

**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 FA0209910 - PHO BOWL		Site Address 5316 MONTEREY HY, SAN JOSE, CA 95111	Inspection Date 02/23/2024
Program PR0302686 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11		Owner Name BLUE PEPPER INC.	Inspection Time 13:20 - 14:20
Inspected By GUILLERMO VAZQUEZ	Inspection Type FOLLOW-UP INSPECTION	Consent By TRINH TRAN	

Placard Color & Score <b>RED</b> <b>N/A</b>
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**Comments and Observations**

**Major Violations**

Cited On: 02/22/2024

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

**Compliance of this violation has been verified on: 02/23/2024**

Cited On: 02/22/2024

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

**Compliance of this violation has been verified on: 02/23/2024**

Cited On: 02/22/2024

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

**This violation found not in compliance on 02/23/2024. See details below.**

Cited On: 02/23/2024

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

**Inspector Observations: Observed alive cockroaches around the prep table and dead ones around the 2-compartment sink.**

**[CA] The premises of each food facility shall be kept free of vermin. A food facility shall not operate when there is a vermin infestation that has resulted in the contamination of food contact surfaces, food packaging, utensils, food equipment, or adulteration of food(s). The food facility shall cease operation of the food facility immediately. The food facility shall remain closed until: there is no longer evidence of a vermin infestation; all contaminated surfaces have been cleaned and sanitized; and contributing factors such as cleaning, repairs, and the elimination of harborages have been resolved.**

**Minor Violations**

N/A

**Measured Observations**

N/A

**Overall Comments:**

*This is a follow up inspection report to verify if major violations mentioned on 2/22/24 inspection report have been addressed. Two of the three violations have been addressed:*

*- K23: No rodents, insects, birds, or animals. Live cockroaches within the prep table and noted some dead around the 2-compartment*

*- K05: Hands clean, properly washed; gloves used properly. Went over the importance of washing hands.*

*- K07: Proper hot and cold holding temperatures. Went over the importance of keeping PHFs food 41°F below. Provided decals for cold holding*

*Facility is to remain closed by this department. A second follow up inspection will have to be conducted. Per PIC, they would like the follow up inspection to be conducted tomorrow (Saturday).*

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**Subsequent follow-up inspections after the first follow-up shall be billed \$290-hour, minimum one hour, during normal business hours: Monday-Friday 7:30AM to 5:00PM or \$629/hour, minimum one hour, during non-business hours, and upon inspector availability.**

## 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 **3/8/2024**. 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: Trinh Tran  
Manager

Signed On: February 23, 2024