

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 FA0274139 - NICK THE GREEK		Site Address 1399 LINCOLN AV, SAN JOSE, CA 95125		Inspection Date 02/07/2025		Placard Color & Score GREEN 83		
Program PR0414610 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 2 - FP13			Owner Name NICK TSIGARIS		Inspection Time 11:05 - 12:05			
Inspected By HELEN DINH		Inspection Type ROUTINE INSPECTION		Consent By SENDY (M)				FSC Lucerito Ibarra 1/30/28

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						
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		X			N
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	X	
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	X	
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		
K48	Plan review		

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K49	Permits available		
K58	Placard properly displayed/posted		

Comments and Observations

Major Violations

K10 - 8 Points - Improper cooking time & temperatures; 114004, 114008, 114010

Inspector Observations: Measured chicken skewers holding between 117F - 120F in 2 door under drawer warmer at cooks line. Per operator, PHFs made less about 30 minutes ago. [CA] Chicken shall be cooked to a minimum internal temperature of 165°F or above. [COS] Operator voluntarily discarded PHFs in trash.

Minor Violations

K07 - 3 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

Inspector Observations: Measured the following PHFs holding between 44F - 46F in 3 door upright for less than 4 hours: greek yogurt and raw chicken skewers. [CA] Maintain all PHFs cold held at or below 41F.

K30 - 2 Points - Food storage containers are not identified; 114047, 114049, 114051, 114053, 114055, 114067(h), 114069 (b)

Inspector Observations: Found several containers of food stored on floor in small storage room. [CA] Food shall be stored a minimum of 6 inches off floor.

K40 - 2 Points - Wiping cloths: improperly used and stored; 114135, 114185.1 114185.3(d,e)

Inspector Observations: Measured 0ppm quat concentration at sani bucket located at cooks line and front area. [CA] Maintain quat concentration at 200ppm and/or as specified by manufacturer.

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: Found one loose CO2 tank in small storage room. [CA] Secure CO2 tank to rigid structure to prevent accidental discharge.

Performance-Based Inspection Questions

Needs Improvement - Proper cooking time & temperatures.

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Measured Observations

Item	Location	Measurement	Comments
vegetables	2 door upright	40.00 Fahrenheit	
raw pork	counter	39.00 Fahrenheit	diligent prep
shredded cheese	2 door cold top	41.00 Fahrenheit	
greek yogurt	3 door upright	46.00 Fahrenheit	
hot water	warewash/1-comp	120.00 Fahrenheit	
soup	electric warmer	154.00 Fahrenheit	
raw meat	2 door under drawer unit	41.00 Fahrenheit	
sliced tomato	2 door cold top	39.00 Fahrenheit	
warm water	handsink (cooks line, warewash, 2RR)	100.00 Fahrenheit	
rice	rice cooker	156.00 Fahrenheit	
raw chicken skewer	3 door upright	44.00 Fahrenheit	
meat	3 door upright freezer	0.40 Fahrenheit	
sliced tomato	2 door cold top	40.00 Fahrenheit	
beef gyro	2 door under drawer warmer	135.00 Fahrenheit	
beverage	grab n go	39.00 Fahrenheit	
patty	2 door under drawer unit	41.00 Fahrenheit	
sauce	1 door reach in	37.00 Fahrenheit	
quat	sani buckets (cooks line & front)	0.00 Fahrenheit	final reading at 200ppm.
chicken	2 door under drawer warmer	147.00 Fahrenheit	
chicken skewer	2 door under drawer warmer	117.00 Fahrenheit	between 117F - 120F for about 30 minute. COS- VC&D
sliced tomato	(2x) 2 door reach in	41.00 Fahrenheit	
beverage	1 door upright	40.00 Fahrenheit	
ambient	3 door upright	41.00 Fahrenheit	
gyro	vertical broiler	122.00 Fahrenheit	process of cooking

Overall Comments:

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 **2/21/2025**. 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: Sendy Flores Fregoso
Manager
Signed On: February 07, 2025