

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 FA0206659 - PHO DAO		Site Address 1631 N CAPITOL AV, SAN JOSE, CA 95132		Inspection Date 01/31/2023	
Program PR0302454 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name TRAN, QUANG		Inspection Time 14:15 - 16:15
Inspected By DENNIS LY	Inspection Type ROUTINE INSPECTION		Consent By ERIC LE	FSC Not Available	

Placard Color & Score

YELLOW

66

RISK FACTORS AND INTERVENTIONS	IN	OUT		COS/SA	N/O	N/A	PBI
		Major	Minor				
K01 Demonstration of knowledge; food safety certification			X				N
K02 Communicable disease; reporting/restriction/exclusion	X						
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				N
K07 Proper hot and cold holding temperatures		X		X			
K08 Time as a public health control; procedures & records					X		
K09 Proper cooling methods	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						N
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	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	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	X	
K37 Vending machines		
K38 Adequate ventilation/lighting; designated areas, use		
K39 Thermometers provided, accurate		
K40 Wiping cloths: properly used, stored		X
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		
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

K05 - 8 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

Inspector Observations: Observed improper handwashing by employee where soap was not used. Employee had handled raw beef and cleaned then proceeded to rinse hand with water and put on new gloves. [CA] Employee shall properly wash hands using warm water, soap, and single-use paper towels prior to putting on new gloves. [COS] Employee was asked to rewash hands using soap.

Follow-up By
02/02/2023

REPEAT VIOLATION

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

Inspector Observations: Rice noodles were held on table next to the food prep unit and measured at 59F. [CA] Potentially hazardous foods shall be held at or below 41F or at or above 135F. [COS] Employee relocated the rice noodles into the reach-in cooler.

Follow-up By
02/02/2023

Minor Violations

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

Inspector Observations: 1) Food Safety Certificate for managers is not available. [CA] Food facilities that prepare, handle, or serve non-prepackaged potentially hazard foods shall have a valid Food Safety Certificate available for review.

2) Food handler cards for employees are not available or expired. [CA] Each food handler shall maintain a valid food handler card for the duration of his or her employment as food handler. A valid food handler card shall be provided within 30 days of after the date of hire.

REPEAT VIOLATION

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

Inspector Observations: Handwash sink located by the prep table was obstructed by equipment stored on the basin of the sink. [CA] Handwash sink shall be kept unobstructed to allow employees to properly wash hands when required. [COS] Employee removed obstructions from handwash sink.

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: Box of beef is stored under the handwash sink and the soap dispenser located in the prep area. [CA] Store foods in a manner where it is not likely to be contaminated.

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

Inspector Observations: Dried bulk foods are stored in plastic containers located around the chest freezer without a lid. [CA] Bulk foods shall be stored in an approved container with a tight fitting lid.

REPEAT VIOLATION

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

Inspector Observations: Accumulation of grease and debris on hood filters above the cook line. [CA] Frequently clean nonfood contact surfaces to prevent accumulation of debris.

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

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Inspector Observations: 1) Scoop for the bulk sugar is held in a manner where the handle of the scoop is in direct contact with the sugar. [CA] Store scoops in a manner where the handle does not contact food to prevent cross contamination when handling.

2) Plastic cups/bowls are stored in the bulk salt to be used as a scoop. [CA] Use approved utensils with a handle to scoop bulk foods.

3) Cardboard are reused throughout the kitchen to line shelves. Visible debris and stains can be observed on the cardboard. [CA] Discontinue the reuse of cardboard to line shelves and use material that is smooth, durable, nonabsorbent, and easily cleanable.

K40 - 2 Points - Wiping cloths: improperly used and stored; 114135, 114185.1 114185.3(d,e)

Inspector Observations: Wiping towels are observed used, reused, and stored on food prep surfaces. [CA] Wiping towels shall be stored in sanitizing solution of an approved concentration when not in use (100 ppm - chlorine, 200 ppm - quaternary ammonium).

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: Drain pipe from the food prep sink extends into the floor sink. [CA] Provide a minimum of a 1 inch air gap between the end of an equipment's drain line and the rim of the floor sink to protect equipment from back flow contamination.

Performance-Based Inspection Questions

- Needs Improvement - Food contact surfaces clean, sanitized.
- Needs Improvement - Demonstration of knowledge; food manager certification.
- Needs Improvement - Hands clean/properly washed/gloves used properly.
- Needs Improvement - Adequate handwash facilities: supplied or accessible.

Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
Raw beef	Ice bath - thawing	34.00 Fahrenheit	
Meatballs	Food prep unit	37.00 Fahrenheit	
Hot water	Handwash sink	100.00 Fahrenheit	
Raw beef	On food prep unit	34.00 Fahrenheit	
Hot water	Three compartment sink	120.00 Fahrenheit	
Beef broth	Walk-in freezer	9.00 Fahrenheit	
Raw shell eggs	Reach-in cooler	41.00 Fahrenheit	
Raw shell eggs	Upright reach-in cooler	41.00 Fahrenheit	
Tripe	Food prep unit	37.00 Fahrenheit	
Raw beef	Reach-in cooler	40.00 Fahrenheit	
Rice noodles	Table next to food prep unit	59.00 Fahrenheit	
Half and half	Reach-in cooler - front	40.00 Fahrenheit	
Beef	Food prep unit	39.00 Fahrenheit	
Bean sprouts	Reach-in cooler	40.00 Fahrenheit	
Pork	Reach-in cooler	39.00 Fahrenheit	
Beef	Upright reach-in cooler	41.00 Fahrenheit	
Shredded pork	Food prep unit	40.00 Fahrenheit	
Beef broth	Cook top	212.00 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 **2/14/2023**. 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: eric le
Employee

Signed On: January 31, 2023