towards the end of the inspection.

Follow-up By
07/21/2025

Observed large tub of prepackaged raw beef ribs and various types of raw beef cuts maintained out in ambient temperature. No active preparation was being conducted. Employee stated that the beef was delivered today and is going to be cooked.

Observed stacks of cooked beef flank meat and/or beef brisket maintained above the load limit of the food preparation refrigerator measuring between 48F at the top and 43F at the bottom. Employee stated that the meat was sliced about 30 minutes to an hour prior.

[CA] PHFs shall be held at 41°F or below or at 135°F or above. Use only small portions of food during preparation so that it does not exceed the maximum amount of time allowed for diligent prep. Discontinue storing meats above the load limit of the food preparation refrigerator.

[COS] Additional ice was added into the bean sprouts.

K11 - 8 Points - Improper reheating procedures for hot holding; 114014, 114016

Inspector Observations: *Beef ribs maintained inside the hot holding unit measured between 45F above the soup and at 53F for ribs submerged inside the soup. Employee stated that the beef ribs were taken out from the preparation refrigerator to reheat to a warm temperature approximately 30 minutes prior. Upon orders, the beef ribs are reheated again inside the large soup prior to service.*

Follow-up By
07/21/2025

[CA] Reheating for hot holding shall be done rapidly, and the time the food is between 41°F and 165°F shall not exceed two hours.

Discontinue reheated PHF items inside the hot holding unit.

[COS] Instructed employee to reheat beef ribs inside large soup pot.

Minor Violations

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

Inspector Observations: *Employee's bowl of chicken nuggets maintained on top of the food preparation refrigerator.*

[CA] No employee shall eat or drink in the food prep, food contact storage, or food storage areas, use designated area. Provide designated location for employees to store personal food and beverages, separated and protected from restaurant food.

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

Inspector Observations: *Hand wash sink in the kitchen partially obstructed with a strainer maintained inside the wash basin.*

[CA] Handwashing facility shall be clean, unobstructed, and accessible at all times.

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

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Inspector Observations: Surface temperature of the high temperature dish machine measured at 143F via DishTemp. At time of inspection, no active ware washing was being conducted.

[CA] Water in the rinse cycle must be at or above 171°F for 30 seconds in the high temperature dishwasher. Ensure surface temperature of utensils reached at minimum of 160F.

[SA] Temporarily utilize the three-compartment sink for manual ware washing. Manual warewashing shall be accomplished by using a three-compartment sink where the utensils are first precleaned, washed with hot soapy water, rinsed with hot water, sanitized with an approved method, and air dried. Use 1 TBS of bleach (5.25%) per 1 gal. of water for chlorine solution (100 PPM). Use 1 tbs of quaternary ammonium (10%) per 2 gal. of water for quaternary ammonium (200 PPM).

**** Note: Undercounter dish machine did not go through plan check process. Cease and desist usage of the dish machine until equipment has been approved by this Division.**

K22 - 3 Points - Sewage and wastewater improperly disposed; 114197

Inspector Observations: Observed janitorial sink slow to drain. No back-up of sewage observed.

Observed kitchen hand wash sink slow to drain.

[CA] Food facility shall not operate if there is sewage overflowing or backing up in the food facility. The food facility, or impacted areas, shall remain closed until all plumbing problems have been corrected and all contaminated surfaces have been cleaned and sanitized. Investigate cause and repair in an approved manner.

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

Inspector Observations: Observed numerous bags of frozen beef tripe thawing in buckets of standing water inside the dry storage room.

[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.

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 lacks test strips to measure sanitizer concentration and/or high temperature dish machine.

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

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: Bowls used as scoops for dry ingredients.

[CA] Use approved utensils such as scoops or spoons with handles to ensure hands do not come in direct contact with food.

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 employee's personal phone stored inside a bowl at the food preparation table.

[CA] No person shall store clothing or personal effects in any area used for the storage and preparation of food or food contact surfaces. Utilize provided lockers.

K48 - 2 Points - Plan review unapproved; 114380

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Inspector Observations: Facility has removed the previously observed upright dishmachine and replaced with a high temperature undercounter dish machine.

Follow-up By
07/30/2025

Facility has not received prior approval for the installation and use of the dish machine.

[CA] A person proposing to build or remodel a food facility shall submit plans and specifications for review and shall receive plan approval prior to starting any new construction or remodeling. Contact DEH at 408-918-3400 or at www.ehinfo.org to obtain plan check requirements.

Immediately cease and desist usage of the dish machine. Submit plan check application prior to comply-by date. Facility shall received approval from the this Division and completed the final plan check inspection to ensure equipment is installed as proposed on plans.

Performance-Based Inspection Questions

Needs Improvement - Proper reheating procedures for hot holding.

Measured Observations

Item	Location	Measurement	Comments
Boba	Warmer	136.00 Fahrenheit	
Cooked ox tail	Hot holding unit	137.00 Fahrenheit	
Pho soup	Cook line	190.00 Fahrenheit	
Beef lard	Two-door upright refrigerator	41.00 Fahrenheit	
Cooked beef tendon	Two-door reach-in refrigerator	38.00 Fahrenheit	
Wrapped whole beef flank	One-door upright refrigerator	40.00 Fahrenheit	
Beef ribs	Food preparation refrigerator	41.00 Fahrenheit	
Beef balls	Hot holding unit	138.00 Fahrenheit	
Food preparation sink	Front service	122.00 Fahrenheit	
Cooked ox tail	Food preparation refrigerator	39.00 Fahrenheit	
Hot water	Three-compartment sink	139.00 Fahrenheit	
Cooked ox tail	One-door upright refrigerator	36.00 Fahrenheit	
Raw beef slices	Food preparation refrigerator	38.00 Fahrenheit	
Beef tripe	One-door upright refrigerator	35.00 Fahrenheit	

Overall Comments:

- Two or more major violations were observed during the routine inspection.
- A follow-up inspection will be conducted to verify compliance of all major violations.
- Subsequent follow-up inspection after first follow-up shall be billed \$298/hour, minimum one hour, during normal business hours (Monday - Friday, 7:30 AM to 4:30 PM), and \$645/hour, minimum two hours, during non-business hours, and upon inspector availability.
- The posted placard is property of the Santa Clara County Department of Environmental Health and shall not be removed, covered-up, relocated, tampered, or copied. Failure to comply may result in enforcement actions per County Ordinance Code Section B11-55.
- Joint inspection with Maverick C.

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 **7/30/2025**. 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: Dung L.
Manager

Signed On: July 16, 2025