

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 FA0278351 - PHO SAN JOSE		Site Address 1174 N CAPITOL AV, SAN JOSE, CA 95132		Inspection Date 09/01/2026		Placard Color & Score GREEN 70		
Program PR0420510 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name THUYEN NGUYEN		Inspection Time 14:25 - 16:35			
Inspected By MAVERICK CHIN		Inspection Type ROUTINE INSPECTION		Consent By THANH AND THUYEN				FSC Not Available

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	X			N
K06	Adequate handwash facilities supplied, accessible	X						
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	X			S
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						S
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						S
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				S

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	X	
K28	Fruits and vegetables washed		
K29	Toxic substances properly identified, stored, used		
K30	Food storage: food storage containers identified	X	
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	X	
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	X	
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

K07 - 8 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

Inspector Observations:

At the cook-line, raw shell eggs measured 76F, bean sprouts measured 74F, a summer rolls measured 71F. Per staff, raw shell eggs removed from refrigeration less than 2 hours prior, bean sprouts had been maintained out for approximately 3 hours, and summer rolls had been prepared less than 45 minutes prior. Per staff, summer rolls are maintained out in ambient, but are used at a rate in which they do not stay in ambient for more than 2 hours. No evidence of time markings observed for summer rolls.

At the entrance to the kitchen, bean sprouts measured 67F in a large tub in ambient, sliced pork measured 62F and shrimp measured 56F while maintained in a completely melted ice bath. Per staff, items had been removed from refrigeration approximately 10 minutes prior. Upon further questioning, staff stated that items may have been removed from refrigeration about 1 hour prior.

In the prep cooler across from the cook-line, beef brisket and sliced beef measured between 43F and 45F while maintained overfilled over the fill limits or in bowls on top of the inserts. Per staff, items had been relocated there approximately 45 minutes prior.

[CA] Potentially hazardous foods shall be held at 41F or below, or at 135F or above to prevent the growth of bacteria.

[COS] Summer rolls to be served or discarded by 6PM. All other potentially hazardous foods were either relocated to refrigeration or placed into proper ice baths.

TPHC form for summer rolls filled out with the manager.

Minor Violations

K01 - 3 Points - Inadequate demonstration of knowledge; food manager certification

Inspector Observations:

A valid food safety certificate could not be provided. Per the PIC, the old manager is now employed at the other location and the new manager has not yet obtained her food safety certification.

[CA] Food facilities that prepare, handle, or serve non-prepackaged potentially hazard foods shall have a valid Food Safety Certificate available for review at all times.

K05 - 3 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

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Inspector Observations:

Observed an employee scratching his armpit on the outer layer of his shirt and handling his personal phone, then proceeded to place a hand on bean sprouts maintained in ambient.

Observed the manager returning back into the kitchen after a smoke break, donned gloves, then attempted to resume handling food before being stopped and instructed to wash hands.

Observed employee handle raw meat, then did not wash hands thereafter. No direct contamination observed.

Observed employee move a trash can, then did not wash hands thereafter.

Observed dishwashing employee handle soiled dishes, then attempted to take cleaned dishes out of the mechanical dishwasher before being stopped.

[CA] Employees shall wash their hands in all of the following scenarios:

- (1) Immediately before engaging in food preparation, including working with nonprepackaged food, clean equipment and utensils, and unwrapped single-use food containers and utensils.*
- (2) After touching bare human body parts other than clean hands and clean, exposed portions of arms.*
- (3) After using the toilet room.*
- (4) After caring for or handling any animal allowed in a food facility pursuant to this part.*
- (5) After coughing, sneezing, using a handkerchief or disposable tissue, using tobacco, eating, or drinking.*
- (6) After handling soiled equipment or utensils.*
- (7) During food preparation, as often as necessary to remove soil and contamination and to prevent cross-contamination when changing tasks.*
- (8) When switching between working with raw food and working with ready-to-eat food.*
- (9) Before initially donning gloves for working with food.*
- (10) Before dispensing or serving food or handling clean tableware and serving utensils in the food service area.*
- (11) After engaging in other activities that contaminate the hands.*

[COS] Instructed aforementioned employees to de-glove and properly wash hands.

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

Inspector Observations:

Four plastic bags of poached chicken measured between 63F and 65F while maintained on the upper-most shelf in the walk-in cooler. Per the PIC, chicken had been cooked, placed into bags, and placed into the walk-in cooler to cool approximately 3-4 hours prior.

Observed beef brisket cooling while maintained wrapped in multiple layers of thick plastic in the walk-in cooler.

In the walk-in freezer, 8 containers beef broth measured between 61F and 68F. Per the PIC, beef broth had been cooked and relocated to the walk-in freezer approximately 3-4 hours prior.

