

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 FA0259940 - PHO LUCKY 7		Site Address 3730 N 1ST ST 145, SAN JOSE, CA 95134		Inspection Date 08/11/2026		Placard Color & Score GREEN 81		
Program PR0380915 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name PHO LUCKY 7 LLC		Inspection Time 13:55 - 15:30			
Inspected By MAVERICK CHIN		Inspection Type ROUTINE INSPECTION		Consent By KATHY (HUONG)				FSC Huong Pham 05/30/2031

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						N
K04	Proper eating, tasting, drinking, tobacco use	X						
K05	Hands clean, properly washed; gloves used properly	X						S
K06	Adequate handwash facilities supplied, accessible	X						
K07	Proper hot and cold holding temperatures			X	X			S
K08	Time as a public health control; procedures & records			X	X			S
K09	Proper cooling methods			X	X			N
K10	Proper cooking time & temperatures					X		S
K11	Proper reheating procedures for hot holding					X		S
K12	Returned and reservice of food	X						
K13	Food in good condition, safe, unadulterated	X						
K14	Food contact surfaces clean, sanitized			X				
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	X			S
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		
K28	Fruits and vegetables washed		
K29	Toxic substances properly identified, stored, used		
K30	Food storage: food storage containers identified		
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		
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	X
K49	Permits available	
K58	Placard properly displayed/posted	

Comments and Observations

Major Violations

No major violations were observed during this inspection.

Minor Violations

K07 - 3 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

Inspector Observations:

Bean sprouts measured 49F while overfilled over the fill limits of the insert in the prep cooler at the front service area.

Follow-up By
08/14/2026

Potentially hazardous foods (short rib, pork, raw chicken, raw shell eggs, etc.) measured between 44F and 45F while maintained in the walk-in cooler. Ambient of the walk-in cooler measured 45F via probe. Per staff, circuit breaker had just tripped and been reset.

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

Refrigeration shall be capable of maintaining potentially hazardous foods at 41F or below.

[COS] Bean sprouts were relocated to the lower portion of the prep unit. After leaving the door closed for approximately 30 minutes, ambient of the walk-in cooler returned to 41F. Continue to monitor.

K08 - 3 Points - Improperly using time as a public health control procedures & records; 114000

Inspector Observations:

Bean sprouts and bun (vermicelli noodles) subjected to time as a public health control lacked time labeling while maintained on the counter at the front service area.

Follow-up By
08/14/2026

[CA] When time only, rather than time and temperature is used as a public health control, PHFs shall be time marked to indicate when item is removed from temperature control, discarded if not consumed or served within 4 hours, and written procedures shall be readily available for review.

[COS] Items were properly time labeled.

Owner stated that she was aware of time labeling requirements, and that they had forgotten to time label items today due to lunch rush. Owner stated that will write and provide her own written SOP's for TPHC.

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

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Inspector Observations:

In the walk-in cooler, in four 20-liter containers kept tightly covered with lids, beef broth measured between 128F and 143F. Per staff, beef broth had been cooked between 2 hours and 2.5 hours prior, and placed into the walk-in cooler to cool down.

Follow-up By
08/14/2026

In the walk-in cooler, beef brisket measured 73F while maintained in a container kept tightly wrapped with plastic. Per staff, brisket had been cooked between 1.5 and 2 hours prior, and placed into the walk-in cooler to cool down.

At the prep cooler in the front service area, a plate of beef ribs measured 89F while maintained on top of a covered upper insert of the unit. Per staff, beef ribs had been cooked approximately 1 hour 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.

[COS] All items were uncovered and relocated to the walk-in freezer to rapidly cool. Discussed the use of ice paddles and ice baths with the owner.

K14 - 3 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:

Quaternary ammonium sanitizer measured between 0 and 100 ppm in the third compartment of the three compartment warewashing sink. Observed dishes immersed in the sanitizer; However, observed no active warewashing at the time of measurement.

Follow-up By
08/14/2026

[CA] Manual sanitization shall be accomplished in the final sanitizing rinse by contacting a chlorine solution of 100 PPM concentration for at least 30 seconds or by contacting a quaternary ammonium solution of 200 PPM concentration for at least 60 seconds.

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

Inspector Observations:

Water measured at 100F from all sinks throughout the facility, including the preparation sink and three compartment warewashing sink. Observed the display of the water heater flashing; Per the owner, the circuit breaker had accidentally tripped owing to an employee plugging in and using a microwave at the same time as a rice cooker.

Follow-up By
08/14/2026

[CA] Hot water shall be supplied at a minimum temperature of at least 120°F measured from the faucet throughout facility except at handwash sinks.

[COS] Hot water was restored, and measured greater than 120F from all faucets throughout the facility. Continue to monitor.

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 an uncovered cart of utensils maintained directly at the front of the dining area. Observed a child repeatedly sneezing on the uncovered chopsticks. Per discussion with the owner, the child is not an employee at the facility, but has persistent allergies.

[CA] Properly store utensils and equipment in a manner where they are not exposed to possible sneeze/splash contamination.

[COS] Instructed employees to take the chopsticks to the three compartment warewashing sink to be sanitized. Cart of utensils was moved back into the kitchen, behind the front sneeze guard paneling.

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K48 - 2 Points - Plan review unapproved; 114380

Inspector Observations:

Facility has removed the wok station, two burner stove, and noodle cooker. Facility has added a commercial grill, a deep fryer, and a new two burner stove.

Follow-up By
09/11/2026

[CA] Submit plans to DEH Plan check at dehplanchek@deh.sccgov.org

Performance-Based Inspection Questions

Needs Improvement - Proper cooling methods.

Needs Improvement - No discharge observed from eyes, nose, and/or mouth.

Measured Observations

Item	Location	Measurement	Comments
frozen eggroll	two-door under-counter freezer - front service	16.00 Fahrenheit	
bean sprouts	upright sliding glass cooler - back kitchen	39.00 Fahrenheit	
frozen beef	walk-in freezer	11.00 Fahrenheit	
shrimp	prep cooler - front service	40.00 Fahrenheit	
frozen chicken	walk-in freezer	12.00 Fahrenheit	
tofu	walk-in cooler	45.00 Fahrenheit	
noodles	walk-in cooler	44.00 Fahrenheit	
raw pork belly	prep cooler - front service	40.00 Fahrenheit	
raw pork	upright sliding glass cooler - back kitchen	40.00 Fahrenheit	
sliced pork	prep cooler - front service	41.00 Fahrenheit	
raw beef short rib	prep cooler - front service	40.00 Fahrenheit	
frozen dumpling	two-door under-counter freezer - front service	16.00 Fahrenheit	
water	prep sink / three compartment warewashing sink	100.00 Fahrenheit	
quaternary ammonium sanitizer	three compartment warewashing sink	0.00 PPM	between 0 ppm and 100 ppm
spam	upright sliding glass cooler - back kitchen	39.00 Fahrenheit	
beef broth	hot hold - stovetop	199.00 Fahrenheit	

Overall Comments:

First routine inspection.

A follow-up inspection will be conducted to ensure compliance of the cited violations.

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 **8/25/2026**. 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.

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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: Kathy (Huong) Pham
Owner

Signed On: August 11, 2026