

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 FA0271044 - PHO 90 DEGREES		Site Address 999 STORY RD 9090, SAN JOSE, CA 95122		Inspection Date 01/10/2022	
Program PR0408946 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name BUI, NGOC		Inspection Time 13:20 - 14:30
Inspected By HENRY LUU	Inspection Type RISK FACTOR INSPECTION		Consent By PHUC TRAN	FSC Ngoc Bui 12/5/2022	

Placard Color & Score
GREEN
N/A

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						S
K03 No discharge from eyes, nose, mouth	X						S
K04 Proper eating, tasting, drinking, tobacco use	X						S
K05 Hands clean, properly washed; gloves used properly	X						S
K06 Adequate handwash facilities supplied, accessible	X						S
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						
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		
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		
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		
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		
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: Multiple PHF items (cooked coagulated pork blood, broiled chicken, raw and cooked pork) maintained in top insert of preparation refrigerator adjacent to preparation sink measured between 50F to 56F. Per PIC, all items were prepared in the morning and have been maintained inside the preparation refrigerator. Ambient temperature of refrigerator measured at 54F. [CA] Ensure all cold PHF are maintained at 41F or below. Repair refrigerator in an approved manner. Ensure refrigerator is able to maintain PHF at 41F or below. [COS] Employee relocated all PHF into adjacent preparation refrigerator to immediately cool.

Bean sprouts maintained out in ambient temperature. [CA] Maintain cold PHF at 41F or below. [COS] Employee added ice to bean sprouts.

Minor Violations

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

Inspector Observations: Multiple whole cooked beef brisket and beef flanks actively cooling were tightly wrapped in plastic and stacked together prior to placing into walk-in refrigerator to continue cooling process. [CA] Ensure all PHF are rapidly cooled from 135F to 70F or below within two hours, and from 70F to 41F or below within an additional four hours (total six hours). To rapidly cool: a) separate into smaller and thinner portions b) utilize ice bath and/or ice paddles c) loosely cover items to allow for hot air exchange d) provide adequate spacing between cooling items.

K23 - 3 Points - Observed rodents, insects, birds, or animals; 114259.1, 114259.4, 114259.5

Inspector Observations: Two dead cockroaches observed on wall above beverage preparation area. Facility has pest control servicing facility monthly. No live activity was observed during inspection. [CA] Facility shall be kept free of pest. Clean and sanitize affected areas. Frequently clean facility to remove food debris/sources of food for pest.

Performance-Based Inspection Questions

Needs Improvement - Proper cooling methods.

Needs Improvement - Proper hot and cold holding temperatures.

Measured Observations

Item	Location	Measurement	Comments
Cooked beef flank	Preparation refrigerator	41.00 Fahrenheit	Top insert
Chlorine sanitizer	Mechanical ware wash	50.00 PPM	Kitchen for pho
Hot water	Preparation sink	128.00 Fahrenheit	Kitchen for noodles
Quat ammonia	Three-compartment ware wash sink	200.00 PPM	Kitchen for pho
Raw beef	Preparation refrigerator	39.00 Fahrenheit	Top insert
Cooked red beans	Two-door upright refrigerator	34.00 Fahrenheit	Beverage preparation area
Raw beef	Preparation refrigerator	38.00 Fahrenheit	Kitchen for rice plates
Hot water	Preparation sink	139.00 Fahrenheit	Kitchen for rice plates
Cooked beef flank	Walk-in refrigerator	40.00 Fahrenheit	Kitchen for noodles
Raw marinated pork chop	Preparation refrigerator	40.00 Fahrenheit	Kitchen for rice plates
Cooked rice	Rice warmer	164.00 Fahrenheit	Kitchen for rice plates

Overall Comments:

A risk factor inspection is an inspection focusing on factors known to directly contribute to causing a foodborne illness. Structural issues and good retail practices were not assessed during this inspection.

Signature not obtained due to COVID-19 and social distancing parameters.

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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 **1/24/2022**. 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: Phuc Tran
Manager

Signed On: January 10, 2022

Comment: No signature obtained due to COVID surge.