

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 11/05/2025		Placard Color & Score GREEN 76		
Program PR0408946 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name BUI, NGOC		Inspection Time 10:00 - 11:00			
Inspected By HENRY LUU		Inspection Type ROUTINE INSPECTION		Consent By KENNY				FSC Chau Huynh 07/22/2028

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				N
K05	Hands clean, properly washed; gloves used properly	X						
K06	Adequate handwash facilities supplied, accessible			X				N
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		
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		X
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		X
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: *One pot of beef broth maintained at the cook line measured at 109F. Manager stated that beef bones were prepared in the broth yesterday evening. Once the bones were removed, the pot of soup was maintained out in ambient temperature to be used for soup.*

Bean sprouts maintained in an inadequate ice bath measuring between 40F to 50F.

Observed PHF items (cooked ground pork, sliced beef, sliced pork, quail eggs, cooked beef tendon) maintained inside bowls, and then placed on top of the inserts of the preparation refrigerator.

Employee stated that all food items were recently brought out since the facility just opened.

[CA] PHFs shall be held at 41°F or below or at 135°F or above.

[COS] Pot of soup was VC&D due to time and temperature abuse. Additional ice was added to the container of bean sprouts. PHF items in bowls were placed directly inside the metal containers designated for the food preparation refrigerator.

Minor Violations

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

Inspector Observations: *Employee observed consuming opened beverages inside the kitchen in areas of food preparation. Employees beverages stored in areas of food preparation.*

[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, that is separated and protected from facility food. Utilize cups with lids and straws.

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

Inspector Observations: *The only hand wash station in the kitchen lacked warm water. Accumulation of grime observed on faucets and knobs. Hot water faucet was also difficult to turn.*

[CA] Handwashing facility shall be clean, unobstructed, and accessible at all times. Handwashing facilities shall be equipped to provide minimum 100°F water under pressure for a minimum of 15 seconds.

K21 - 3 Points - Hot and cold water not available; 113953(c), 114099.2(b), 114163(a), 114189, 114192, 114192.1, 11419

Inspector Observations: *Warm water not provided at the only hand wash station in the kitchen.*

[CA] Handwashing facilities shall be equipped to provide minimum 100°F water under pressure for a minimum of 15 seconds.

[COS] PIC turned on the main water valve. Hot water provided.

Hot water at the food preparation sink and three-compartment sink initially measured at 117F, and then dropped to 112F.

[CA] Hot water shall be supplied at a minimum temperature of at least 120°F measured from the faucet throughout facility except at handwash sinks.

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

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Inspector Observations: *Observed one dead cockroach nymph inside the paper towels at the bar area. No other signs of activity was observed throughout the facility. Manager stated that the facility is serviced monthly. Pest control reports were provided for review.*

[CA] Clean and sanitize area of dead cockroaches.

K33 - 2 Points - Nonfood contact surfaces not clean; 114115(c)

Inspector Observations: *Heavy accumulation of grime observed on door handles of all refrigerator door handles. Heavy accumulation of grime observed on storage racks throughout the facility.*

[CA] Nonfood-contact surfaces of equipment shall be kept free of an accumulation of dust, dirt, food residue, and other debris.

K46 - 2 Points - Unapproved private home/living/sleeping quarters; 114285, 114286

Inspector Observations: *Observed bed in the upstairs storage area.*

[CA] No sleeping accommodations shall be maintained or kept in any room where food is prepared, stored, or sold.

Performance-Based Inspection Questions

Needs Improvement - Proper eating, tasting, drinking, tobacco use.

Needs Improvement - Proper hot and cold holding temperatures.

Needs Improvement - Adequate handwash facilities: supplied or accessible.

Measured Observations

Item	Location	Measurement	Comments
Cooked shrimp	Two-door upright refrigerator	37.00 Fahrenheit	
Chlorine sanitizer	Mechanical dish machine	50.00 PPM	
Cooked sliced beef	Food preparation refrigerator	40.00 Fahrenheit	
Pho broth	Cook line	182.00 Fahrenheit	
Sliced cooked pork	Food preparation refrigerator	39.00 Fahrenheit	
Cooked pork	Walk-in refrigerator	40.00 Fahrenheit	
Half & half	Two-door beverage refrigerator	37.00 Fahrenheit	
Cooked beef tendon	Food preparation refrigerator	40.00 Fahrenheit	
Warm water	Hand wash sink	105.00 Fahrenheit	
Raw beef	Food preparation refrigerator	40.00 Fahrenheit	
Raw beef	Two-door upright refrigerator	35.00 Fahrenheit	

Overall Comments:

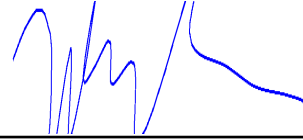
When required to determine compliance, a single reinspection will be conducted without additional charge. If subsequent reinspections are required, an hourly fee (minimum one hour) at the current rate approved by the Board of Supervisors will be assessed for each and every reinspection until the necessary changes or corrections are made. Unless otherwise noted by the inspector, all violations are to be corrected no later than **11/19/2025**. 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: Phuc T.
Manager
Signed On: November 05, 2025