

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 FA0257639 - LEE'S SANDWICHES		Site Address 4060 MONTEREY RD, SAN JOSE, CA 95111		Inspection Date 10/12/2023	
Program PR0376949 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name LEE'S SANDWICHES NCA IN		Inspection Time 08:00 - 10:30
Inspected By MARCELA MASRI	Inspection Type ROUTINE INSPECTION		Consent By VU NGUYEN	FSC VU NGUYEN 7-31-24	

Placard Color & Score
YELLOW
54

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			S
K08 Time as a public health control; procedures & records		X		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	X			
K14 Food contact surfaces clean, sanitized	X						S
K15 Food obtained from approved source		X		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	X	
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	X	
K34 Warewash facilities: installed/maintained; test strips	X	
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: FOUND THE EGGROLLS, THE CHICKEN WINGS AND THE FRIED SHRIMP AT 89F UNDER THE HEATING LAMP HOT HOLDING UNIT. [CA] MAINTAIN THE HOT POTENTIALLY HAZARDOUS FOOD AT 135F OR HIGHER. NOTE; THE FOOD WAS REHEATED TO 165F AND HOT HELD AT ABOVE 135F.

FOUND THE MILK AND THE WHIPPED CREAM IN THE SERVICE REFRIGERATOR IN THE FRONT AT 48F. [CA] KEEP COLD POTENTIALLY HAZARDOUS FOOD AT 41F OR BELOW. NOTE: THE FOOD HAS BEEN PLACED IN THIS REFRIGERATOR FOR LESS THAN 2 HOURS. NOTE: THE FOOD HAS BEEN RELOCATED TO A WORKING REFRIGERATOR.

FOUND 3 BOWLS WITH CHICKEN AT 109F, BEEF 123F AND PORK AT 112F INSERTED INSIDE THE WARMER FOR HOT HOLDING. [CA] KEEP HOT POTENTIALLY HAZARDOUS FOOD AT 135F OR ABOVE. REHEAT TO 165 AND MAINTAIN AT 135F MINIMUM FOR HOT HOLDING.

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

Inspector Observations: FOUND THE MEAL PLATES WITHOUT ANY DATE AND TIME MARKINGS. [CA] PROVIDE MARKINGS. COS.

K15 - 8 Points - Food not obtained from approved source; 113980, 113982, 114021-114031, 114041

Inspector Observations: FOUND 6 YOGURT CUPS FOR RETAIL AND THE YOGURT IS MADE IN THIS FACILITY. [CA] DO NOT MANUFACTURE YOGURT AS YOU NEED CDFA LICENSE TO BE ABLE TO MAKE YOGURT. SEE VC&D

Minor Violations

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

Inspector Observations: MISSING THE FOOD HANDLER'S CARDS FOR THE FOOD EMPLOYEES. [CA] PROVIDE FOOD HANDLER'S CARDS.

K13 - 3 Points - Food not in good condition/unsafe/adulterated; 113967, 113976, 113980, 113988, 113990, 114035, 114041, 114254(c), 114254.3

Inspector Observations: FOUND A JUG WITH COFFEE INSERTED IN THE CONSUMABLE ICE IN THE ICE MACHINE. [CA] DO NOT STORE ANY CONTAINERS IN THE CONSUMABLE ICE.

K27 - 2 Points - Food not separated and unprotected; 113984(a-d,f), 113986, 114060, 114067(a,d,e,j), 114069(a,b), 114077, 114089.1(c), 114143(c)

Inspector Observations: FOUND A LARGE OPEN BAG OF RICE IN THE BACK AREA. [CA] ONCE OPENED, STORE ITS INGREDIENTS IN A FOOD GRADE WASHABLE CONTAINER WITH A LID AND LABEL.

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

Inspector Observations: FOUND SEVERAL DRY PREPACKAGED FOOD AND PREPACKAGED DESSERT CUPS WITHOUT A LABEL OR COMPLETE LABEL. [CA] PROVIDE THE FOLLOWING ON THE LABEL FOR EACH PREPACKAGED FOOD ITEM. :

- 1. NAME OF THE FOOD IN ENGLISH**
- 2. CONTENTS (IE: OZ OR UNITS)**
- 3. INGREDIENTS**
- 4. NAME AND ADDRESS OF MANUFACTURER.**

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

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Inspector Observations: FOUND MOLD INSIDE THE ICE MACHINE PLASTIC FLAP. [CA] CLEAN AND SANITIZE THIS PART MORE OFTEN.

