

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 FA0202881 - ASIANA PHO KIM		Site Address 775 E CAPITOL AV A, MILPITAS, CA 95035		Inspection Date 08/29/2025		Placard Color & Score RED 52		
Program PR0303815 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name ASIANA PHO KIM INC		Inspection Time 13:45 - 16:00			
Inspected By MAMAYE KEBEDE		Inspection Type ROUTINE INSPECTION		Consent By TIFFANY				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						N
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						
K06	Adequate handwash facilities supplied, accessible		X		X			
K07	Proper hot and cold holding temperatures	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		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		X			
K23	No rodents, insects, birds, or animals		X		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		
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		
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	X	
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

K06 - 8 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

Inspector Observations: *One of the handwash stations located back in the kitchen area is being used to store soiled utensils.*

[CA] *Handwash stations must exclusively used for handwashing. Please do not store any utensil or equipment on it.*

The front handwash sink does not have wall-mounted soap and paper towel dispensers as well.

[CA] *Install the supplies immediately.*

Follow-up By
08/29/2025

K14 - 8 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 sanitizer concentration on the low temperature mechanical dishwasher that was used to wash the dishes was measured at zero ppm chlorine.*

[CA] *Whenever sanitizing of utensils/equipment is conducted using a low temperature mechanical dishwasher, there must be a 50-ppm residual chlorine level when the cycle completes. Until the mechanical dishwasher is fixed, please use the three manual compartments sink to wash, rinse, and sanitize the dishes with 200 ppm quaternary ammonia or 100 ppm chlorine, unless otherwise specified by manufacturer of the chemical. The person in charge refilled one sink of the warewash sink with lukewarm water and added bleach manually to create a 100-ppm chlorine solution to sanitize the utensils washed in the mechanical dishwasher (SA).*

Follow-up By
08/29/2025

K22 - 8 Points - Sewage and wastewater improperly disposed; 114197

Inspector Observations: *Sewage from the manual and mechanical dishwashers is flashing on to the floor of the kitchen area.*

[CA] *Please dispose wastewater from the facility by regularly cleaning the grease trap. The facility shall be closed until the grease trap is properly cleaned. Please contact the district inspector for any follow-up inspections. If the follow-up inspection is requested for after hour or on weekends, the owner shall be charged \$645.00/hour.*

Suzanne Lew, Supervising Registered Environmental Health Specialist approved the closure.

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

Inspector Observations: *Multiple live cockroaches were observed above the preparation table, the wash sink, on the clean utensil's storage shelf, and on the wall above the preparation tables.*

[CA] *Eliminate all insects/rodents from the facility by a legal method. Until the live cockroaches are all eliminated and verified by a district inspector, the facility shall be closed. Please contact the district inspector for a follow-up inspection.*

During a follow-up inspection, no live or dead vermin, indication of the dropping, gnawing, or rat rub marking should be observed. The owner of the facility must provide a pest control company report which indicate what interventions were conducted and observed violations and recommendations.

The structural issues including the cracks, crevices, and gaps between the wall and the sinks and the preparation tables and the walls must be caulk or sealed. To prevent vermin hiding and breeding and easy cleaning of the floor area, all food products must remove from the floor and stored on shelves or dunnage racks.

Any operational and structural issues that contribute to the vermin infestation must also be addressed.

Minor Violations

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

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Inspector Observations: Repeated violation: There is not a food safety manager certified person in the facility.

[CA] Someone from the facility must take a food safety certificate class within two months and keep a copy of the certificate on file.

Food Safety Manager certificate class may be taken on the following websites:

1. Premier Food Safety:

<https://www.premierfoodsafety.com/food-manager-certification/california>

2. Learn 2 Serve:

<https://www.360training.com/learn2serve/food-safety-manager/California>

3. Serve Safe Manager:

<https://www.servsafe.com/ServSafe-Manager>

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

Inspector Observations: Repeated violation: There was no warm water supply on the ceramic handwash sink located back in the kitchen.

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

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: Some open bag food products were stored on the shelf in the dry storage area.

[CA] Store all open bag food products in properly labeled bulk containers.

Raw food products like shell eggs were stored above ready to eat food products inside the upright fridge.

[CA] To prevent possible contamination, ready to eat food products and produce must be stored above or by the said of raw food products.

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

Inspector Observations: Many food products on boxes were stored directly on the floor or on milk crate back in the storage area.

[CA] To prevent insect hiding and breeding and for easy cleaning of the floor area, please store all food products at least six inches off the floor on approved shelf or dunnage rack.

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

Inspector Observations: Repeated violation: An excessive grease and oil accumulation was observed on the screens of the exhaust hood.

[CA] Conduct a regular cleaning on the exhaust hood.

Heavy food residue and grim buildup on handles and surfaces of the equipment including the fryer, cooking equipment, and refrigeration units.

[CA] Conduct a thorough cleaning on the surfaces and handles of the equipment.

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

Inspector Observations: Multiple wet/soiled wiping cloths were stored on the counters, sinks, preparation tables.

[CA] Wet/soiled wiping cloths must be stored in a bucket that has standard sanitizer concentration in between use which is 200 ppm quaternary ammonia or 100 ppm chlorine (bleach).

K45 - 2 Points - Floor, walls, ceilings: not built, not maintained, not clean; 114143(d), 114266, 114268, 114268.1, 114271, 114272

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Inspector Observations: *Missing floor tile near three compartment sink. [CA] Replace broken floor tiles with a smooth and of durable construction and nonabsorbent material that is easily cleanable.*

Heavy grease, oil, and food residue accumulation is observed on the floor below the cooking equipment. [CA] Conduct a thorough regular cleaning on the floor area.

Grout missing throughout prep area [CA] Replace missing grout with a smooth and of durable construction and nonabsorbent material that is easily cleanable.

Cove basing throughout prep area is in disrepair. [CA] The juncture of the floor and wall shall be coved with a 3/8-inch minimum radius coving and shall extend up the wall at least 4 inches.

Gaps present in FRP behind handwash sinks, two compartment sink, and three compartment sink. b[CA] Repair holes in structure and maintain in good repair to prevent pest harborage.

Performance-Based Inspection Questions

Needs Improvement - Food contact surfaces clean, sanitized.
Needs Improvement - Proper hot and cold holding temperatures.
Needs Improvement - Communicable disease; reporting/restriction/exclusion.

Measured Observations

Item	Location	Measurement	Comments
Shell eggs	Walk-in cooler	35.00 Fahrenheit	
Chicken	Walk-in cooler	35.00 Fahrenheit	
Beef	Walk-in cooler	35.00 Fahrenheit	
Rice	Rice steamer	168.00 Fahrenheit	
Hot water	Three compartment sink	125.00 Fahrenheit	

Overall Comments:

Note:1. *Please conduct a pest control company intervention, repair the back-up of sewage issue, conduct a thorough cleaning, email the restaurant re-opening after a pest control intervention form and email the district staff, and contact the district staff to schedule a follow-up inspection. If any live or dead vermin is observed during the follow-up inspection, the owner shall be called for office hearing at our office.*

2.*Most of the violations listed above are repeated violation. Therefore, they must be addressed immediately*

3. *A follow-up inspection will be conducted on or after next week to verify that the required corrective actions have been implemented. Any subsequent follow-up inspection shall be a charge of \$298/hour, minimum one hour, during normal business hours (Monday - Friday, 7:30 AM to 4:30 PM), and \$645, minimum two hours, during non-business hours, and upon inspector availability to the owner.*

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 **9/12/2025**. 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.

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.

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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: VU Giang
Owner

Signed On: August 29, 2025