

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 FA0260735 - PHO TAU BAY		Site Address 3005 SILVER CREEK RD 168, SAN JOSE, CA 95121		Inspection Date 04/25/2025		Placard Color & Score <div style="background-color: green; color: white; padding: 10px; text-align: center;"> GREEN 89 </div>		
Program PR0382245 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name HA, DUNG		Inspection Time 16:00 - 17:10			
Inspected By NHA HUYNH		Inspection Type ROUTINE INSPECTION		Consent By PHUONG/JACKIE				FSC Kieu Huynh 03/02/2026

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						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				
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						
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	X	
K34	Warewash facilities: installed/maintained; test strips		
K35	Equipment, utensils: Approved, in good repair, adequate capacity		
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		
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

No major violations were observed during this inspection.

Minor Violations

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

Inspector Observations:

Packages of cured uncooked ground pork (nem nuong) was measured at 48 degrees Fahrenheit. Per employee, the nem nuong was going to be cooked.

[Corrective Action] Maintain Potentially Hazardous Foods at or below 41 degrees Fahrenheit.

[Suitable Alternative] Employee returned the nem nuong back into the walk-in cooler.

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:

1. Rice noodles observed stored on the dishwasher's drainboard.

[Corrective Action] Discontinue storing any food on the dishwasher's drainboard.

2. Observed containers of food stored directly on the floor in the walk-in cooler and walk-in freezer.

[Corrective Action] Store all foods at least 6 inches above the floor on approved shelving.

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

Inspector Observations:

1. Grime accumulation on the side of the ice machine.

[Corrective Action] Thoroughly clean and maintain clean.

2. Dust accumulation on the fan guard in the walk-in cooler.

[Corrective Action] Thoroughly clean and maintain clean.

3. Grease accumulation on the containers at the dry storage area.

[Corrective Action] Thoroughly clean and maintain clean.

4. Grime accumulation on the shelving of the work table.

[Corrective Action] Thoroughly clean and maintain clean.

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. Observed knives stored between the work table and the wall near the meat slicers.

[Corrective Action] Discontinue storing knives in the crevice.

2. Observed employee arm rubbing against scoops when reaching for the paper towels at the handwash sink at the service area.

[Corrective Action] Re-located the scoops.

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

Inspector Observations:

1. Broken and missing floor tiles observed at the cookline.

[Corrective Action] Maintain floor in good condition.

2. Dust accumulation on the ceiling in the walk-in cooler.

[Corrective Action] Thoroughly clean and maintain clean.

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Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
cream	single door prep cooler	39.00 Fahrenheit	service area
meat	2 door prep cooler	41.00 Fahrenheit	
hot water	handwash sink	107.00 Fahrenheit	
hot water	3 compartment sink	128.00 Fahrenheit	
meat	walk-in cooler	40.00 Fahrenheit	
pork blood	steam table	141.00 Fahrenheit	
milk	single door upright display cooler	33.00 Fahrenheit	service area
chlorine sanitizer	dishwasher	50.00 PPM	
meat	single door prep cooler	40.00 Fahrenheit	
cream	display cooler	40.00 Fahrenheit	service area

Overall Comments:

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 **5/9/2025**. 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.

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: Jackie Ha
Person in charge
Signed On: April 25, 2025