

# 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 FA0207170 - PHO HOA RESTAURANT @ 1834		Site Address 1834 TULLY RD, SAN JOSE, CA 95122		Inspection Date 11/17/2023	
Program PR0303403 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name AUREFLAM CORP		Inspection Time 12:55 - 14:45
Inspected By HENRY LUU	Inspection Type ROUTINE INSPECTION	Consent By RICHARD W.	FSC Not Available		

Placard Color & Score

**YELLOW**

**61**

RISK FACTORS AND INTERVENTIONS	IN	OUT		COS/SA	N/O	N/A	PBI
		Major	Minor				
K01 Demonstration of knowledge; food safety certification			X				S
K02 Communicable disease; reporting/restriction/exclusion	X						
K03 No discharge from eyes, nose, mouth	X						S
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		X			
K07 Proper hot and cold holding temperatures			X				
K08 Time as a public health control; procedures & records		X		X			
K09 Proper cooling methods			X				N
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						
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		
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	X	
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		
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: Kitchen employee observed using wiping cloth to wipe pants and shoes of flour, change gloves to continue onto food preparation without washing hands.**

Follow-up By  
11/20/2023

**[CA] Ensure employees are properly washing hands as required. Employees shall wash their hands in all of the following instances:**

- (1) Immediately before engaging in food preparation, including working with non-prepackaged food, clean equipment and utensils, and unwrapped single-use food containers and utensils.
- (2) After touching bare human body parts other than clean hands and clean, exposed portions of arms.
- (3) Immediately after using the toilet room and again when returning into the kitchen.
- (4) After caring for or handling any animal allowed in a food facility in pursuant to this part.
- (5) After coughing, sneezing, using a handkerchief or disposable tissue, using tobacco, eating, or drinking.
- (6) After handling soiled equipment or utensils.
- (7) During food preparation as often as necessary to remove soil and contamination and to prevent cross-contamination when changing tasks.
- (8) When switching between working with raw food and working with ready-to-eat foods.
- (9) Before initially donning gloves for working with food.
- (10) Before dispensing or serving food or handling clean tableware and serving utensils in the food service area.
- (11) After engaging in other activities that contaminate the hands.

**Properly wash hands with soap, warm water and dry using single use paper towels as required. Single-use gloves shall be removed prior to washing hands.**

**[COS] Instructed employee to wash hands prior to donning on gloves.**

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

**Inspector Observations: Hand wash station at the Jazen Tea side completely obstructed with blenders and lacked paper towels.**

Follow-up By  
11/20/2023

**[CA] Single-use sanitary towels shall be provided in dispensers at all times. Handwashing facility shall be clean, unobstructed, and accessible at all times.**

**[COS] Obstructions were removed, paper towels were provided.**

K08 - 8 Points - Improperly using time as a public health control procedures & records; 114000

**Inspector Observations: Fried eggs subjected to time as a public health control (TPHC) according to written procedures, were found inside the walk-in refrigerator. All other items maintained subjected to TPHC were maintained outside at the cook line. [CA] Food subjected to TPHC shall not be returned to temperature control and is to be discarded after 4 hours. [COS] Manager removed eggs from the walk-in refrigerator.**

Follow-up By  
11/20/2023

**\* Repeat violation**

### Minor Violations

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

**Inspector Observations: Food Safety Certified (FSC) manager certificate is expired.**

**[CA] Food facilities that prepare, handle, or serve non-prepackaged potentially hazard foods shall have a valid Food Safety Certificate available for review at all times.**

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

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**Inspector Observations:** *Grilled pork, grilled chicken, cooked salmon, cooked shrimp, and cool calamari maintained inside the one-door reach-in refrigerator outside of the walk-in refrigerator measured between 50F to 58F. Employee stated that items were taken out from the walk-in refrigerator and placed inside reach-in unit to be used less than an hour prior.*

**Ambient temperature of the reach-in unit measured at 59F via probe maintained inside unit. Internal thermometer showed a temperature of 60F.**

**[CA] PHFs shall be held at 41°F or below or at 135°F or above. [COS] PHF items were relocated into the walk-in refrigerator to immediately cool.**

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

**Inspector Observations:** *Two medium sized pots of beef stew cooling, kept covered.*

**[CA] Potentially Hazardous Foods (PHFs) shall be cooled rapidly from 135°F to 70°F or below within 2 hours and from 70°F to 41°F or below within an additional 4 hours.**

- Properly cool PHF's using shallow containers, using no more than 2 inches for solid foods and no more than 4 inches for liquids.
- When cooling PHF's, food may be left uncovered or loosely covered to allow rapid cooling.
- When cooling PHF's, stir frequently to facilitate rapid cooling.