[CA] After heating or hot holding, Potentially Hazardous Foods (PHFs) shall be cooled rapidly from 135°F to 70°F within 2 hours and from 70°F to 41°F within 4 hours. Approved cooling methods include: 1) Placing the food in shallow pans 2) Separating the food into thinner or smaller portions. 3) Using rapid cooling equipment (Ex. blast chiller) 4) Using containers that facilitate heat transfer (ex. stainless steel) 5) Adding ice as an ingredient. 6) Using ice paddles 7) Using an ice bath and stirring frequently 8) Accordance with a HACCP plan. Cooling foods shall have enough space around the containers for cold air to circulate, be loosely covered, or uncovered and stirred as frequently needed to evenly cool.

**Note: Per PIC, beef broth is from concentrate. Consider adding ice (instead of additional water) to aid in the cooling process. Alternatively, facility may consider the use of ice paddles.*

[COS] Chicken and brisket was unbagged/unwrapped to facilitate cooling. Instructed employees to stir beef broth to facilitate cooling.

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

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Inspector Observations:

Observed 10+ flies flying around the area of the cook-line. Observed flies flying close to uncovered containers of food.

At the back kitchen area, observed 5+ flies near the open back door and mop sink.

[CA] Food facility shall be kept free of non-disease carrying insects, weevils, ants, gnats, and fruit flies.

K27 - 2 Points - Food not separated and unprotected; 113984(a-d,f), 113986, 114060, 114067(a,d,e,j), 114069(a,b), 114077, 114089.1(c), 114143(c)

Inspector Observations:

Observed raw shell eggs stored above vegetables in the walk-in cooler.

[CA] All food shall be separated and protected from cross-contamination. Store all raw meat or other raw products of animal origin below ready-to-eat food items.

K30 - 2 Points - Food storage containers are not identified; 114047, 114049, 114051, 114053, 114055, 114067(h), 114069 (b)

Inspector Observations:

Observed cases of food stored on the floor in the walk-in freezer. Observed a case of green onions stored on the floor in the middle of the kitchen. Observed a pan of cooking oil stored on the floor underneath the dry storage shelves. Observed a pot of beef broth maintained on the floor adjacent to the cook-line.

[CA] Food shall be stored at least 6 inches above the floor to prevent contamination.

K36 - 2 Points - Equipment, utensils, linens: Improper storage and use; 114074, 114081, 114119, 114121, 114161, 114178, 114179, 114083, 114185, 114185.2, 114185.3, 114185.4, 114185.5

Inspector Observations:

Observed cleavers and a pair of scissors wedged in the crevices between refrigerators at the cook-line.

[CA] Equipment contacting food shall be stored in a sanitary location.

K41 - 2 Points - Plumbing unapproved, not installed, not in good repair; improper backflow devices; 114171, 114189.1, 114190, 114192, 114193, 114193.1, 114199, 114201, 114269

Inspector Observations:

Observed a wiping cloth wrapped around a leak in the pipe of the hand sink at the entrance to the kitchen.

[CA] Repair plumbing fixture and maintain in clean and good repair.

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:

Observed employees' half eaten slices of watermelon maintained at the cook-line, directly above and adjacent to ready to eat foods.

Observed employee keys stored dangling on a hook above a container of recently cooked beef broth.

[CA] No person shall store clothing or personal effects in any area used for the storage and preparation of food or food contact surfaces. Employees shall not eat in areas of food preparation or food storage.

Observed the back door maintained open.

[CA] Keep door closed to prevent the intrusion of pests/vermin into the facility.

Performance-Based Inspection Questions

Needs Improvement - Hands clean/properly washed/gloves used properly.

Needs Improvement - Proper hot and cold holding temperatures.

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Measured Observations

Item	Location	Measurement	Comments
raw beef tripe	walk-in cooler	40.00 Fahrenheit	
beef broth	stovetop	201.00 Fahrenheit	
chlorine sanitizer	mechanical dishwasher	50.00 PPM	
raw beef flank	walk-in cooler	41.00 Fahrenheit	
poached chicken	prep cooler - cook-line	41.00 Fahrenheit	
raw shrimp	under-counter cooler - cook-line	40.00 Fahrenheit	
raw chicken	prep cooler - cook-line	41.00 Fahrenheit	
hot water	three compartment sink	120.00 Fahrenheit	
beef broth	container - on floor	149.00 Fahrenheit	
frozen vegetable eggrolls	under-counter freezer - cook-line	0.00 Fahrenheit	
ambient	sliding door cooler - front service	37.00 Fahrenheit	
uncanned peaches	prep cooler - front service	38.00 Fahrenheit	
watermelon	walk-in cooler	40.00 Fahrenheit	
frozen pork eggrolls	walk-in freezer	0.00 Fahrenheit	
warm water	hand sinks	100.00 Fahrenheit	
cooked quail	under-counter cooler - cook-line	40.00 Fahrenheit	
raw beef tendon	walk-in cooler	41.00 Fahrenheit	
matcha	display refrigerator - front service	40.00 Fahrenheit	
sliced beef	prep cooler - cook-line	41.00 Fahrenheit	
frozen chicken	walk-in freezer	0.00 Fahrenheit	

Overall Comments:

Rice noodles are from Rice Valley.

TPHC form for summer rolls filled out with the manager.

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 **9/15/2026**. 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: Thanh Nguyen
Manager

Signed On: September 01, 2026