

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 FA0202350 - PHO HA NOI		Site Address 1228 S ABEL ST, MILPITAS, CA 95035		Inspection Date 03/16/2026		Placard Color & Score YELLOW 52		
Program PR0305402 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name HANOI BISTRO INC		Inspection Time 11:25 - 13:15			
Inspected By MAVERICK CHIN		Inspection Type ROUTINE INSPECTION		Consent By TRANG				FSC Not Available

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		X			N
K06	Adequate handwash facilities supplied, accessible	X						S
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			
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				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	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		
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:

Employee observed moving a trash can (by handling the insides/outside with their hands), then attempted to resume food preparation before being stopped.

Follow-up By 03/19/2026

Employee observed loading soiled dishes into the large, conveyor style mechanical dishwasher in the kitchen, then proceeded to handle numerous clean dishes. Per the manager, this not the usual practice. Manager states that they have two employees designated to dishwashing; one who loads the soiled dishes, and another who handles clean dishes. Employee stated that he forgot about the requirement to not handle clean dishes after handling dirty dishes.

[CA] Employees shall wash their hands in all of the following scenarios:

- (1) Immediately before engaging in food preparation, including working with nonprepackaged 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) After using the toilet room.
- (4) After caring for or handling any animal allowed in a food facility 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 food.
- (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.

[COS] Employees properly washed hands. Affected dishes re-ran through the mechanical dishwasher.

K07 - 8 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

Inspector Observations:

Three pots of beef short rib measured 93F, 97F, and 129F while maintained on the stove. Burners under all pots observed turned off. Per staff, items had been cooked this morning, approximately 1.5 hours prior.

Follow-up By 03/19/2026

Tofu and cooked pork chops measured 53F while maintained in the one-door prep cooler at the end of the cook-line. Ambient of the unit measured 52F via probe. Per staff, items had been relocated to the unit from the walk-in cooler 2 hours prior.

Cooked pork in pork broth measured 103F while maintained in a deep container kept tightly covered with plastic wrap on top of cases of produce on a rolling cart near the back door. Per staff, it had been cooked at Pho Ha Noi (story road), then brought to this facility.

Manager called the other location, which stated that it had been cooked 1.5 hours prior.

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

[COS] Beef short rib reheated to 165F and maintained hot. Tofu and cooked pork chops relocated to the walk-in cooler. Manager elected to cool the pork using an ice bath. Pork remeasured at 68F within the two hour allowable time interval.

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

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Inspector Observations:

Numerous potentially hazardous items subjected to time as a public health control were not labeled with color-coded stickers, including cooked pork chops, egg rolls, pork sausage, pork meatballs, fried eggs, flat rice noodles, kimchi, and raw shell eggs.

Follow-up By
03/19/2026

[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 properly time labeled.

*Note: Facility utilizes red stickers for lunch service, and green stickers for dinner service. Some containers observed to have old, faded red stickers on them. Ensure that the correct color sticker is being used for each service, per the facility's posted/written policy for TPHC.

K09 - 8 Points - Improper cooling methods; 114002, 114002.1

Inspector Observations:

Cooked, bone-in yellow chicken measured 49F while maintained a container kept tightly wrapped with plastic in the lower portion of the prep cooler at the corner of the kitchen. Per staff, it had been cooked yesterday, and maintained in the unit to cool overnight.

Follow-up By
03/19/2026

Beef ribs measured between 94F and 96F while maintained in two large, deep containers kept tightly covered with plastic wrap on a rack in the walk-in cooler. Per the manager and the cook, items had been cooked between 3.5 and 4 hours prior, earlier this morning, and then placed into the walk-in cooler to cool down.

[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 of the aforementioned were voluntarily discarded.

Minor Violations

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

Inspector Observations:

Facility could not provide a valid, 5-year food safety certificate. Per the Manager, the individual who had the food safety certificate no longer works at the facility.

[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.

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:

Cleaned, wet containers observed stacked up on drying racks in a way that does not facilitate air drying.

