

# 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 FA0208596 - PHO PASSION & MINT TEA CO		Site Address 301 E SANTA CLARA ST A, SAN JOSE, CA 95113		Inspection Date 10/08/2025	
Program PR0304852 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name MHTA CORPORATION		Inspection Time 13:10 - 14:55
Inspected By ALEXANDER ALFARO	Inspection Type ROUTINE INSPECTION		Consent By KYM	FSC KymHuynh Pham 05/03/2028	

Placard Color & Score
<b>GREEN</b>
<b>87</b>

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						S
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		
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		
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		
K37 Vending machines		
K38 Adequate ventilation/lighting; designated areas, use		
K39 Thermometers provided, accurate		X
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

No major violations were observed during this inspection.

### Minor Violations

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

**Inspector Observations:**

***The front service area handwash station lacks a dispenser for the paper towels and soap.***

***[CA] Handwashing facilities shall be equipped with handwashing cleanser and single-use sanitary towels in dispensers.***

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:**

***The undercounter dishwasher measured at 10 PPM of chlorine while not in active use.***

***[CA] Maintain chlorine in mechanical warewash machine at 50 PPM.***

***[COS] Staff primed the machine and chlorine measured at 50 ppm.***

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

**Inspector Observations:**

***Third Repeat Violation: Under the service counter, near the water heater, and near the dishwasher there were rodent droppings.***

***[CA] Clean and sanitize area of dead cockroaches or old droppings. Per permitholder they recently switched pest control service provider about a month ago to Crane Pest Control and are scheduled to return on 10/10/25.***

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:**

***Second Repeat Violation: Facility lacks testing materials for their choice of sanitizer at the three compartment sink and dishwasher, chlorine.***

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

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

**Inspector Observations:**

***A metal probe thermometer capable of measuring cold temperatures was not available.***

***[CA] Obtain a metal probe thermometer capable of measuring cold temperatures.***

### 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>
Pho	Walk in Cooler	40.00 Fahrenheit	
Potstickers	Upright Freezer	4.00 Fahrenheit	
Chlorine	Dishwasher	10.00 PPM	
Beef Brisket	Prep Cooler	40.00 Fahrenheit	
Pho	Walk in Cooler	41.00 Fahrenheit	
Chicken	Prep Cooler	40.00 Fahrenheit	
Beef	Walk in Freezer	10.00 Fahrenheit	
Water	Three Compartment Sink	130.00 Fahrenheit	
Water	Handwash Stations	100.00 Fahrenheit	
Pho	Stove	160.00 Fahrenheit	

## Overall Comments:

### Notes:

- A follow up inspection will be conducted to verify compliance with K14 and K23.

- Failure to correct repeat violations will result in further enforcement from this department such as an office hearing from repeated violations from vermin.

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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 **10/22/2025**. 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:

<b>[CA]</b>	Corrective Action
<b>[COS]</b>	Corrected on Site
<b>[N]</b>	Needs Improvement
<b>[NA]</b>	Not Applicable
<b>[NO]</b>	Not Observed
<b>[PBI]</b>	Performance-based Inspection
<b>[PHF]</b>	Potentially Hazardous Food
<b>[PIC]</b>	Person in Charge
<b>[PPM]</b>	Part per Million
<b>[S]</b>	Satisfactory
<b>[SA]</b>	Suitable Alternative
<b>[TPHC]</b>	Time as a Public Health Control




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**Received By:** Kym  
Owner

**Signed On:** October 08, 2025