

# 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 FA0240285 - SUBWAY		Site Address 43 S 1ST ST, SAN JOSE, CA 95113		Inspection Date 12/28/2022	
Program PR0340352 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			Owner Name SHAYA ANDREWS ALBERT &		Inspection Time 10:35 - 11:30
Inspected By JENNIFER RIOS	Inspection Type ROUTINE INSPECTION		Consent By ALBA	FSC Cyrena Dharmaraj 02/24/2027	

Placard Color & Score
<b>GREEN</b>
<b>82</b>

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		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		
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		X
K45 Floor, walls, ceilings: built, maintained, clean		
K46 No unapproved private home/living/sleeping quarters		
K47 Signs posted; last inspection report available	X	

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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: Quaternary ammonia in three compartment sink measured 0ppm while equipment was actively being sanitized. After draining and refilling, it appears the dispenser is not working. [CA] Manual sanitization shall be accomplished in the final sanitizing rinse by contacting a chlorine solution of 100 PPM concentration for at least 30 seconds or by contacting a quaternary ammonium solution of 200 PPM concentration for at least 60 seconds. [SA] PIC opened bottle of sanitizer and mixed with water to make 200ppm quaternary ammonia. Continue to manually add sanitizer until dispenser is repaired to dispense 200ppm quaternary ammonia.**

### Minor Violations

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

**Inspector Observations: Food handler cards were not available for employees at time of inspection. [CA] Each food handler shall maintain a valid food handler card for the duration of his or her employment as food handler available for review. A valid food handler card shall be provided within 30 days of after the date of hire.**

K23 - 3 Points - Observed rodents, insects, birds, or animals; 114259.1, 114259.4, 114259.5

**Inspector Observations: Observed dead cockroaches on the floor by the handwash sink and a dead cockroach on the wall above the handwash sink. [CA] Clean and sanitize areas of dead cockroaches.**

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

**Inspector Observations: Observed mop stored on floor of janitorial sink in contact with boxes outside of it. [CA] After use, mops shall be placed in a position that allows them to air-dry without soiling walls, equipment, or supplies.**

K47 - 2 Points - Signs not posted; last inspection report not available; 113725.1, 113953.5, 113978, 114381(e)

**Inspector Observations: The Environmental Health Permit is not posted in public view. [CA] The health permit issued by this department shall be posted in a conspicuous place in the food facility.**

### Performance-Based Inspection Questions

N/A

### Measured Observations

Item	Location	Measurement	Comments
Chicken	Cold hold insert	39.00 Fahrenheit	
Quaternary ammonia	Three comp sink	0.00 PPM	
Hot water	Three comp sink	120.00 Fahrenheit	
Meatball	Hot holding	192.00 Fahrenheit	
Turkey	Walk in fridge	39.00 Fahrenheit	
Turkey	Cold hold insert	40.00 Fahrenheit	
Quaternary ammonia	Three comp sink	200.00 PPM	
Warm water	Handwash/restroom handwash	100.00 Fahrenheit	
Sliced tomato	Cold hold insert	39.00 Fahrenheit	
Chlorine	Knife sanitizer	100.00 PPM	
Quaternary ammonia	Sanitizing bucket	200.00 PPM	

### 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 **1/11/2023**. 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



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**Received By:** Alba Cruz  
Employee

**Signed On:** December 28, 2022