

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 FA0251452 - BANH MI HONG PHAT		Site Address 1928 ABORN RD, SAN JOSE, CA 95121		Inspection Date 11/17/2022	
Program PR0365403 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name BANH MI HONG PHAT LLC		Inspection Time 13:00 - 14:00
Inspected By HENRY LUU	Inspection Type ROUTINE INSPECTION	Consent By JOHN PHAM	FSC John Pham 06/22/2026		

Placard Color & Score
GREEN
79

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				
K05 Hands clean, properly washed; gloves used properly	X						
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		X			S
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		
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		X
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		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

K08 - 8 Points - Improperly using time as a public health control procedures & records; 114000

Inspector Observations: Multiple PHF items subjected to time as public health control (TPHC) lacked labels indicating time at which item was removed from temperature control and/or time at which 4 hours have elapsed and shall be immediately consumed or discarded. [CA] When time only, rather than time and temperature is used as a public health control, PHFs shall be time marked to indicate when item is removed from temperature control, discarded if not consumed or served within 4 hours, and written procedures shall be readily available for review. [COS] Employee provided time labels.

Minor Violations

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

Inspector Observations: Employee's opened beverage stored on food preparation table in back kitchen. [CA] No employee shall eat or drink in the food prep, food contact storage, or food storage areas, use designated area. Utilize cups with lids and straws.

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

Inspector Observations: Hand wash station in back of kitchen by the food preparation sink obstructed with large metal bowl placed on top of basin. [CA] Handwashing facility shall be clean, unobstructed, and accessible at all times.

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

Inspector Observations: Heavy presence of live flies throughout facility. [CA] Use any and all approved methods to abate live flies.

K32 - 2 Points - Food improperly labeled & not honestly presented: 114087, 114089, 114089.1(a, b), 114090, 114093.1

Inspector Observations: Numerous prepackaged food items maintained on the sales floor for customer self-service lack appropriate labels. [CA] Food prepackaged in a food facility shall bear a label with the following: 1) common name of the food, 2) list of ingredients in descending order of predominance by weight, 3) quantity of contents, 4) name and place of business of the manufacturer, packer, or distributor.

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: Employee's shoes stored on shelf below food preparation table where pots, pans, and cooking utensils are stored. [CA] No person shall store clothing or personal effects in any area used for the storage and preparation of food or food contact surfaces.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

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Measured Observations


<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
Raw shelled eggs	Merchandiser - sales floor	43.00 Fahrenheit	
Sliced ham	Banhi mi preparation refrigerator	41.00 Fahrenheit	
Hot water	Three-compartment sink	122.00 Fahrenheit	
Sliced headcheese	Banh mi preparation refrigerator	40.00 Fahrenheit	
Cooked shrimp	Walk-in refrigerator	41.00 Fahrenheit	
Pickled vegetables with pork	Steam table	149.00 Fahrenheit	
Braised pork belly	Steam table	139.00 Fahrenheit	
Braised fish	Steam table	138.00 Fahrenheit	
Grilled pork	Banh mi preparation refrigerator	40.00 Fahrenheit	
Cooked rice	Rice warmer	151.00 Fahrenheit	
Salad with shrimp (goi)	Merchandiser - sales floor	39.00 Fahrenheit	
Sweet bean desserts	Merchandiser - sales floor	37.00 Fahrenheit	
Pate	Banh mi preparation refrigerator	41.00 Fahrenheit	
Cooked shrimp	Steam table	136.00 Fahrenheit	
Diced BBQ pork	Banh mi preparation refrigerator	40.00 Fahrenheit	
Sliced fancy pork (cha lua)	Banh mi preparation refrigerator	40.00 Fahrenheit	
Cooked pork	Walk-in refrigerator	41.00 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 **12/1/2022**. 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: John Pham
Owner

Signed On: November 17, 2022