

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 FA0269828 - NICK THE GREEK		Site Address 5019 ALMADEN EX, SAN JOSE, CA 95118		Inspection Date 09/28/2023		Placard Color & Score <div style="background-color: green; color: white; padding: 10px; text-align: center;"> GREEN 84 </div>		
Program PR0401598 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name NICK TSIGARIS		Inspection Time 15:15 - 16:30			
Inspected By HELEN DINH		Inspection Type ROUTINE INSPECTION		Consent By PAOLO (KM) & YIANNI				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						
K06	Adequate handwash facilities supplied, accessible	X						S
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						
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	X			N
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		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

No major violations were observed during this inspection.

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 at 47F in 2 door reach in at cooks line: beef patty and pork belly for less than 4 hours. [CA] Maintain all PHFs cold held at or below 41F.

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 an employee drop a flat spatula onto floor at cooks line. Employee picked up utensil and went to warewash sink. Observed employee ONLY rinsing utensils and walking back to cooks line. Manual warewashing shall be accomplished by using a three-compartment sink where the utensils are first precleaned, washed with hot soapy water, rinsed with hot water, sanitized with an approved method, and air dried. Use 1 TBS of bleach (5.25%) per 1 gal. of water for chlorine solution (100 PPM). Use 1 tbs of quaternary ammonium (10%) per 2 gal. of water for quaternary ammonium (200 PPM). [COS] Operator was directed to stop what they were doing and rewash utensil through wash, rinse, sanitize and air dry.

K21 - 3 Points - Hot and cold water not available; 113953(c), 114099.2(b), 114163(a), 114189, 114192, 114192.1, 11419

Inspector Observations: Measured hot water intially holding at 116F. Observed water going up to 120F and fluctuating down to 100F and rising back up again. [CA] Ensure adequate, pressurized potable supply of hot water is at a minimum of 120F for all sinks with the exception of hand wash sink to be held between 100F - 108F.

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

Inspector Observations: Found several flies near warewash area. [CA] Each food facility shall be free of pest such as flies. Provide approved pest control services.

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: Found drain line under 1-compartment sink directly stored in floor sink. [CA] Provide a minimum of 1 inch air gap between floor sink and drain line.

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 3 loose CO2 tank in facility office. [CA] Secure CO2 tank with rigid structure to prevent accidental discharge.

Performance-Based Inspection Questions

Needs Improvement - Food contact surfaces clean, sanitized.

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Measured Observations

Item	Location	Measurement	Comments
diced tomato	2 door cold top/reach in	40.00 Fahrenheit	
raw chicken	3 door upright	51.00 Fahrenheit	diligent prep
beverage	grab n go	40.00 Fahrenheit	
diced tomato	3 door cold top/reach in	40.00 Fahrenheit	
beverage	1 door reach in	41.00 Fahrenheit	
vegetables	walk-in-cooler (outside)	40.00 Fahrenheit	
warm water	handsink (front, back & RR)	100.00 Fahrenheit	
pork belly	2 door reach in cooks line	47.00 Fahrenheit	
meat	walk-in-freezer (outside)	11.60 Fahrenheit	
ambient	3 door upright	41.00 Fahrenheit	
meat	2 door reach in warmer	141.00 Fahrenheit	
beef patty	2 door reach in cooks line	47.00 Fahrenheit	
hot water	warewash/1-comp	100.00 Fahrenheit	final reading at 120F. Note: hot water fluctuating.
chicken kabob	2 door warmer	140.00 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 **10/12/2023**. 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: Yianni Papas
Cashier
Signed On: September 28, 2023