

# 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 FA0206999 - PHO CUONG	Site Address 1739 BERRYESSA RD A, SAN JOSE, CA 95133	Inspection Date 04/10/2024
Program PR0302775 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11	Owner Name NGUYEN, HONG HA	Inspection Time 08:15 - 09:40
Inspected By ANABELLE GARCIA	Inspection Type FOLLOW-UP INSPECTION	Consent By SON

Placard Color & Score

**RED**  
**N/A**

### Comments and Observations

#### Major Violations

Cited On: 04/10/2024

K23 - 8 Points - Observed rodents, insects, birds, or animals; 114259.1, 114259.4, 114259.5

**Inspector Observations: Below center prep fridge unit, 15+ dead cockroaches in all stages of life were observed on glue boards. In the janitorial sink, 20+ dead cockroaches were observed, all in different stages of life. 3 live cockroaches were observed throughout the kitchen, all abated by operator.**

Follow-up By  
04/15/2024

**[CA] Maintain the facility free of cockroaches. Clean and sanitize all affected areas.**

#### Minor Violations

Cited On: 04/10/2024

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: Back door of facility was observed open.**

Follow-up By  
04/15/2024

**[CA] Ensure back door remains closed at all times to prevent vermin entrance.**

#### Measured Observations

N/A

#### Overall Comments:

**This is a follow-up inspection to the routine inspection conducted on 4/8/2024. Facility was issued a red placard (closure) due live cockroach activity. Per operator, facility received pest control services on the evening of 4/8/2024.**

**Other major violation K07: (Improper hot and cold holding temperatures) was not observed because facility is not in operation.**

**Gap under back door was properly sealed but door was observed open. Ensure back door remains closed at all times.**

**Ensure all areas of live and dead cockroach activity are thoroughly cleaned and sanitized. Closely monitor glue boards and replace as needed. Contact pest control for additional guidance. Continue to work on all other violations mentioned on the 4/8/2024 inspection report.**

**A 2nd follow up inspection will be conducted within 3 business days. The 1st follow-up inspection is free of charge. Any and all subsequent follow-up inspection will be billed at the approved hourly rate of \$290/hr, minimum of one hour during regular business hours (Monday - Friday, 7:30 AM to 4:30 PM), and \$629/hr, minimum two hours, during non-business hours, and upon inspector availability.**

# OFFICIAL INSPECTION REPORT

Facility FA0206999 - PHO CUONG	Site Address 1739 BERRYESSA RD A, SAN JOSE, CA 95133	Inspection Date 04/10/2024
Program PR0302775 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11	Owner Name NGUYEN, HONG HA	Inspection Time 08:15 - 09:40

## CLOSURE / PERMIT SUSPENSION NOTICE


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 **4/24/2024**. 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.

This notice is to inform you that as of this date the Environmental Health Permit for the above mentioned food facility is hereby suspended and all operations therewith are ordered to cease. This action is taken in accordance with Section 114409 of the California Health and Safety Code which states 'If any imminent health hazard is found, unless the hazard is immediately corrected, an enforcement officer may temporarily suspend the permit and order the food facility or cottage food operation immediately closed.'

You have the right to make a written request for a hearing within 15 days after receipt of this notice to show just cause why the permit suspension is not warranted. Failure to request such a hearing within the 15-day period shall be deemed a waiver of the right to a hearing. After these violations have been corrected, you must call the Department of Environmental Health for a reinspection to reinstate the permit to operate. Phone #: (408)918-3400.

### 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: Son Nguyen  
owner

Signed On: April 10, 2024