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:** *Pots of soup and cases of food stored directly on the floor. Observed employee preparing cooked popcorn chicken step over and drag strainer basket on the floor into the dry storage area to cool.*

**Observed food preparation being conducted next to the hand wash station - plate of raw popcorn chicken placed at the wash side of the sink, tub of cooked popcorn chicken maintained below the paper towel dispenser.**

**[CA] All food shall be separated and protected from possible contamination. Food shall be stored at least 6 inches above the floor to prevent contamination.**

K35 - 2 Points - Equipment, utensils - Unapproved, unclean, not in good repair, inadequate capacity; 114130, 114130.1, 114130.2, 114130.3, 114130.4, 114130.5, 114132, 114133, 114137, 114139, 114153, 114155, 114163, 114165, 114167, 114169, 114175, 114177, 114180, 114182

**Inspector Observations:** *Ambient temperature of the one-door reach-in refrigerator outside of the walk-in freezer measured at 59F via probe maintained inside unit. Internal thermometer showed a temperature of 60F.*

**[CA] Refrigeration must be capable of maintaining PHFs at 41°F or below. Discontinue storing food inside refrigerator until unit has been repaired.**

**\* Repeat violation.**

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

**Inspector Observations:** *Observed employee using wiping cloth to clean flour on their arms, pants, and shoes. Employee then used wiping cloth to wipe the sides of the food preparation table by the walk-in freezer.*

**[CA] Wiping cloths that are in use for cleaning food spills shall not be used for any other purpose.**

## Performance-Based Inspection Questions

Needs Improvement - Hands clean/properly washed/gloves used properly.

Needs Improvement - Proper cooling methods.

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## Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
Cooked sliced beef brisket	Food preparation refrigerator	40.00 Fahrenheit	
Raw salmon	Walk-in refrigerator	40.00 Fahrenheit	
Cooked popcorn chicken	Deep fryer	201.00 Fahrenheit	Final cooking temperature
Cooked popcorn chicken	Three-door upright refrigerator	37.00 Fahrenheit	
Milk	Jazen Tea - reach-in refrigerator	45.00 Fahrenheit	
Taro paste	Jazen Tea - food preparation refrigerator	40.00 Fahrenheit	
Red bean	Jazen Tea - food preparation refrigerator	39.00 Fahrenheit	
Warm water	Hand wash sink	105.00 Fahrenheit	
Cooked whole beef brisket	Walk-in refrigerator	41.00 Fahrenheit	
Warm water	hand wash sink	101.00 Fahrenheit	Restroom
Cooked grilled pork	Walk-in refrigerator	41.00 Fahrenheit	
Chlorine sanitizer	Mechanical dish machine	50.00 PPM	
Milk	Walk-in refrigerator	42.00 Fahrenheit	
Cooked grilled chicken	Walk-in refrigerator	40.00 Fahrenheit	
Beef meat ball	Food preparation refrigerator	40.00 Fahrenheit	
Cooked salmon fillet	Deep fryer	153.00 Fahrenheit	Final cooking temperature
To-go containers of beef stew	Walk-in refrigerator	40.00 Fahrenheit	
Raw beef slices	Food preparation refrigerator	39.00 Fahrenheit	
Cooked shrimp	Walk-in refrigerator	39.00 Fahrenheit	
Beef tendon	Food preparation refrigerator	37.00 Fahrenheit	Top insert

## Overall Comments:

- **Complaint investigation was conducted concurrently with routine inspection.**
- **Two or more major violations were observed during the routine inspection.**
- **A follow-up inspection will be conducted to verify compliance of all major violations.**
- **Subsequent follow-up inspection after first follow-up shall be billed \$290/hour, minimum one hour, during normal business hours (Monday - Friday, 7:30 AM to 4:30 PM), and \$629/hour, minimum two hours, during non-business hours, and upon inspector availability.**
- **The posted placard is property of the Santa Clara County Department of Environmental Health and shall not be removed, covered-up, relocated, tampered, or copied. Failure to comply may result in enforcement actions per County Ordinance Code Section B11-55.**

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 **12/1/2023**. 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.

## Legend:

<b>[CA]</b>	Corrective Action
<b>[COS]</b>	Corrected on Site
<b>[N]</b>	Needs Improvement
<b>[NA]</b>	Not Applicable
<b>[NO]</b>	Not Observed
<b>[PBI]</b>	Performance-based Inspection
<b>[PHF]</b>	Potentially Hazardous Food
<b>[PIC]</b>	Person in Charge
<b>[PPM]</b>	Part per Million
<b>[S]</b>	Satisfactory
<b>[SA]</b>	Suitable Alternative
<b>[TPHC]</b>	Time as a Public Health Control




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**Received By:** Richard W.  
Manager

**Signed On:** November 17, 2023