

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 FA0251887 - MAXIM MARKET III - GROCERY		Site Address 955 MCLAUGHLIN AV, SAN JOSE, CA 95122		Inspection Date 11/18/2025		Placard Color & Score YELLOW 59		
Program PR0366165 - NO FOOD PREP > 20,000 SQ FT - FP08			Owner Name LUCKY BEST, INC		Inspection Time 14:00 - 16:00			
Inspected By HENRY LUU		Inspection Type ROUTINE INSPECTION		Consent By SUE C.				FSC Not Available

RISK FACTORS AND INTERVENTIONS		IN	OUT		COS/SA	N/O	N/A	PBI
			Major	Minor				
K01	Demonstration of knowledge; food safety certification			X				N
K02	Communicable disease; reporting/restriction/exclusion	X						
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						
K06	Adequate handwash facilities supplied, accessible		X		X			N
K07	Proper hot and cold holding temperatures			X	X			N
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				
K15	Food obtained from approved source	X						
K16	Compliance with shell stock tags, condition, display		X					N
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	X	
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	X	
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	X	
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	X	
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

K06 - 8 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

Inspector Observations: All hand wash stations in the meat and seafood department observed with one or more of the following:

- Completely obstructed with tools, boxes, etc.
- Lacked paper towels.
- Heavily encrusted with grime and debris.

[CA] Handwashing facilities shall be equipped with handwashing cleanser and single-use sanitary towels in dispensers. Handwashing facility shall be clean, unobstructed, and accessible at all times.

Hand wash station in the men's restroom lacked paper towels. Heater air dryer was also inoperable.

[CA] Single-use sanitary towels shall be provided in dispensers; heated-air hand drying device may be substituted for single-use towels.

[COS] Obstructions were cleared. Paper towels were provided in the men's restroom.

Follow-up By
11/25/2025

K16 - 8 Points - Not in compliance with shell stock tags, condition; 114039-114039.5

Inspector Observations: Observed bags of oysters and blood clams maintained on ice without shellstock tags. Manager stated that the manager of the seafood department is not in today and they are the ones that usually maintains the seafood department.

Observed pile of shellstock tags for various types of shellfish maintained hooked onto the wall.

[CA] The identity of the source of shellstock that are sold or served shall be maintained for 90 calendar days from the dates of harvest by using an approved recordkeeping system that keeps the tags or labels in chronological order correlated to the date or dates the shellstock are sold or served.

Follow-up By
11/25/2025

Minor Violations

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

Inspector Observations: Five year Food Safety Certified (FSC) manager certificate unavailable for review.

[CA] Food facilities that prepare, handle, or serve non-prepackaged potentially hazard foods shall have a valid Food Safety Certificate available for review at all times.

*** Repeat violation**

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

Inspector Observations: Bags of raw meats maintained in ice bins in front of the display cases with inadequate ice measured between 45F to 47F.

[CA] PHFs shall be held at 41°F or below or at 135°F or above.

[COS] Employee added ice to cover PHF items.

K14 - 3 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: Observed heavy accumulation of green and pink growth matter on the underside of the cutting boards used to prepare fish.

[CA] Clean, sanitize, and maintain food contact surfaces.

K22 - 3 Points - Sewage and wastewater improperly disposed; 114197

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Inspector Observations: Heavy leak observed below the waste drain pipe of the three-compartment sink at the meat department. Waste water is being redirected into the floor drain with cardboard boxes.

[CA] Liquid waste shall be disposed of through the approved plumbing system and shall discharge into the public sewerage or into an approved private sewage disposal system.

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

Inspector Observations: Old rodent droppings observed on liquor storage shelf by the produce wash area.

One dead American cockroach observed on floor of the warehouse.

Per manager, facility is serviced monthly.

No other activity was observed.

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

K26 - 2 Points - Unapproved thawing methods used; frozen food; 114018, 114020, 114020.1

Inspector Observations: Observed employee at the seafood department defrosting bag of frozen octopus using hot water. Water measured at 104F.

[CA] Water temperature shall be under 70°F while thawing food.

Frozen potentially hazardous food shall only be thawed in one of the following ways: 1) under refrigeration that maintains the food temperature at 41°F or below, 2) completely submerged under potable running water for a period not to exceed two hours at a water temperature of 70°F or below, and with sufficient water velocity to agitate and flush off loose particles into the sink drain, 3) in a microwave oven if immediately followed by immediate preparation, 4) as part of a cooking process.

K31 - 2 Points - Consumer self service does not prevent contamination; 114063, 114065

Inspector Observations: Observed opened shell stock tanks holding live clams for customer self-service.

[CA] Raw non-packaged food of animal origin shall not be offered for customer self-service.

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 cutting boards heavily scored and stained.

[CA] Surfaces of equipment such as cutting blocks and boards that are scratched and scored so that they can no longer be effectively be cleaned and sanitized shall be resurfaced or replaced.

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: Hot water faucet at the hand wash station at the produce preparation room inoperable. Heavy leak observed at the faucet of the two-compartment preparation sink at the produce preparation room.

[CA] Repair plumbing fixture and maintain in clean and good repair.

K45 - 2 Points - Floor, walls, ceilings: not built, not maintained, not clean; 114143(d), 114266, 114268, 114268.1, 114271, 114272

Inspector Observations: Numerous wall tiles of the meat and seafood department observed detached from the wall.

[CA] Repair the wall with a durable, smooth, nonabsorbent, and easily cleanable surface.

Observed heavy accumulation of debris on floors throughout the facility, especially underneath storage racks.

[CA] Regularly clean under equipment to prevent accumulation of debris.

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Performance-Based Inspection Questions

Needs Improvement - Demonstration of knowledge; food manager certification.
Needs Improvement - Proper hot and cold holding temperatures.
Needs Improvement - Compliance with shell stock tags, condition, display.
Needs Improvement - Adequate handwash facilities: supplied or accessible.

Measured Observations

Item	Location	Measurement	Comments
Warm water	Hand wash sink	102.00 Fahrenheit	
Fried fish	Opened face refrigerator	41.00 Fahrenheit	
Milk	Opened face refrigerator	40.00 Fahrenheit	
Tofu	Opened face refrigerator	39.00 Fahrenheit	
Raw chicken	Opened face refrigerator	40.00 Fahrenheit	
Hot water	Three-compartment sink	124.00 Fahrenheit	
Raw shelled eggs	Opened face refrigerator	40.00 Fahrenheit	
Raw fish	On ice	40.00 Fahrenheit	
Shellstock tank water	Shellstock tank for clams	41.00 Fahrenheit	
Raw pork	Display refrigerator	38.00 Fahrenheit	
Raw chicken gizzards	Opened face refrigerator	40.00 Fahrenheit	
Raw pork offals	Display refrigerator	37.00 Fahrenheit	
Raw beef	Walk-in refrigerator	38.00 Fahrenheit	

Overall Comments:

- Two or more major violations were observed during the routine inspection.
- A follow-up inspection will be conducted to verify compliance of all major violations.
- Subsequent follow-up inspection after first follow-up shall be billed \$298/hour, minimum one hour, during normal business hours (Monday - Friday, 7:30 AM to 4:30 PM), and \$645 for a minimum of two hours, during non-business hours, and upon inspector availability.
- The posted placard is property of the Santa Clara County Department of Environmental Health and shall not be removed, covered-up, relocated, tampered, or copied. Failure to comply may result in enforcement actions per County Ordinance Code Section B11-55.

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 12/2/2025. 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: Sue C.
PIC
Signed On: November 18, 2025