

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 FA0208148 - LEE'S SANDWICHES CORP		Site Address 2525 S KING RD, SAN JOSE, CA 95122		Inspection Date 02/15/2021	
Program PR0303969 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name LEE'S SANDWICHES CORP		Inspection Time 15:00 - 16:15
Inspected By LAWRENCE DODSON	Inspection Type RISK FACTOR INSPECTION		Consent By MY LEE	FSC Not Available	

Placard Color & Score
RED
N/A

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						
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						
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	X	
K27 Food separated and protected	X	
K28 Fruits and vegetables washed		
K29 Toxic substances properly identified, stored, used	X	
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	X	
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	X	
K45 Floor, walls, ceilings: built, maintained, clean	X	
K46 No unapproved private home/living/sleeping quarters		
K47 Signs posted; last inspection report available		

OFFICIAL INSPECTION REPORT

Facility FA0208148 - LEE'S SANDWICHES CORP	Site Address 2525 S KING RD, SAN JOSE, CA 95122	Inspection Date 02/15/2021
Program PR0303969 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14	Owner Name LEE'S SANDWICHES CORP	Inspection Time 15:00 - 16:15
K48	Plan review	
K49	Permits available	
K58	Placard properly displayed/posted	

Comments and Observations

Major Violations

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

Inspector Observations: Food held at front counter is subject to TPHC but lacks time markings or time logs.[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.[SA] Per PIC, due to the closure of facility, All Food held on TPHC will be discarded.

Follow-up By 02/18/2021

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

Inspector Observations: 15+ live cockroaches of different generations found under 3 the compartment warewash sink. 1 live adult cockroach found on cutting board at food preparation table. 1 live adult cockroach found on the floor of the bakery. 1 live juvenile cockroach found on the floor near standing the refrigerators. [CA] The premises of each food facility shall be kept free of vermin. A food facility shall not operate when there is a vermin infestation that has resulted in the contamination of food contact surfaces, food packaging, utensils, food equipment, or adulteration of food(s). The food facility shall cease operation of the food facility immediately. The food facility shall remain closed until: there is no longer evidence of a vermin infestation; all contaminated surfaces have been cleaned and sanitized; and contributing factors such as cleaning, repairs, and the elimination of harborages have been resolved.

Follow-up By 02/18/2021

Minor Violations

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

Inspector Observations: FSC expired on 5/03/2020. [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. Provide a valid FSC to your district inspector by 4/15/2021

Follow-up By 04/15/2021

K26 - 2 Points - Unapproved thawing methods used; frozen food; 114018, 114020, 114020.1

Inspector Observations: Frozen fish and poultry found thawing in standing water.[CA] Frozen potentially hazardous food shall only be thawed in one of the following ways: 1) under refrigeration that maintains the food temperature at 41°F or below, 2) completely submerged under potable running water for a period not to exceed two hours at a water temperature of 70°F or below, and with sufficient water velocity to agitate and flush off loose particles into the sink drain, 3) in a microwave oven if immediately followed by immediate preparation, 4) as part of a cooking process.

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: Observed defrosting of fish in a 3 compartment sink containing soiled dishes/equipment. [CA] Food preparation shall only occur in approved areas.

K29 - 2 Points - Toxic substances improperly identified, stored, used; 114254, 114254.1, 114254.2

Inspector Observations: Home pest control found in kitchen.[CA] Only those insecticides, rodenticides, and other pesticides that are necessary and specifically approved for use in a food facility may be used.

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: Food preparation sink is directly plumbed.[CA] All plumbing and plumbing fixtures shall be installed in compliance with applicable local plumbing ordinances, shall be maintained so as to prevent any contamination, and shall be kept clean, fully operative, and in good repair. Maintain an air gap at the floor sink/food preparation sink.

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

OFFICIAL INSPECTION REPORT

Facility FA0208148 - LEE'S SANDWICHES CORP	Site Address 2525 S KING RD, SAN JOSE, CA 95122	Inspection Date 02/15/2021
Program PR0303969 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14	Owner Name LEE'S SANDWICHES CORP	Inspection Time 15:00 - 16:15

Inspector Observations: Facility is cluttered and unorganized.[CA] Storage room 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.

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

Inspector Observations: Heavy food/debris buildup found on the floor and under cooking equipment.[CA] Regularly clean under cooking equipment to prevent accumulation of debris.

Performance-Based Inspection Questions

N/A

Measured Observations

Item	Location	Measurement	Comments
pate	preparation refrigerator	40.00 Fahrenheit	
raw fish	3 compartment sink	33.00 Fahrenheit	
cooked pork	hot holding unit	144.00 Fahrenheit	
hot water	3 compartment sink	122.00 Fahrenheit	
standing refrigerator	storage	38.00 Fahrenheit	
walk-in refrigerator	storage	36.00 Fahrenheit	

Overall Comments:

Facility is hereby closed due to the presence of vermin.

Once there is no longer evidence of a vermin infestation; all contaminated surfaces have been cleaned and sanitized; and contributing factors such as cleaning, repairs, and the elimination of harborages have been resolved, Contact your district inspector at (408)918-3438 to schedule a re-opening inspection. You may also call the main phone line at (408)918-3400.

If subsequence inspections are necessary, each follow up inspection will be billed at \$219 per hour, minimum 1 hour. Inspections requested after normal business hours, will be billed at \$493 for 2 hours. Each additional hour will be billed at \$219 per hour.

Official inspection report emailed to myle@leesandwiches.com; nguyentruc2001@yahoo.com

CLOSURE / PERMIT SUSPENSION NOTICE

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 **3/1/2021**. 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.

This notice is to inform you that as of this date the Environmental Health Permit for the above mentioned food facility is hereby suspended and all operations therewith are ordered to cease. This action is taken in accordance with Section 114409 of the California Health and Safety Code which states 'If any imminent health hazard is found, unless the hazard is immediately corrected, an enforcement officer may temporarily suspend the permit and order the food facility or cottage food operation immediately closed.'

You have the right to make a written request for a hearing within 15 days after receipt of this notice to show just cause why the permit suspension is not warranted. Failure to request such a hearing within the 15-day period shall be deemed a waiver of the right to a hearing. After these violations have been corrected, you must call the Department of Environmental Health for a reinspection to reinstate the permit to operate. Phone #: (408)918-3400.

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: My Lee
PIC

Signed On: February 15, 2021