

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 FA0264365 - THE BEST SANDWICHES. INC		Site Address 5126 STEVENS CREEK BL 13, SAN JOSE, CA 95128		Inspection Date 12/06/2024	
Program PR0389738 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			Owner Name MALDONADO, EDGAR		Inspection Time 09:55 - 11:05
Inspected By DENNIS LY	Inspection Type ROUTINE INSPECTION	Consent By LORENA	FSC Marielena Acevedo 9/18/28		

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

OFFICIAL INSPECTION REPORT

Facility FA0264365 - THE BEST SANDWICHES, INC	Site Address 5126 STEVENS CREEK BL 13, SAN JOSE, CA 95129	Inspection Date 12/06/2024
Program PR0389738 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10	Owner Name MALDONADO, EDGAR	Inspection Time 09:55 - 11:05
K48	Plan review	
K49	Permits available	X
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: Potentially hazardous foods are over stacked in the food prep unit inserts located across the cook top and measured at improper cold holding temperatures. Ham, turkey, raw shell eggs, cheese, and chicken measured at 50-56F. [CA] Potentially hazardous foods when cold holding shall be held at or below 41F. [COS] Employee relocated the over stacked items into a separate container and placed it inside the food prep unit.

Minor Violations

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

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

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: The walk-in cooler is in disrepair that resulted in a leak inside the unit that is captured from a hose into a container. [CA] Repair leak and maintain plumbing and equipment in good repair.

K49 - 2 Points - Permits not available; 114067(b,c), 114381(a), 114387

Inspector Observations: Facility's Environmental Health Permit expired on 10/31/24. [CA] A food facility shall have a valid Environmental Health Permit to operate.

A 48 hour notice is issued to renew permit. See comment section below.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
Roast beef	Food prep unit by cook top	41.00 Fahrenheit	
Raw shell eggs	Walk-in cooler	40.00 Fahrenheit	
Chlorine sanitizer	Three compartment sink	100.00 PPM	
Chicken	Food prep unit insert by cook top	56.00 Fahrenheit	
Chicken	Walk-in cooler	38.00 Fahrenheit	
Turkey	Walk-in cooler	40.00 Fahrenheit	
Tuna	Food prep unit by cook top	41.00 Fahrenheit	
Raw shell eggs	Food prep unit insert by cook top	56.00 Fahrenheit	
Ham	Food prep unit insert by cook top	53.00 Fahrenheit	
cheese	Food prep unit insert by cook top	53.00 Fahrenheit	
Cheese	Food prep unit	41.00 Fahrenheit	
Vegetables	Food prep unit insert by cook top	41.00 Fahrenheit	
Hot water	Three compartment sink	120.00 Fahrenheit	
Cut tomatoes	Food prep unit insert	40.00 Fahrenheit	
Cut melon	Food prep unit insert	40.00 Fahrenheit	
Turkey	Food prep unit insert by cook top	50.00 Fahrenheit	
Half and half	Reach-in cooler by beverage station	41.00 Fahrenheit	
Hot water	Handwash sink	100.00 Fahrenheit	
Yogurt drink	Walk-in cooler	41.00 Fahrenheit	

Overall Comments:

--48 HOUR NOTICE--

OFFICIAL INSPECTION REPORT

Facility FA0264365 - THE BEST SANDWICHES, INC	Site Address 5126 STEVENS CREEK BL 13, SAN JOSE, CA 95129	Inspection Date 12/06/2024
Program PR0389738 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10	Owner Name MALDONADO, EDGAR	Inspection Time 09:55 - 11:05

Our records indicate this facility is operating without a valid permit and has a delinquent account.

Your balance due is \$ 1,383.75.

Payment must be made immediately to DEH at the address at the top of this report or via our website at www.Ehinfo.org.

A facility that submits payment of the outstanding balance within 48 hours (2 business days) of this notice will be issued and mailed an operating permit by this department. Failure to comply within 48 hours will result in facility closure and additional enforcement, including but not limited to reinspection(s) and additional cost recovery fees.

A facility found to be in continued operation without a permit may incur a penalty of three (3) times the operating permit fee, and fee(s) for re-inspection(s) charged at the current hourly rate approved by the Santa Clara County Board of Supervisors. Penalties and fees incurred due to enforcement activities must be paid in full prior to the issuance of an operating permit.

A copy of invoice was provided to PIC.

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 **12/20/2024**. 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: Lorena Sotomayor
PIC

Signed On: December 06, 2024