

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 FA0240408 - CITY BAGELS		Site Address 52 W SANTA CLARA ST, SAN JOSE, CA 95113		Inspection Date 12/04/2024	
Program PR0340502 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			Owner Name TANG, KAM ENG		Inspection Time 10:25 - 12:00
Inspected By ALEXANDER ALFARO	Inspection Type ROUTINE INSPECTION	Consent By KIM - OWNER	FSC Kim Eng Tang 6/07/2028		

Placard Color & Score YELLOW 69

RISK FACTORS AND INTERVENTIONS	IN	OUT		COS/SA	N/O	N/A	PBI
		Major	Minor				
K01 Demonstration of knowledge; food safety certification	X						N
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						N
K06 Adequate handwash facilities supplied, accessible		X		X			N
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	X	
K33 Nonfood contact surfaces clean	X	
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		
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		

OFFICIAL INSPECTION REPORT

Facility FA0240408 - CITY BAGELS	Site Address 52 W SANTA CLARA ST, SAN JOSE, CA 95113	Inspection Date 12/04/2024
Program PR0340502 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10	Owner Name TANG, KAM ENG	Inspection Time 10:25 - 12:00
K48 Plan review		X
K49 Permits available		
K58 Placard properly displayed/posted		

Comments and Observations

Major Violations

K06 - 8 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

Inspector Observations:

The only hand wash station in the kitchen/prep area lacks hot water rendering it inoperable for proper hand washing. Water measured at 70. Per Kim the sink has not had hot water since she took over the facility.

Follow-up By
12/09/2024

[CA] All food facilities shall provide an operable handwashing station.

[SA] Staff are to wash hands in the first compartment of the three compartment sink until hot water is provided to the hand sink.

K07 - 8 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

Inspector Observations:

1. Major Violation: In the service area, on the counter, a container of boba was found at 67°F at 11:20 am. Per staff they cooked the boba at 8:00 am.

Follow-up By
12/09/2024

2. Minor Violation: In the service area, at the prep cooler, the insert of ham was overstocked and the upper ham measured above 41°F.

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

[SA] 1. Staff agreed to discard the boba after 4 hours from being removed from temperature controlled. Per PIC they may cease to serve boba pearls.

[COS] The excess ham was moved to an insert and placed in the lower portion of the prep cooler.

Minor Violations

K21 - 3 Points - Hot and cold water not available; 113953(c), 114099.2(b), 114163(a), 114189, 114192, 114192.1, 11419

Inspector Observations:

The only hand sink in a food preparation area lacks a hot water supply. All other plumbing fixtures have both cold and hot water.

Follow-up By
12/09/2024

[CA] Handwashing facilities shall be equipped to provide minimum 100°F water under pressure for a minimum of 15 seconds.

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:

Facility is storing raw shelled eggs above produce in the walk in cooler.

[CA] All food shall be separated and protected from cross-contamination. Store all raw meat or other raw products of animal origin below ready-to-eat food items.

K32 - 2 Points - Food improperly labeled & not honestly presented: 114087, 114089, 114089.1(a, b), 114090, 114093.1

OFFICIAL INSPECTION REPORT

Facility FA0240408 - CITY BAGELS	Site Address 52 W SANTA CLARA ST, SAN JOSE, CA 95113	Inspection Date 12/04/2024
Program PR0340502 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10	Owner Name TANG, KAM ENG	Inspection Time 10:25 - 12:00

Inspector Observations:

Facility is prepackaging several food items in the facility and offering them for sale at self service with improper/missing labeling. Food items include:

- Bagel Chips
- Cut Fruit
- Variety of Cream Cheeses
- Unpasteurized Juice

[CA] Food prepackaged in a food facility shall bear a label with the following:

- 1) common name of the food,
- 2) list of ingredients in descending order of predominance by weight,
- 3) quantity of contents,
- 4) name and place of business of the manufacturer, packer, or distributor.

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

Inspector Observations:

The exhaust hood baffles have an accumulation of dust and grime.

[CA] Nonfood-contact surfaces of equipment shall be kept free of an accumulation of dust, dirt, food residue, and other debris.

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:

1. Facility washes fresh produce (tomatoes, lettuce, fruit) and slices for consumption. Per staff they wash produce in the three compartment sink and sanitize the compartment prior to washing produce.

[CA] All permanent food facilities that wash, rinse, soak, thaw, or similarly prepare foods shall be provided with a food preparation sink. Submit to plan check for installation of a prep sink.

2. Facility has installed a plastic lid sealer which lacks ANSI certifications.

[CA] New and/or replacement food equipment shall be certified or classified for sanitation by an American National Standards Institute (ANSI) accredited certification program (e.g. NSF, UL EPH, UL Sanitation, CSA Sanitation, or ETL Sanitation).

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

Inspector Observations:

The wall near the deli slicer is covered with a white cardboard and white plastic trash bag. Wall behind the bag is FRP, unable to tell what is behind the cardboard.

[CA] Repair the wall with a durable, smooth, nonabsorbent, and easily cleanable surface.

K48 - 2 Points - Plan review unapproved; 114380

Inspector Observations:

Facility has installed a new water heater without approval from this department.

[CA] A person proposing to build or remodel a food facility shall submit plans and specifications for review and shall receive plan approval prior to starting any new construction or remodeling. Contact DEH at 408-918-3400 or at www.ehinfo.org to obtain plan check requirements.

Performance-Based Inspection Questions

OFFICIAL INSPECTION REPORT

Facility FA0240408 - CITY BAGELS	Site Address 52 W SANTA CLARA ST, SAN JOSE, CA 95113	Inspection Date 12/04/2024
Program PR0340502 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10	Owner Name TANG, KAM ENG	Inspection Time 10:25 - 12:00

Needs Improvement - Hands clean/properly washed/gloves used properly.
 Needs Improvement - Demonstration of knowledge; food manager certification.
 Needs Improvement - Adequate handwash facilities: supplied or accessible.

Measured Observations

Item	Location	Measurement	Comments
Bagel	Walk in Freezer	-2.00 Fahrenheit	
Ham	Prep Cooler - Bottom of Insert	40.00 Fahrenheit	
Ham	Prep Cooler - Top of Insert	44.00 Fahrenheit	
Eggs	Walk in Cooler	38.00 Fahrenheit	
Salmon	Walk in Freezer	-2.00 Fahrenheit	From Sysco, RTE
Water	Three Compartment Sink	124.00 Fahrenheit	
Hardboiled Eggs	Upright Cooler	39.00 Fahrenheit	
Water	Hand Sink - Restroom	100.00 Fahrenheit	
Boba	Counter	67.00 Fahrenheit	Put on TPHC
Water	Hand Sink - Service Area	70.00 Fahrenheit	

Overall Comments:

A follow up inspection will be conducted within 3 business days to verify compliance with major violations. The first follow up inspection is free of charge. Any and all subsequent follow up inspections shall be charged at the approved hourly rate of \$298.00/hr, minimum of one hour, during normal business hours: Monday through Friday 7:30am to 4:30pm or \$645/hour minimum two hour during non business hours, and upon inspector availability.

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 **12/18/2024**. 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: Kim
Owner

Signed On: December 04, 2024