K34 - 2 Points - Warewashing facilities: not installed or maintained; no test strips; 114067(f,g), 114099, 114099.3, 114099.5, 114101(a), 114101.1, 114101.2, 114103, 114107, 114125

Inspector Observations: FOUND NO CHLORINE TEST STRIPS AVAILABLE. [CA] PROVIDE TEST STRIPS.

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: THE SERVICE REFRIGERATOR IN THE FRONT IS UNABLE TO KEEP THE FOOD COLD AT 41F OR BELOW. [CA] REPAIR REFRIGERATOR.

Follow-up By 10/17/2023

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: FOUND A PLASTIC BOWL BEING USED AS A SCOOP FOR THE SUGAR WORKING CONTAINER. [CA] USE FOOD GRADE WASHABLE SCOOP WITH A HANDLE AND KEEP THE HANDLE OUTSIDE THE FOOD.

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

Inspector Observations: FOUND A 2 BURNER GAS STOVE EXTENDING OUTSIDE THE HOOD CANOPY. [CA] ENSURE THAT THE COOKING EQUIPMENT IS 5 INCHES INSIDE THE CANOPY OF THE HOOD.

THE LIGHT ABOVE THE AREA WITH FLOUR SACS IS NOT WORKING. [CA] PROVIDE A WORKING LIGHT.

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 THE MOP INSIDE THE MOP BUCKET. [CA] HANG THE MOP TO AIR DRY.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

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Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
MEAT	REACH IN FREEZER	1.00 Fahrenheit	
PATE	SANDWICH REFRIGERATOR	41.00 Fahrenheit	
CHLORINE	WARE WASHER	100.00 PPM	
CHICKEN	SERVICE REFRIGERATOR	40.00 Fahrenheit	
PATE	WALK IN FREEZER	1.00 Fahrenheit	
CHICKEN WINGS	HEATING LAMP	89.00 Fahrenheit	
FRIED SHRIMP	HEATING LAMP	89.00 Fahrenheit	
PORK ROLL	SELF SERVICE REFRIGERATOR	38.00 Fahrenheit	
EGG ROLLS	HEATING LAMP	89.00 Fahrenheit	
EGG ROLLS	WALK IN FREEZER	3.00 Fahrenheit	
WHIPPED CREAM	SERVICE REFRIGERATOR	48.00 Fahrenheit	
MILK	SERVICE REFRIGERATOR IN THE FRONT	48.00 Fahrenheit	
CHEESE	SANDWICH REFRIGERATOR	41.00 Fahrenheit	
BEEF BOWL	HOT HOLDING	123.00 Fahrenheit	
HOT WATER	HAND WASH SINK	100.00 Fahrenheit	
HEADCHEESE	WALK IN COOLER	36.00 Fahrenheit	
HOT WATER	3 COMPARTMENT SINK	120.00 Fahrenheit	
CHICKEN	WALK IN FREEZER	2.00 Fahrenheit	
EGGS	SERVICE REFRIGERATOR	37.00 Fahrenheit	
EGGS	SERVICE REFRIGERTOR IN THE BACK	37.00 Fahrenheit	
CHICKEN BOWL	HOT HOLDING	109.00 Fahrenheit	
MEAL PLATES	SELF SERVICE REFRIGERATOR	38.00 Fahrenheit	
CHICKEN	WALK IN COOLER	32.00 Fahrenheit	
MAYO	SANDWICH REFRIGERATOR	41.00 Fahrenheit	
SALAMI	REACH IN FREEZER	1.00 Fahrenheit	
HEADCHEESE	SANDWICH REFRIGERATOR	41.00 Fahrenheit	
COCONUT JELLY	SELF SERVICE REFRIGERATOR	36.00 Fahrenheit	
PORK BOWL	HOT HOLDING	112.00 Fahrenheit	
PATE	REACH IN FREEZER	1.00 Fahrenheit	
DRESSING	WALK IN COOLER	33.00 Fahrenheit	
PATE	WALK IN COOLER	35.00 Fahrenheit	
DESSERTS	REACH IN REFRIGERATOR	40.00 Fahrenheit	
BEEF	WALK IN FREEZER	2.00 Fahrenheit	

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 **10/26/2023**. 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: VU NGUYEN
OWNER

Signed On: October 12, 2023