

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 FA0258617 - PHO JOHN		Site Address 960 STORY RD, SAN JOSE, CA 95122		Inspection Date 03/31/2026	
Program PR0378776 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name THINH PHUC NGUYEN & HIE		Inspection Time 10:30 - 12:20
Inspected By HENRY LUU	Inspection Type ROUTINE INSPECTION	Consent By HIEP P.	FSC Hiep Phan 05/16/2030		

Placard Color & Score

YELLOW
54

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						S
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						
K06	Adequate handwash facilities supplied, accessible	X						
K07	Proper hot and cold holding temperatures		X		X			
K08	Time as a public health control; procedures & records					X		
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						
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		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					X	
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					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					X	
K42	Garbage & refuse properly disposed; facilities maintained						
K43	Toilet facilities: properly constructed, supplied, cleaned					X	
K44	Premises clean, in good repair; Personal/chemical storage; Adequate vermin-proofing					X	
K45	Floor, walls, ceilings: built, maintained, clean					X	
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: PHF maintained inside the food preparation refrigerator across from the cook line measured as follows:

- Two packages of macaroni noodles - 59F.
- Container of approximately 12-15 raw shelled eggs - 57F.
- Numerous types of PHF sauces - 53F to 56F.
- Bowl of rice with mung beans - 55F.

Ambient temperature of the refrigerator measured at 59F via probe thermometer placed inside the unit.
Per owner, the breaker of the refrigerator might have been tripped overnight.

Tray of broiled shallots maintained inside the convection oven from the night before measured at 77F.

[CA] PHFs shall be held at 41°F or below or at 135°F or above.

[COS] All items were VC&D due to time and temperature abuse.

Follow-up By
04/08/2026

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

Inspector Observations: Three plastic 2-3 gallon containers of different types of soup maintained inside the walk-in refrigerator measured between 43F to 47F.

Large pot of soup, approximately 10 gallons, maintained inside the walk-in refrigerator measured at 43F.

Per PIC, all soups were cooled from the night before and that all soups are reheated prior to use.

[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.

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] Soups were VC&D due to improper cooling.

Follow-up By
04/08/2026

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

Inspector Observations: 2-3 live cockroaches observed on sticky monitoring trap placed between the copper piping at the corner where all dishwasher detergent is maintained (left of the three-compartment sink, right of the under counter dish machine).

Dead cockroaches observed on sticky monitoring trap placed below the food preparation refrigerator across from the upright freezer.

Owner stated that facility is treated monthly by licensed pest control service. Last service was conducted on 3/26/2026 with service report indicating activity present and "the kitchen infested."

No other activity was observed at the time.

Follow-up By
04/08/2026

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[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.

Conduct thorough cleaning of facility. This Division recommends following pest control technician instructions.

[COS] Instructed owner to discard monitoring trap.

Minor Violations

K19 - 3 Points - Non-compliance with consumer advisory for raw or undercooked foods; 114012, 114093

Inspector Observations: Menu lacks consumer advisory and disclosure statement for beef that is served raw or undercooked.

[CA] Consumer advisory shall be provided on menus, brochures, deli case, label statements, table tents, placards, or other effective written means with a disclosure and reminder.

(1) Disclosure: clearly written statement that includes either a description of the animal-derived foods, such as "oysters on the half shell (raw oysters), or identification of animal derived foods marked by an asterisk (*) directing to a footnote that items are served raw or undercooked, or contain raw or undercooked ingredients

(2) Reminder: clearly written statement that identifies animal-derived foods by asterik that marks a food note includes one of the following: "Written information regarding the safety of these food items is available upon request " or "Consuming raw or undercooked meats, poultry, seafood, shellfish or eggs may increase the risk of foodborne illness, especially if you have certain medical conditions.

K22 - 3 Points - Sewage and wastewater improperly disposed; 114197

Inspector Observations: Heavy leak observed below the ice machine with water pooling onto the floor in the back of the kitchen by the rear exit.

Owner stated that the electrical breaker was turned off last night and thus some ice had melted.

[CA] Liquid waste shall be disposed of through the approved plumbing system and shall discharge into the public sewerage or into an approved private sewage disposal system.

Observed concrete patio in the back area with oil slick. PIC stated that mop water is disposed of onto the floor into the drain and the surrounding dirt area.

[CA] Mop water shall be disposed of in the janitorial sink.

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: Numerous bags of onions maintained directly on the floor in the storage area in the back of the facility.

Bags and boxes of onions, ginger, and cabbage maintained outside in the back patio of the facility under a plastic tarp awning.

[CA] Food shall be stored at least 6 inches above the floor to prevent contamination. Food or food related equipment shall be stored in an approved fully enclosed food facility. Relocate all food and equipment to inside the facility.

Observed a Big Horn propane powered broiler connected and maintained outside in the back patio of the facility under a plastic tarp awning.

[CA] Food or food related equipment shall be stored in an approved fully enclosed food facility. Food preparation shall be conducted within an approved fully enclosed food facility. Relocate all food and equipment to inside the facility.

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

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Inspector Observations: *Observed numerous bags of opened bulk ingredients folded over maintained on the group and on top of each other in the back storage area.*

[CA] *Store open bulk foods in approved NSF containers with tight fitting lids.*

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 food preparation refrigerator across from the cook line measured at 59F via probe thermometer placed inside the unit.*

[CA] *Refrigeration must be capable of maintaining PHFs at 41°F or below.*

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: *Ice scoop maintained with handle in direct contact with ice.*

[CA] *Store scoop handle in such a way that the handle does not come in direct contact with food to prevent contamination.*

Observed large stock pots, woks, and other cooking equipment maintained outside in the back patio area under plastic tarp awning.

