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	Site Address	Inspection Date
FA0202776 - PHO LOVE	55 N MILPITAS BL, MILPITAS, CA 95035	11/20/2025
Program	**Owner Name**	**Inspection Time**
PR0302514 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11	UYEN TRAN & LOUIS PHAM	12:20 - 14:00
Inspected By	**Inspection Type**	**Consent By**
KATHY VO	LIMITED INSPECTION	LOUIS

Placard Color & Score
RED
N/A

Comments and Observations

Major Violations

K14 - 8 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: Observed employee actively washing a large pot at the 3-compartment sink without the use of sanitizer. When asked, employees did not know how to set up the sanitizing compartment. Facility currently lacks any sanitizer available for use. [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.

Follow-up By 11/28/2025

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

Inspector Observations: 1. Observed Vermin: Documented in the following areas:
- One live German cockroach in between the gaskets of the 3-door upright cooler. Cockroach abated during inspection.
2. Photographs: Taken for documentation purposes.
3. Supervisor Notified: Anjani S.
4. Notification: The person in charge during inspection, Uyen, has been informed that the facility must close immediately.

Reviewed the last pest control services report from Polaris (dated 11/17/2025). Pest control provided treatment for roaches. Per report, no live activity observed at the time of inspection.

[CA]: The premises of each food facility must be maintained free of vermin. A facility cannot operate if there is a vermin infestation that leads to contamination of food contact surfaces, packaging, utensils, food equipment, or adulteration of food. The facility is required to cease operations immediately and must remain closed until all corrective actions on the provided checklist are completed.

Requirements Before Reopening:
1. Email the signed and completed Reopening Checklist to the assigned inspector.
2. Submit a copy of the pest control report from a licensed provider.

Follow-up By 11/28/2025

Minor Violations

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

Inspector Observations: 1) On-site to conduct a complaint investigation. The complainant provided a video showing an employee handling frozen meat (short ribs) outside and throwing it repeatedly on the ground.

Upon investigation, spoke to employee and PIC (facility owner) on-site. The employee confirmed that they were the person in the video, and that the video was taken on Tuesday, 11/18/2025. Per employee, they were throwing the meat on the ground in an attempt to thaw it. Employee stated that this was a one-time occurrence as there was no room available on the food preparation counter, where they would usually work with the meat, so they were temporarily working outside. When they realized that the meat was falling out of the package and onto the ground, they saw that the meat had become contaminated, and immediately discarded all of the meat. Employee stated that none of the meat seen in the video was cooked or served to the public. PIC stated that they were not on-site at the time of this occurrence.

Per PIC, frozen meat should not be hit on the ground or stored at ambient temperature for thawing. PIC stated that employees are instructed to thaw meat in the refrigerator or in standing water of the preparation sink--discussed proper thawing practices during inspection.

Verified invoices for short ribs during inspection. The short ribs were received from an approved source on Monday, 11/17/2025. No short ribs were available on-site at the time of inspection, as employee discarded all of the contaminated meat on 11/18/2025. All other meats on-site appear to be in good condition, properly stored in the 3-door upright cooler, or are properly being thawed as part of the cooking process.

[CA] Discussed proper food handling, storage, and sanitization practices with PIC during inspection. Ensure a designated PIC with Food Safety Certification is available during all hours of operation to provide proper training and supervision to employees.

2) Facility lacks active food manager certification. [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. Obtain Food Safety Certificate within 60 days.

3) Actively working employees lack food handler cards. [CA] All food handlers shall maintain a valid food handler card for the duration of their employment as a food handler. Food handler cards shall be available for review on-site. Obtain all food handler cards within 30 days.

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 employee washing hands in the food preparation sink without the use of soap. [CA] Properly wash hands with soap, warm water and dry using single use paper towels as required. Handwashing shall only take place in designated handwashing station. [SA] Specialist intervened and instructed employee to properly wash hands in the nearby handwash sink.

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

Inspector Observations: Measured beansprouts on the preparation counter at 48F. Per employee, beansprouts were taken out from the 2-door upright cooler less than 30 minutes ago. [CA] Potentially Hazardous Foods shall be held at 41F or below or 135F or above. [SA] Specialist instructed employee to add more ice into the container to facilitate rapid cooling. Recommend to keep the beansprouts in an ice bath.

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

Inspector Observations: 1) Observed food (tray of raw chicken) stored directly on the floor of the food preparation area. [CA] Food shall be stored six inches above the floor to prevent contamination and facilitate ease of cleaning.

2) Observed raw meat stored in plastic grocery bags. [CA] Food shall be stored in an approved, food-grade container.

Performance-Based Inspection Questions

Needs Improvement - Food contact surfaces clean, sanitized.
Needs Improvement - Hands clean/properly washed/gloves used properly.
Needs Improvement - Demonstration of knowledge; food manager certification.

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Measured Observations

Item	Location	Measurement	Comments
final rinse	mechanical dishwasher	160.00 Fahrenheit	
raw meat	3-door upright cooler	41.00 Fahrenheit	
pho broth	stovetop	186.00 Fahrenheit	
ambient	3-door upright freezer	3.00 Fahrenheit	
water	3-compartment sink	120.00 Fahrenheit	
beansprouts	preparation counter	48.00 Fahrenheit	
water	handwash sink	100.00 Fahrenheit	
water	preparation sink	120.00 Fahrenheit	

Overall Comments:

Limited inspection conducted in conjunction with CO0158385.

The facility is hereby CLOSED by this department due to lack of method for sanitization (see violation K14) and evidence of vermin infestation (see violation K23). The facility is required to cease operations immediately and must remain closed until all major violations have been corrected, corrective actions on the provided checklist are completed, and an office hearing has been completed.

- A follow-up inspection to verify compliance of major violations will be conducted upon facility request. The first follow-up inspection is free of charge. Subsequent follow-up inspections after the first follow-up shall be billed at $298/hour (one hour minimum) during normal business hours (Monday - Friday, 7:30 AM to 4:30 PM), and $645 (minimum of 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.

- A facility found to be in continued operation without a permit may incur a penalty of three (3) times the operating permit fee, and fee(s) for re-inspection(s) charged at the current hourly rate approved by the Santa Clara County Board of Supervisors. Penalties and fees incurred due to enforcement activities must be paid in full prior to the issuance of an operating permit.

- As noted above, at the time of the inspection multiple observations of inadequate food safety practices and an inability to demonstrate proper food safety knowledge was observed. Due to the lack of active managerial control and improper and unsafe food handling practices, an office hearing will be required in order to ensure compliance with requirements of California Retail Food Code

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Joint inspection with Guillermo Vazquez.

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 **12/4/2025**.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.

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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: Louis Pham
Owner

Signed On: November 20, 2025