

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 FA0257202 - PHO NGUYEN INC.		Site Address 275 W CALAVERAS BL, MILPITAS, CA 95035		Inspection Date 05/18/2022	
Program PR0375900 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name NGUYEN, LINDA		Inspection Time 14:30 - 16:00
Inspected By FRANK LEONG	Inspection Type ROUTINE INSPECTION	Consent By TERRENCE HA	FSC THANG NGUYEN 02/24/2024		

Placard Color & Score
GREEN
85

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						S
K06 Adequate handwash facilities supplied, accessible	X						S
K07 Proper hot and cold holding temperatures		X		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		
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	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: *In the kitchen area, by the 2 door prep unit, measured sliced tomatoes at 66F. Per operator, sliced tomatoes was recently prepared. [CA] Ensure potentially hazardous foods are held cold at or below 41F to prevent bacterial growth. [COS] Operator moved sliced tomatoes into undercounter compartment of 2 door prep unit to facilitate proper holding temperatures.*

Minor Violations

K09 - 3 Points - Improper cooling methods; 114002, 114002.1

Inspector Observations: *In the kitchen area, at the walk-in freezer, measured cooked broth cooling in closed containers at 135F. [CA] Potentially hazardous foods shall be RAPIDLY cooled from 135F to 70F within 2 hours, and then from 70F to 41F within 4 hours. Cooling shall be facilitated by one or more of the following methods: in an ice bath; using an ice paddle; separated into smaller portions; placed in shallow containers; and/or adding ice.*

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: *In the walk-in refrigerator, observed raw chicken stored next to cooked chicken. [CA] All food shall be separated and protected from possible contamination. Store food in the following order from the bottom: chicken, raw shelled eggs, beef; pork, fish/seafood, vegetables, cooked food.*

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

Inspector Observations: *At the back warewash area, observed accumulation of debris on the corner between the 3 compartment sink and warewash machine. [CA] Ensure floors are regularly cleaned and maintained to prevent harborage of vermin.*

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
raw chicken	walk-in refrigerator	38.00 Fahrenheit	
chlorine sanitizer	warewash machine	50.00 PPM	
sliced beef	2 door prep unit	40.00 Fahrenheit	
tripe	walk-in refrigerator	38.00 Fahrenheit	
milk tea	sliding 2 door reach in refrigerator	41.00 Fahrenheit	
hot water	3 compartment sink	120.00 Fahrenheit	
half and half	sliding 2 door reach in refrigerator	41.00 Fahrenheit	
cooked rice	rice cooker	150.00 Fahrenheit	
warm water	handwash sink	100.00 Fahrenheit	
pork chop	2 door prep unit	39.00 Fahrenheit	
cooked chicken	walk-in refrigerator	38.00 Fahrenheit	
sliced tomato	counter-top	66.00 Fahrenheit	
tripe	2 door prep unit	40.00 Fahrenheit	

Overall Comments:

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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 **6/1/2022**. 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: TERRENCE HA
MANAGER

Signed On: May 18, 2022