

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 FA0258036 - LEE'S SANDWICHES		Site Address 260 E SANTA CLARA ST, SAN JOSE, CA 95113		Inspection Date 06/13/2024	
Program PR0377668 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name BTL ESTABLISHMENT, INC.		Inspection Time 10:30 - 12:00
Inspected By MINDY NGUYEN	Inspection Type ROUTINE INSPECTION	Consent By SOLA	FSC MICAH DRAKES 12-8-26		

Placard Color & Score
YELLOW
68

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		
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		X			N
K09 Proper cooling methods					X		
K10 Proper cooking time & temperatures	X						S
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						S
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	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	X	
K37 Vending machines		
K38 Adequate ventilation/lighting; designated areas, use	X	
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		

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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: *Inside the hot-holding display unit on the front counter: measured internal temperature of chicken skewers to be 103 - 123F. Employee stated the skewers had been cooked 25 minutes prior and placed inside the display unit.*

[CA] *Keep potentially hazardous foods at 41F and below or 135F and above.*

[COS] *The skewers were reheated immediately.*

Follow-up By
06/18/2024

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

Inspector Observations: *Per PIC, foods at the front counter (spring rolls, rice, buns) are under Time as a Public Health Control (TPHC). However, no time-marking was observed. Employee stated foods had been brought out 15 minutes prior.*

[CA] *When using TPHC, foods must be IMMEDIATELY labeled with a time stamp (or other means) to indicate the start/end times.*

[COS] *Foods were immediately labeled to be discarded at the 4-hour time mark.*

Follow-up By
06/18/2024

***REPEAT VIOLATION* See notes below.**

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: *Measured the hot water at the 3-compartment sink and prep sink to be 113F.*

[CA] *Provide hot water (120F) at these sinks.*

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

Inspector Observations: *Observed approximately 10 flies in the kitchen area.*

[CA] *Keep facility clear of flies.*

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

Inspector Observations: *Observed accumulation of food debris/grease on sides of equipment, especially in the cooking area.*

[CA] *Keep surfaces clean.*

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: *Observed the walk-in refrigerator's inside door handle was missing/broken.*

[CA] *Replace the missing handle.*

K36 - 2 Points - Equipment, utensils, linens: Improper storage and use; 114074, 114081, 114119, 114121, 114161, 114178, 114179, 114083, 114185, 114185.2, 114185.3, 114185.4, 114185.5

Inspector Observations: *Observed soiled butcher's paper was lining multiple shelves and surfaces in the kitchen.*

[CA] *Discard cardboard. Surfaces must be smooth, nonabsorbent, and easily cleanable.*

K38 - 2 Points - Inadequate ventilation and lighting in designated area; 114149, 114149.1, 114149.2, 114149.3, 114252, 114252.1

Inspector Observations: *In the cooking area: observed accumulation of grease on hood filters. Observed gap between hood filters.*

[CA] *Keep hood filters clean, and eliminate gaps.*

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

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Inspector Observations: *Observed the back door was open during the inspection.*
[CA] *Keep the back door closed to prevent entry of vermin.*

Performance-Based Inspection Questions

Needs Improvement - Time as a public health control; procedures & records.

Measured Observations

Item	Location	Measurement	Comments
CHLORINE	3-COMPARTMENT SINK	50.00 PPM	
CHICKEN SKEWERS	FRONT HOT HOLDING DISPLAY UNIT	123.00 Fahrenheit	103F - 123F
HOT WATER	3-COMPARTMENT SINK, PREP SINK	113.00 Fahrenheit	
WARM WATER	HANDWASH SINKS, KITCHEN AND RESTROOM	100.00 Fahrenheit	
RICE	RICE COOKER	145.00 Fahrenheit	
SLICED DELI MEAT	PREP INSERT	41.00 Fahrenheit	
PUFF PASTRY	FRONT HOT HOLDING DISPLAY UNIT	135.00 Fahrenheit	
SHELL EGGS, COOKED MEATS	WALK-IN REFRIGERATOR	41.00 Fahrenheit	
ICE CREAM	PREP REACH-DOWN	20.00 Fahrenheit	
BEAN SPROUTS	PREP INSERT	41.00 Fahrenheit	
CHICKEN	GRILL	170.00 Fahrenheit	

Overall Comments:

Repeat TPHC violations may result in enforcement action, including revocation of the ability to use TPHC.

A follow up inspection will be conducted. The first follow-up is free of charge. Any additional follow-up inspection(s) shall each be billed. Failure to comply may result in enforcement action. Please call Mindy Nguyen at (408) 918-3490 if there are any changes or updates.

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 **6/27/2024**. 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: Michah Drakes
 Manager

Signed On: June 13, 2024