

# 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 FA0254829 - LEE'S SANDWICHES		Site Address 990 STORY RD 30, SAN JOSE, CA 95122		Inspection Date 10/27/2022	
Program PR0371964 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name 990 STORY ROAD INC.		Inspection Time 09:55 - 11:05
Inspected By HENRY LUU	Inspection Type ROUTINE INSPECTION		Consent By MARTIN	FSC Jennifer Le Nguyen 06/18/2024	

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						S
K02 Communicable disease; reporting/restriction/exclusion	X						S
K03 No discharge from eyes, nose, mouth	X						S
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				
K07 Proper hot and cold holding temperatures		X		X			S
K08 Time as a public health control; procedures & records	X						
K09 Proper cooling methods	X						S
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		
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		
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		

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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: Multiple cooked skewers, chicken wings, and egg rolls maintained inside the hot holding unit at the front service counter measured between 100F to 110F. Per manager, items are replaced whenever items are sold out. Items were prepared at approximately 10:00 AM. [CA] PHFs shall be held at 41°F or below or at 135°F or above. [SA] Items are to be held for service until 2:00 PM (total 4 hours) and shall be immediately consumed, served, or discarded.**

### Minor Violations

K06 - 3 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

**Inspector Observations: Customer's restroom lacked hand soap inside dispenser. [CA] Provide handwashing cleanser in dispenser at handwash stations at all times. [COS] Manager refilled soap dispenser.**

**Hand wash sink in the front service area observed clogged and does not drain. Two other hand wash stations in kitchen available and adequately drains. [CA] All food facilities shall provide an operable handwashing station. Investigate cause for clog and repair in an approved manner. [SA] Utilize other hand washing sinks for hand washing.**

**Hand wash sink in the dough preparation area obstructed with cambro and cleaning solution inside the wash basin. [CA] Handwashing facility shall be clean, unobstructed, and accessible at all times. Remove obstruction.**

**Hand wash sink by the cook line partially obstructed with mop bucket placed in front. [CA] Handwashing facility shall be clean, unobstructed, and accessible at all times. Remove obstruction.**

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

**Inspector Observations: Numerous old rodent droppings observed in cabinet space on the side of the beverage preparation refrigerator at the front service counter.**

**Per manager, pest control services facility twice per month. Pest control reports were unavailable for review. No other activity was observed. No contamination/adulteration of food observed.**

**[CA] Clean and sanitize area of dead cockroaches or old droppings.**

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

**Inspector Observations: Numerous prepackaged food items maintained inside the merchandisers for customer self service lacked appropriate labels. [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.**

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: Inoperable preparation refrigerator and deep fryer maintained outside in the back of the facility. [CA] The premises of a food facility 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.**

### Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

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## Measured Observations

Item	Location	Measurement	Comments
Sliced cheese	Sandwich preparation refrigerator	40.00 Fahrenheit	
Braised pork belly	Walk-in refrigerator	39.00 Fahrenheit	
Grilled chicken	Hot holding unit	169.00 Fahrenheit	
Sliced BBQ pork	Hot holding unit	139.00 Fahrenheit	
Steamed buns	Walk-in refrigerator	40.00 Fahrenheit	
Raw pork	Walk-in refrigerator	40.00 Fahrenheit	
Pate	Sandwich preparation refrigerator	40.00 Fahrenheit	
Cut watermelon	Bread proofer refrigerator	41.00 Fahrenheit	
Mung bean	Two-door reach-in refrigerator	41.00 Fahrenheit	
Raw chicken	Walk-in refrigerator	40.00 Fahrenheit	
Steamed egg cake	Walk-in refrigerator	39.00 Fahrenheit	
Meatballs (xiu mai)	Sandwich preparation refrigerator	32.00 Fahrenheit	
Quaternary ammonia	Three-compartment sink	400.00 PPM	
Hot water	Three-compartment sink	121.00 Fahrenheit	Beverage preparation area
Cooked rice	Rice cooker	151.00 Fahrenheit	
Hand wash sink	Hand wash sink	103.00 Fahrenheit	By ice machine
Milk	Three-door reach-in refrigerator	38.00 Fahrenheit	
Hot water	Three-compartment sink	126.00 Fahrenheit	
Ham	Sandwich preparation refrigerator	39.00 Fahrenheit	
Sanitizing buckets	Sandwich preparation area	400.00 PPM	Quaternary ammonia
Orange sticky rice	Two-door reach-in refrigerator	41.00 Fahrenheit	
Pork belly	Hot holding unit	136.00 Fahrenheit	
Sticky rice	Two-door reach-in refrigerator	39.00 Fahrenheit	

## Overall Comments:

### OWNERSHIP CHANGE INFORMATION

**NEW FACILITY NAME:** Lee's Sandwiches

**NEW OWNER:** Lalan Huynh

*The applicant has completed the change of ownership application process for an Environmental Health Permit.*

*The permit category for this facility is FP14. An invoice for the permit fee in the amount of \$1,435.00 will be mailed to the billing address on the application. Payment must be submitted within 10 days of receipt of the invoice. The owner is responsible for contacting our department if an invoice is not received and remit payment within 30 days.*

*The Environmental Health Permit will be effective: 11/01/2022 - 10/31/2023 This report serves as a temporary permit. However, the permit will be deemed invalid if the permit fee is not paid in full within 30 days from the date of this report. Okay to Operate.*

*An official permit will be mailed to the address on file and shall be posted in public view upon receipt.*

*\*Structural Review inspection conducted on 10/27/2022*


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 **11/10/2022**. 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.

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**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:** Martin  
Manager

**Signed On:** October 27, 2022