

# 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

<b>Facility</b> FA0207201 - HOUSE OF PHO		<b>Site Address</b> 1852 CAMDEN AV, SAN JOSE, CA 95124		<b>Inspection Date</b> 11/19/2024		<b>Placard Color &amp; Score</b> <div style="background-color: green; color: white; padding: 10px; text-align: center;"> <b>GREEN</b>  <b>71</b> </div>		
<b>Program</b> PR0300212 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			<b>Owner Name</b> HOUSE OF PHO, LLC		<b>Inspection Time</b> 10:05 - 11:45			
<b>Inspected By</b> HELEN DINH		<b>Inspection Type</b> ROUTINE INSPECTION		<b>Consent By</b> THU (M) & THUY				<b>FSC</b> Thu Ussery 6/10/27

  

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						
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				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						
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	X	
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	X	
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	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	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: Major: Measured the following PHFs holding between 52F - 125F on counter top near cooks line for less than 4 hours: egg rolls, chicken wings, bean sprouts and white noodles. [CA] Maintain all PHFs cold held at or below 41F or hot held at or above 135F. [COS] Operator directed to relocate PHFs to refrigeration unit. [SA] Operator opted to use time as a public health control (TPHC) for white noodles and meats.**

#### Minor:

**1. Measured the following PHFs holding between 46F - 49F in 2 door cold top/reach in (left): bean sprouts, raw pork and orange rice.**

**2. Measured the following PHFs holding between 44F - 49F in walk-in cooler for less than 4 hours: marinated pork, marinated chicken wings, orange rice and chicken.**

**[CA] Maintain all cold PHFs held at or below 41F.**

### Minor Violations

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

**Inspector Observations: Found several food handlers card expired. [CA] Renew food handlers card.**

K05 - 3 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

**Inspector Observations: Observed an employee touching their face while donning gloves and placing hand in their pocket. No active contamination occurred. [CA] Properly wash hands with soap, warm water and dry using single use paper towels as required prior to putting on gloves. [COS] Employee was directed to remove their gloves, wash their hands and discontinue placing hand in pocket at cooks line.**

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, 114125(b), 114141

**Inspector Observations: Found black/red like substance on white interior panel of ice machine. [CA] Routinely clean.**

K26 - 2 Points - Unapproved thawing methods used; frozen food; 114018, 114020, 114020.1

**Inspector Observations: Found several containers of seafood and meat thawing in stagnant water, sitting in container placed on floor and prep table. [CA] Frozen potentially hazardous food shall only be thawed in one of the following ways: 1) under refrigeration that maintains the food temperature at 41°F or below, 2) completely submerged under potable running water for a period not to exceed two hours at a water temperature of 70°F or below, and with sufficient water velocity to agitate and flush off loose particles into the sink drain, 3) in a microwave oven if immediately followed by immediate preparation, 4) as part of a cooking process.**

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

**Inspector Observations: Found several container of food items stored on floor in prep area, walk-in-cooler and walk-in-freezer. [CA] Food shall be stored a minimum of 6 inches off floor.**

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

**Inspector Observations: 1. Found accumulated grease build up on mechanical exhaust hood.**

**2. Found accumulated dust debris on fan guard in walk-in-cooler.**

**[CA] Routinely clean.**

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

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**Inspector Observations: 1. Found single use containers being reused for storage of food items in 2 door reach in refrigeration unit. [CA] Food containers intended for single use shall not be reused.**

**2. Lacking lids for multi-use containers in dry storage room. [CA] Provide lids.**

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: 1. Found scoop handles in direct contact with food items in bulk storage room. [CA] Store scoop handle in such a way that the handle does not come in direct contact with food to prevent contamination.**

**2. Found cloth linen used as lining for counter where cups are stored. [CA] Discontinue the use of cloth towels in direct with food, used approved, single use materials.**

**3. Found food content directed stored in crates in walk-in-cooler/freezers. [CA] Provide a bag and/or approved lining for storage of food items.**

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 bag of onion stored in unapproved back space area. [CA] Store all food in food facility to prevent from accidental contamination.**

## Performance-Based Inspection Questions

Needs Improvement - Proper hot and cold holding temperatures.

Needs Improvement - Food contact surfaces clean, sanitized.

## Measured Observations

Item	Location	Measurement	Comments
ambient	walk-in	40.00 Fahrenheit	
egg rolls	cooks line	58.00 Fahrenheit	for less than 4 hours. COS-relocate
pork chops	cooks line	41.00 Fahrenheit	Operator opted to TPHC.
chicken	walk-in	45.00 Fahrenheit	
bean sprouts	2 door cold top (L)	49.00 Fahrenheit	
pho broth	stove top	189.00 Fahrenheit	
chicken	cooks line	41.00 Fahrenheit	Operator opted to TPHC.
marinated chicken wings	walk-in	44.00 Fahrenheit	
marinated pork	walk-in	49.00 Fahrenheit	
fruits	1 door reach in freezer	4.90 Fahrenheit	
raw beef	2 door cold top (R)	40.00 Fahrenheit	
chicken wings	cooks line	52.00 Fahrenheit	for less than 4 hours. COS-relocate
white rice	rice cooker	169.00 Fahrenheit	
shell eggs	counter @ cooks line	64.00 Fahrenheit	for less than 4 hours. COS-relocate
beverage	2 door reach in	38.00 Fahrenheit	
meatball	2 door cold top (R)	41.00 Fahrenheit	
orange rice	walk-in	46.00 Fahrenheit	
bean sprouts	counter near cooks line	59.00 Fahrenheit	for less than 4 hours. COS- operator added ice
beverage	2 door upright	39.00 Fahrenheit	
hot water	warewash/1-comp	120.00 Fahrenheit	
ambient	2 door reach in (R)	39.00 Fahrenheit	
chlorine	dish machine	50.00 PPM	
cooked shrimp	2 door reach in (L)	40.00 Fahrenheit	
bun bo hue broth	stove top	203.00 Fahrenheit	
white noodle	counter @ cooks line	125.00 Fahrenheit	for less than 4 hours. SA- Operator opted to use time as a public health control (TPHC)
cooked shrimp	2 door cold top (R)	40.00 Fahrenheit	
orange rice	2 door cold top (L)	48.00 Fahrenheit	
raw pork	2 door reach in (L)	46.00 Fahrenheit	
warm water	handsink (front, prep & 2RR)	100.00 Fahrenheit	

## Overall Comments:

**Note: Discussed food temperatures and time as a public health control (TPHC) with operator. Provided handouts. Operator opted to use TPHC.**

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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 **12/3/2024**. 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.

## 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



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**Received By:** Thu Ussery  
Manager

**Signed On:** November 19, 2024