

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 FA0268457 - PHO 24 VIETNAMESE CUISINE & SWEET TEA		Site Address 5592 SANTA TERESA BL B, SAN JOSE, CA 95123		Inspection Date 11/04/2022	
Program PR0398089 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name PHO 24 BAC CALI CORPORA		Inspection Time 15:15 - 17:00
Inspected By MARCELA MASRI	Inspection Type ROUTINE INSPECTION		Consent By HOA NGUYEN	FSC MINH NGUYEN 2-15-24	

Placard Color & Score
RED
76

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						
K06 Adequate handwash facilities supplied, accessible	X						S
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						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	
K20 Licensed health care facilities/schools: prohibited foods not being offered						X	
K21 Hot and cold water available		X					N
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	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	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	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: FOUND 7 SPRING ROLLS STORED ABOVE THE SERVICE REFRIGERATOR AT ROOM TEMPERATURE (73F). KEEP THE COLD POTENTIALLY HAZARDOUS FOOD AT 41F OR BELOW. NOTE THE SPRING ROLLS WERE PLACED IN THE SERVICE REFRIGERATOR UNDER 41F. THEY WERE MADE LESS THAN AN HOUR AGO, PER OPERATOR.

K21 - 8 Points - Hot and cold water not available; 113953(c), 114099.2(b), 114163(a), 114189, 114192, 114192.1, 11419

Inspector Observations: FOUND THE HOT WATER AT THE 3 COMPARTMENT SINK AT 72F. [CA] PROVIDE HOT WATER AT 120F MINIMUM. THE FACILITY IS NOW CLOSED UNTIL THE HOT WATER ISSUE IS RESOLVED.

Minor Violations

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

Inspector Observations: FOUND A TRAY WITH MEAT WAITING TO BE COOKED ON THE FLOOR BY THE STOVE. [CA] DO NOT PLACE ANY FOOD ON THE FLOOR. KEEP THE FLOOR 6 INCHES ABOVE THE FLOOR. COS

FOUND THE BAG OF RICE STORED ON THE FLOOR IN THE DRY STORAGE ROOM. [CA] STORE FOOD 6 INCHES ABOVE THE FLOOR.

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: FOUND A BOWL BEING USED AS A SCOOP FOR THE SUGAR WORKING CONTAINER. [CA] USE ONLY FOOD GRADE WASHABLE SCOOPS WITH A HANDLE AND KEEP THE HANDLE OUTSIDE THE FOOD.

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

Inspector Observations: FOUND A COUPLE OF WIPING CLOTHS STORED ON THE COUNTERS IN THE KITCHEN. [CA] STORED THE WIPING CLOTHS IN A SANITIZER SOLUTION WHILE NOT IN USE.

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: FOUND A JACKET AND A PHONE STORED ON A SHELF CONTAINING FOOD AND FOOD RELATED ITEMS. FOUND SEVERAL BOTTLES OF MEDICINE AND SUPPLEMENTS STORED ON THE FOOD PREPARATION TABLE IN THE KITCHEN AREA. [CA] STORE PERSONAL ITEMS SEPARATE AN AWAY FROM FOOD OR FOOD RELATED ITEMS.

Performance-Based Inspection Questions

Needs Improvement - Hot and cold water available.

Needs Improvement - Proper hot and cold holding temperatures.

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Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
CHICKEN	SERVICE REFRIGERATOR	22.00 Fahrenheit	
HOT WATER	3 COMPARTMENT SINK	72.00 Fahrenheit	
RICE	HOT HOLDING	145.00 Fahrenheit	
HOT WATER	HAND WASH SIN K	72.00 Fahrenheit	
MEAT	SERVICE REFRIGERATOR	21.00 Fahrenheit	
MEAT	WALK IN COOLER	30.00 Fahrenheit	
CHICKEN	WALK IN COOLER	32.00 Fahrenheit	
BEAN SPROUTS	IN ICE WATER	41.00 Fahrenheit	
TENDON	SERVICE REFRIGERATOR	37.00 Fahrenheit	
MEAT	SERVICE REFRIGERATOR	38.00 Fahrenheit	
HALF AND HALF	FRONT UNDER COUNTER REFRIGERATOR	32.00 Fahrenheit	
CHLORINE SANITIZER	WARE WASHER	100.00 PPM	
SLICED TOMATO	SERVICE REFRIGERATOR	41.00 Fahrenheit	
PHO SOUP	COOKING TEMP	180.00 Fahrenheit	
SHRIMP	SERVICE REFRIGERATOR	34.00 Fahrenheit	

Overall Comments:

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 **11/18/2022**. 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: XUY NGUYEN
CASHIER

Signed On: November 04, 2022