[CA] *Equipment shall be stored within an approved facility to prevent contamination. Relocate all equipment to inside the facility. Properly store utensils and equipment in a clean and sanitary manner.*

K41 - 2 Points - Plumbing unapproved, not installed, not in good repair; improper backflow devices; 114171, 114189.1, 114190, 114192, 114193, 114193.1, 114199, 114201, 114269

Inspector Observations: *Hot water faucet at the hand wash station in the back of the kitchen difficult to turn and does not provide an adequate supply of water.*

[CA] *Repair plumbing fixture and maintain in clean and good repair.*

K43 - 2 Points - Toilet facilities: improperly constructed, supplied, cleaned; 114250, 114250.1, 114276

Inspector Observations: *Restroom doors lack self-closing devices.*

[CA] *Toilet rooms shall be separated by well-fitted, self-closing doors that prevent the passage of flies, dust, or odors.*

Toilet paper maintained on top of toilet.

[CA] *Toilet tissue shall be provided in a permanently installed dispenser at each toilet.*

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: *Janitorial sink is half obstructed with large ice machine placed on top. Ice machine is set on top of brick-like pavers. Per owner, mop water is disposed of outside onto the ground/dirt.*

[CA] *At least one curbed cleaning facility or janitorial sink equipped with hot and cold water and drain shall be provided. Relocate ice machine so that janitorial sink is fully accessible.*

Observed numerous unused/inoperable/cast-off equipment maintained outside.

[CA] *The premises of a food facility shall be free of litter and items that are unnecessary to the operation or maintenance of the facility, such as equipment that is nonfunctional or no longer used.*

Employees' personal belonging observed stored on storage rack next to prepackaged food items in the storage room.

[CA] *No person shall store clothing or personal effects in any area used for the storage and preparation of food or food contact surfaces.*

K45 - 2 Points - Floor, walls, ceilings: not built, not maintained, not clean; 114143(d), 114266, 114268, 114268.1, 114271, 114272

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Inspector Observations: *Missing ceiling panel above hot water heater.*

[CA] Repair holes in structure and maintain in good repair to prevent pest harborage. Ceilings of all rooms where nonprepackaged food is handled shall be smooth, of durable construction, and of nonabsorbent material that is easily cleanable.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
Cooked rice	Walk-in refrigerator	39.00 Fahrenheit	
Warm water	Hand wash sink - restroom	101.00 Fahrenheit	
Milk	Merchandiser refrigerator	40.00 Fahrenheit	
Warm water	Hand wash sink - front service	100.00 Fahrenheit	
Rice with mung bean	Walk-in refrigerator	38.00 Fahrenheit	
Raw beef	Walk-in refrigerator	38.00 Fahrenheit	
Chlorine sanitizer	Undercounter dish machine	100.00 PPM	
Beef balls	Food preparation refrigerator	39.00 Fahrenheit	Across from walk-in
Cooked vermicelli noodles	Walk-in refrigerator	40.00 Fahrenheit	
Bean sprouts	Food preparation refrigerator	40.00 Fahrenheit	Across from walk-in
Quaternary ammonia	Three-compartment sink	200.00 PPM	
Hot water	Three-compartment sink	121.00 Fahrenheit	
Ambient	Three-door upright freezer	3.00 Fahrenheit	
Cooked ox tail	Food preparation refrigerator	40.00 Fahrenheit	Across from walk-in
Cooked macaroni noodles	Walk-in refrigerator	39.00 Fahrenheit	

Overall Comments:

- On-site for facility evaluation request for an ownership change.
- 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 \$282/hour, minimum one hour, during normal business hours (Monday - Friday, 7:30 AM to 4:30 PM), and \$645 for a 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.

OWNERSHIP CHANGE INFORMATION

NEW FACILITY NAME: Pho John Inc.

NEW OWNER: Pho John Inc.

The applicant has completed the facility evaluation application process for an Environmental Health Permit.

The permit category for this facility is FP11. An invoice for the permit fee in the amount of \$2,281.00 plus a 25% penalty* will be mailed to the billing address on the application. Payment must be submitted within 10 days of receipt of the invoice. The owner is responsible for contacting our department if an invoice is not received and remit payment within 30 days.

* Failure to notify the Department of Environmental Health of ownership change within 14 calendar days.

The Environmental Health Permit will be effective: 04/01/2026 - 03/31/2027 This report serves as a temporary permit. However, the permit will be deemed invalid if the permit fee is not paid in full within 30 days from the date of this report. Okay to Operate.

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An official permit will be mailed to the address on file and shall be posted in public view upon receipt.

***Structural Review inspection conducted on 03/31/2026**

***Permit condition: N/A**

***Obtain food safety manager certificate within 60 days. All other food employees must have valid food handler cards within 30 days from hire date.**

Note:

- Requirements for reduced-oxygen packaging (ROP) without Hazard Analysis Critical Control Point (HACCP) plan approval from state:

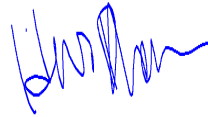
- 1) Food is labeled with production date and time.**
- 2) Food is maintained at 41F and below.**
- 3) The food is removed from its package in the food facility within 48 hours after packaging.**

**** If facility intends to conduct ROP for sous vide, provide standard operating procedures (SOP) to this Division for review and approval.**

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 **4/14/2026**. 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.

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: Hiep P.
Owner
Signed On: March 31, 2026