[CA] Equipment and utensils must be air dried or properly stored to facilitate drying after sanitizing.

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

Inspector Observations:

Hot and cold water knobs of the handwashing sink in the dishwashing area observed to be inoperable. Faucet is unable to output hot or cold water.

[CA] Handwashing facilities shall be equipped to provide minimum 100°F water under pressure for a minimum of 15 seconds.

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K23 - 3 Points - Observed rodents, insects, birds, or animals; 114259.1, 114259.4, 114259.5

Inspector Observations:

7+ flies observed in the kitchen area.

[CA] Food facility shall be kept free of non-disease carrying insects, weevils, ants, gnats, and fruit flies. Ensure back door is kept closed where possible to prevent the intrusion of flies into the kitchen.

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:

Container of cooked beef observed stored outside the back door of the facility on a wooden pallet. Per staff, it had been delivered from Pho Ha Noi (San Jose) approximately 1 hour prior, and they had forgotten to take it inside.

[CA] Food shall be stored inside the fully enclosed, approved facility 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 of the one-door prep cooler at the cook-line measured 52F via probe.

Follow-up By
03/19/2026

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

Performance-Based Inspection Questions

Needs Improvement - Food contact surfaces clean, sanitized.

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

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Measured Observations

Item	Location	Measurement	Comments
tofu	one-door prep cooler - cook-line	53.00 Fahrenheit	
chlorine sanitizer	mechanical dishwasher - kitchen	50.00 PPM	
hot water	three compartment sink - bar area	120.00 Fahrenheit	
cooked beans	under-counter cooler - right - bar area	41.00 Fahrenheit	
cooked beef	three door prep cooler - cook-line	41.00 Fahrenheit	
oxtail	rolling cart	104.00 Fahrenheit	TPHC
cooked pork chop	prep cooler - corner of kitchen	39.00 Fahrenheit	
ambient	one door prep cooler - cook-line	52.00 Fahrenheit	
beef short rib	three door prep cooler - cook-line	40.00 Fahrenheit	
kimchi	prep table	63.00 Fahrenheit	TPHC
hot water	three compartment sink - dishwashing area	120.00 Fahrenheit	
pork chop	oven	193.00 Fahrenheit	final cook temp
mango	under-counter cooler - left - bar area	39.00 Fahrenheit	
summer rolls	prep cooler - corner of kitchen	64.00 Fahrenheit	TPHC
raw shell eggs	walk-in cooler	41.00 Fahrenheit	
frozen chicken	walk-in freezer	9.00 Fahrenheit	
cooked beef tendon	walk-in cooler	40.00 Fahrenheit	
warm water	hand sink - main preparation area	100.00 Fahrenheit	
chlorine sanitizer	under-counter dishwasher - bar area	50.00 PPM	
warm water	hand sink - bar area	100.00 Fahrenheit	
raw shrimp	prep cooler - corner of kitchen	39.00 Fahrenheit	
rice	rice warmer	174.00 Fahrenheit	
pork belly	three door prep cooler - cook-line	41.00 Fahrenheit	
hot water	two compartment prep sink	120.00 Fahrenheit	
broth	hot hold - stove	196.00 Fahrenheit	
raw chicken	walk-in cooler	40.00 Fahrenheit	
raw beef	three door prep cooler - cook-line	41.00 Fahrenheit	

Overall Comments:

Two or more major violations were cited during the routine inspection.

A follow-up inspection will be conducted in the next 1 to 3 business days to verify compliance with all of the cited major violations.

Subsequent follow-up inspections after the first shall be billed at \$298/hour, one hour minimum, during normal business hours (7:30 AM to 4:30 PM), or \$645 for a minimum of 2 hours, during non-business hours and in accordance with the inspector's availability.

The posted placard is property of the Santa Clara County Department of Environmental Health and shall not be removed, covered-up, relocated, tampered with, camouflaged, or copied. Failure to comply may result in a fine and enforcement action as per county ordinance 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 **3/30/2026**. 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: Trang Nguyen
Manager

Signed On: March 16, 2026