

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 FA0275469 - PHO THIS WAY		Site Address 979 STORY RD 7048, SAN JOSE, CA 95122		Inspection Date 11/07/2023		Placard Color & Score GREEN 86
Program PR0416324 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 2 - FP13			Owner Name PHO THIS WAY INC		Inspection Time 12:20 - 13:40	
Inspected By HENRY LUU	Inspection Type ROUTINE INSPECTION	Consent By ANH L.	FSC Anh Le 06/09/2024			

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						
K03 No discharge from eyes, nose, mouth	X						
K04 Proper eating, tasting, drinking, tobacco use			X				N
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		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		
K27 Food separated and protected		
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		
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

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: Wash wash employee wash, rinse, sanitizes, and then soaks utensils in water before air drying.

[CA] Manual warewashing shall be accomplished by using a three-compartment sink where the utensils are first precleaned, washed with hot soapy water, rinsed with hot water, sanitized with an approved method, and air dried. Use 1 TBS of bleach (5.25%) per 1 gal. of water for chlorine solution (100 PPM). Use 1 tbs of quaternary ammonium (10%) per 2 gal. of water for quaternary ammonium (200 PPM). Equipment and utensils must be air dried or properly stored to facilitate drying after sanitizing.

[COS] Instructed employee to sanitize utensils again.

Minor Violations

K04 - 3 Points - Improper eating, tasting, drinking or tobacco use in food preparation area; 113977

Inspector Observations: Employee's personal food (cup of coffee and Ritz crackers) stored at the food preparation table during active food preparation.

[CA] No employee shall eat or drink in the food prep, food contact storage, or food storage areas, use designated area. Provide designated location for employees to store personal food and beverages, separated and away from food preparation, food storage, and/or food contact surfaces.

K06 - 3 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

Inspector Observations: Paper towel dispenser at the hand wash station in the front service area by the entrance into the kitchen placed on top shelf.

[CA] Handwashing facilities shall be equipped with handwashing cleanser and single-use sanitary towels in dispensers at all times. Towels and soap shall be easily and readily accessible at all times. Install towel dispenser onto wall.

Performance-Based Inspection Questions

Needs Improvement - Proper eating, tasting, drinking, tobacco use.

Needs Improvement - Food contact surfaces clean, sanitized.

Measured Observations

Item	Location	Measurement	Comments
Sliced beef brisket	Food preparation refrigerator	40.00 Fahrenheit	
Beef rib bone	Food preparation refrigerator	41.00 Fahrenheit	
Cooked pork hock	Food preparation refrigerator	39.00 Fahrenheit	
Half n half	Two-door reach-in refrigerator	41.00 Fahrenheit	Front service area
Soup	Walk-in freezer	29.00 Fahrenheit	
Whole cooked beef brisket	Walk-in refrigerator	37.00 Fahrenheit	
Warm water	Hand wash sink	105.00 Fahrenheit	
Cooked half chicken	Walk-in refrigerator	33.00 Fahrenheit	
Bean sprouts	Two-door reach-in refrigerator	41.00 Fahrenheit	Front service area
Hot water	Food preparation sink	152.00 Fahrenheit	
Cooked macaroni	Walk-in refrigerator	35.00 Fahrenheit	
Hot water	Bar three-compartment sink	120.00 Fahrenheit	
Cooked rice	Walk-in refrigerator	35.00 Fahrenheit	
Hot water	Three-compartment sink	150.00 Fahrenheit	
Cooked rice	Food preparation refrigerator	40.00 Fahrenheit	Across from wok burner
Raw beef slices	Food preparation refrigerator	38.00 Fahrenheit	

Overall Comments:

- Time as a public health control written procedure reviewed and provided to manager.

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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 **11/21/2023**. 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: Anh L.
Manager

Signed On: November 07, 2023